

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Tuck offered the following:

Amendment

Remove lines 262-417 and insert:

Section 1. Section 288.987, Florida Statutes, is amended to read:

288.987 Florida Defense Support ~~Task Force~~.—

(1) The Department of Commerce shall establish a direct-
support organization to support Florida's military and defense
industries and communities ~~The Florida Defense Support Task~~
~~Force is created.~~

(a) The direct-support organization is a corporation not
for profit, as defined in s. 501(c)(3) of the Internal Revenue
Code, which is incorporated under chapter 617 and approved by

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16 the Department of State. The direct-support organization is
17 exempt from paying filing fees under chapter 617.

18 (b) The direct-support organization shall operate under
19 contract with the department pursuant to s. 20.60. The contract
20 must provide that:

21 1. The department may review the direct-support
22 organization's articles of incorporation.

23 2. The direct-support organization shall submit an annual
24 budget proposal to the department, on a form provided by the
25 department, in accordance with department procedures for filing
26 budget proposals based on recommendations of the department.

27 3. Any funds that the direct-support organization holds in
28 trust must revert to the state upon the expiration or
29 cancellation of the contract.

30 4. The direct-support organization is subject to an annual
31 financial and performance review by the department to determine
32 whether the direct-support organization is complying with the
33 terms of the contract and is acting in a manner consistent with
34 the goals of the department and in the best interest of the
35 state.

36 (c) The department must determine and annually certify
37 that the direct-support organization is complying with the terms
38 of the contract and is doing so consistent with the goals and
39 purposes of the organization and in the best interests of the
40 state.

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41 (d) The fiscal year of the direct-support organization
42 begins on July 1 and ends on June 30 of the next succeeding
43 year. By August 15 of each fiscal year, the department shall
44 submit a proposed operating budget for the direct-support
45 organization to the Governor, the President of the Senate, and
46 the Speaker of the House of Representatives.

47 (e) The direct-support organization shall provide an
48 annual financial audit in accordance with s. 215.981.

49 (f) The direct-support organization is not an agency for
50 purposes of chapter 120; s. 215.31; chapter 216; ss. 255.21,
51 255.25, and 255.254, relating to leasing of buildings; and ss.
52 283.33 and 283.35, relating to bids for printing.

53 (g) Subject to the approval of the Secretary of Commerce,
54 the department may allow the direct-support organization to use
55 the property, facilities, personnel, and services of the
56 department if the direct-support organization provides equal
57 employment opportunities to all persons regardless of race,
58 color, religion, sex, or national origin.

59 (2)(a) The mission of the direct-support organization ~~task~~
60 ~~force~~ is to carry out the provisions of this section, to make
61 recommendations to preserve and protect military installations,
62 to assist Florida is for Veterans, Inc., created in s. 295.21,
63 with economic and workforce development efforts in military
64 communities, to conduct planning and research and development to
65 support military missions, businesses, and military families ~~to~~

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66 ~~support the state's position in research and development related~~
67 ~~to or arising out of military missions and contracting, and to~~
68 improve the state's military-friendly environment for
69 servicemembers, military dependents, military retirees, and
70 businesses that bring military and base-related jobs to the
71 state.

72 (b) The direct-support organization is organized and
73 operated to request, receive, hold, invest, and administer
74 property and to manage and make expenditures related to its
75 mission and for joint planning with host communities to
76 accommodate military missions and prevent base encroachment,
77 advocacy on the state's behalf with federal civilian and
78 military officials, promotion of the state to military and
79 related contractors and employers, and support of economic and
80 product research and development activities of the defense
81 industry.

82 (c) As necessary and requested by Florida is for Veterans,
83 Inc., the direct-support organization may undertake such
84 activities that assist the corporation with job training and
85 placement for military spouses in communities with high
86 proportions of active duty military personnel. As necessary and
87 requested by the Department of Education, school districts, or
88 Florida state colleges and universities, the direct-support
89 organization may undertake such activities that assist in
90 providing a smooth transition for dependents of military

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91 personnel and other military students. The direct-support
92 organization is intended to complement but may not supplant the
93 activities of other state entities.

94 (3) The direct-support organization shall be governed by a
95 board of directors.

96 (a) The board of directors is composed of the Governor, or
97 his or her designee, and the following members ~~task force shall~~
98 ~~be comprised of the Governor or his or her designee, and 12~~
99 ~~members~~ appointed as follows:

100 1.(a) Four members appointed by the Governor.

101 2.(b) Four members appointed by the President of the
102 Senate.

103 3.(c) Four members appointed by the Speaker of the House
104 of Representatives.

