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Executive Director

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Rick Scott
Governor
Pam Bondi
Attorney General
Jeff Atwater
Chief Financial Officer
Adam Putnam
Commissioner of Agriculture

March 13th, 2015

MEMORANDUM

TO: Honorable Rick Scott
Honorable Pam Bondi
Honorable Jeff Atwater
Honorable Adam Putnam

FROM: Florida Department of Veterans' Affairs
Mike Prendergast, Executive Director

SUBJECT: Agenda – Cabinet Meeting of March 24th, 2015

The next public meeting of the Governor and Cabinet to transact the business of the Department of Veterans' Affairs will be at 9:00 a.m. (EST), March 24th, 2015 in Tallahassee, Florida.

The Agenda and all required back-up materials are attached for your review.

If you have any questions, please call my Legislative and Cabinet Affairs Director Colleen Krepstekies, at (850) 487-1533 x7723.

cc: Monica Russell, Director of Cabinet Affairs
Executive Office of the Governor

Cynthia Kelly, Director
Governor's Office of Policy and Budget

Attachments

AGENDA
FLORIDA DEPARTMENT OF VETERANS' AFFAIRS
Meeting materials for the following items are available on the web at:
<http://floridavets.org/about-us/public-notice/>

MEMBERS

Governor Rick Scott
Attorney General Pam Bondi
Chief Financial Officer Jeff Atwater
Commissioner Adam Putnam

March 24th, 2015
9:00 A.M. (EST)
LL-03, The Capitol
Tallahassee, Florida

Contact: Colleen Krepstekies, Director, Legislative & Cabinet Affairs
(850) 487-1533

ITEM	SUBJECT	RECOMMENDATION
1.	Respectfully request approval of the minutes of the January 13th, 2015 meeting. (ATTACHMENT 1)	RECOMMEND APPROVAL
2.	Respectfully request approval of the minutes of the February 5 th , 2015 meeting (ATTACHMENT 2)	RECOMMEND APPROVAL
3.	Respectfully submit recommendations for the 2014 Florida Veterans' Hall of Fame. (ATTACHMENT 3)	RECOMMEND APPROVAL

DEPARTMENT OF VETERANS AFFAIRS

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3 ATTORNEY GENERAL BONDI: At this time I would
4 like to recognize Mike Prendergast with the
5 Department of Veterans Affairs.

6 Colonel.

7 EXECUTIVE DIRECTOR PRENDERGAST: I brought a
8 few props for this morning's Cabinet meeting with
9 us.

10 Good morning, General Bondi, CFO Atwater, and
11 Commissioner Putnam. I'd like to give you an
12 update on the great work that our Florida Veteran's
13 Foundation has been doing with an agency called
14 Support the Troops. It's a Wesley Chapel
15 organization that we've introduced to you in
16 previous Cabinet meetings; and, in fact, their
17 Executive Director, Mr. Mark Van Trees, was honored
18 by the Governor and Cabinet during the November
19 Cabinet meeting that we held down here right after
20 Veterans Day.

21 Leading up to the holidays, Support the Troops
22 put together a wide range of donations for our
23 veterans in our state veterans domiciliary located
24 in Lake City: Girl Scout cookies like you see in
25 the box here, packages of socks for veteran

1 residents, and a whole host of other things, like
2 personal hygiene items and clothing for our
3 residents, were all provided by donations from
4 Support the Troops and other organizations from
5 across the state.

6 The Activities Director, Diana, received an
7 overwhelming response and a lot of thanks and
8 gratitude from the veteran residents of the
9 veterans domiciliary. And, in fact, one of the
10 comments that she related back to Naomi just
11 yesterday was that our veterans came to them and
12 told them that this was one of the best Christmases
13 that they could ever remember and, indeed, the
14 Christmas was so good it compared to Christmases
15 they had with their own children whenever they were
16 raising their families.

17 So they were very thankful for Mark and our
18 Florida Veterans Foundation for all of the support
19 over the holiday season, and we just wanted to
20 thank them again for everything that they do for
21 our veteran community here in the state.

22 Most recently, Support the Troops has
23 facilitated the donation of more than a quarter of
24 a million dollars of items for the Florida Veterans
25 Foundation to use for upcoming homeless veterans

1 stand-downs. Items such as these long-term
2 shelf-life meals, backpacks, other items of
3 clothing, and personal hygiene items have been
4 donated and will be donated again in 2015 as our
5 homeless veterans stand-downs take root across the
6 state. And, in fact, I think our chairman of our
7 Foundation is here with us today, Colonel Retired
8 Washington Sanchez from the Foundation, as he is at
9 every Cabinet meeting.

10 We sincerely appreciate all that Support the
11 Troops and the Florida Veterans Foundation do for
12 all of our veterans, their family members, and
13 survivors. And quite simply, we couldn't do the
14 job that we do to the standards of excellence
15 without their support, assistance, and the love
16 that they provide to our veterans and their family
17 members.

18 Before we begin our agenda, I have one
19 additional brief but notable update for you
20 regarding our State Veterans Homes Program. As you
21 know, St. Lucie County was awarded the site for the
22 seventh state veterans nursing home following a
23 unanimous vote at the September 23rd Cabinet
24 meeting.

25 Following the vote, we invited the

1 general public to participate in the naming process
2 by suggesting eligible nominees for consideration.
3 Our naming protocols state that a nominee must be a
4 deceased medal of honor recipient accredited to
5 Florida by the Congressional Medal of Honor
6 Society.

7 We received an overwhelming response for a
8 Viet Nam War veteran: Ft. Pierce and St. Lucie
9 County native, Sergeant Ardie R. Copas. Then a
10 specialist, Ardie Copas distinguished himself on
11 May 12th, 1970, while serving as a machine gunner
12 in Cambodia.

13 When his convoy was ambushed, the 19-year-old
14 specialist repelled the enemy under heavy fire,
15 holding his post, while his wounded comrades were
16 evacuated to safety. He was, unfortunately, killed
17 in action and posthumously awarded the Medal of
18 Honor for his heroic actions on March 18th, 2014.

19 We are honored to have here with us today, the
20 daughter of Sergeant Copas,
21 Ms. Sharelle Copas-Herrera, who accepted our
22 nation's highest military honor on behalf of her
23 late father from President Obama last year.
24 Sharelle traveled down to Tallahassee from
25 Tennessee to deliver a few brief remarks to you

1 this morning. Please join me in welcoming
2 Ms. Sharelle Copas-Herrera to the Cabinet meeting.

3 (APPLAUSE).

4 GOVERNOR SCOTT: Good morning.

5 MS. COPAS-HERRERA: Good morning. I'd like to
6 thank everyone for letting me and my mother be here
7 today, and I'd also like to thank everyone who has
8 been involved with everything that has happened
9 thus far with my dad in honoring his sacrifice that
10 he made that day for myself, my mom, my family, his
11 buddies that day, and our country.

12 I'm so very proud of him, and words just can't
13 describe the feelings that I've had ever since this
14 has happened. I wondered so many years, my whole
15 life, why he didn't receive this medal a long time
16 ago.

17 After reading my dad's citations of his medals