105 (b)(d) Appointed members must represent defense-related
106 industries or communities that host military bases and
107 installations. All appointments in place as of July 1, 2024,
108 must continue in effect until the expiration of the term ~~must be~~
109 ~~made by August 1, 2011.~~ Members shall serve for a term of 4
110 years, ~~with the first term ending July 1, 2015. However, if~~
111 ~~members of the Legislature are appointed to the task force,~~
112 ~~those members shall serve until the expiration of their~~
113 ~~legislative term and may be reappointed once.~~ A vacancy shall be
114 filled for the remainder of the unexpired term in the same

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115 manner as the initial appointment. ~~All members of the council~~
116 ~~are eligible for reappointment.~~

117 (c) The President of the Senate and the Speaker of the
118 House of Representatives shall each appoint a current member of
119 their respective chambers who shall serve ex officio, nonvoting.
120 An appointed Senator or Representative shall serve until the
121 expiration of the member's legislative term and may be
122 reappointed once. An appointed Senator or Representative A
123 ~~member who serves in the Legislature~~ may participate in all
124 direct-support organization ~~task force~~ activities but may not
125 ~~only~~ vote ~~on matters that are advisory.~~

126 (d)-(4) The President of the Senate and the Speaker of the
127 House of Representatives shall each designate one of their
128 appointees under paragraph (b) to serve as chair of the direct-
129 support organization ~~task force~~. The chair shall serve a 2-year
130 term, rotating on December 1 of each even-numbered year ~~rotate~~
131 ~~each July 1~~. The appointee designated by the President of the
132 Senate shall serve as initial chair. If the Governor, instead of
133 his or her designee, participates in the activities of the
134 direct-support organization ~~task force~~, ~~then~~ the Governor shall
135 serve as chair.

136 (e)-(5) The Secretary of Commerce ~~Economic Opportunity~~, or
137 his or her designee, shall serve as the ex officio, nonvoting
138 executive director of the direct-support organization ~~task~~
139 ~~force~~.

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140 (f) The Executive Director of Florida Department of
141 Veterans' Affairs and the Adjutant General of the Florida
142 National Guard, or their designees, shall serve as ex officio,
143 nonvoting members of the direct-support organization.

144 (g) Any employees and appointed board members, in their
145 capacity of service on the board, are not public employees for
146 the purposes of chapter 110 or chapter 112, except that such
147 employees and appointed board members of the corporation are
148 subject to the provisions of s. 112.061, related to
149 reimbursement for travel and per diem exempts incurred while
150 performing duties, and part III of chapter 112. Otherwise, each
151 member of the board of directors shall serve without
152 compensation.

153 (4)(6) The direct-support organization ~~task force~~ shall
154 submit an annual ~~progress~~ report and ~~work plan~~ to the Governor,
155 the President of the Senate, and the Speaker of the House of
156 Representatives each November 1, which may be submitted as a
157 supplement report with the annual report of the department
158 pursuant to s. 20.60 ~~February~~ 1.

159 (5) The direct-support organization, in the performance of
160 its duties, may:

161 (a) Make and enter into contracts and assume such other
162 functions as are necessary to carry out the mission of the
163 direct-support organization and its contract with the
164 department, provided that any such contracts and assumptions are

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165 not inconsistent with this section or any other applicable
166 provision of law governing the direct-support organization. A
167 proposed contract with a total cost of \$750,000 or more is
168 subject to the notice, review, and objection procedures of s.
169 216.177. If the chair and vice chair of the Legislative Budget
170 Commission, or the President of the Senate and the Speaker of
171 the House of Representatives, timely advise the direct-support
172 organization in writing that such proposed contract is contrary
173 to legislative policy and intent, the direct-support
174 organization may not enter into such proposed contract. The
175 direct-support organization may not divide one proposed contract
176 with a total cost of \$750,000 or more into multiple contracts to
177 circumvent the requirements of this paragraph.

178 (b) Establish grant programs and administer grant awards
179 to support its mission. The direct-support organization must
180 publicly adopt guidelines and application procedures and must
181 publish such guidelines, application procedures, and awards on
182 its website. The direct-support organization may assist the
183 department as requested and necessary with any statutorily
184 established grants or other programs, but may not administer
185 such grants on behalf of the department.

186 ~~(7) The department shall support the task force and~~
187 ~~contract with the task force for expenditure of appropriated~~
188 ~~funds, which may be used by the task force for economic and~~
189 ~~product research and development, joint planning with host~~

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190 ~~communities to accommodate military missions and prevent base~~
191 ~~encroachment, advocacy on the state's behalf with federal~~
192 ~~civilian and military officials, assistance to school districts~~
193 ~~in providing a smooth transition for large numbers of additional~~
194 ~~military-related students, job training and placement for~~
195 ~~military spouses in communities with high proportions of active~~
196 ~~duty military personnel, and promotion of the state to military~~
197 ~~and related contractors and employers. The task force may~~

198 (c) Annually spend up to \$250,000 of funds appropriated to
199 the department for the direct-support organization ~~task force~~
200 for staffing and administrative expenses of the direct-support
201 organization ~~task force~~, including travel and per diem costs
202 ~~incurred by task force members who are not otherwise eligible~~
203 ~~for state reimbursement.~~

204 (6) This section is repealed October 1, 2029, unless
205 reviewed and saved from repeal by the Legislature.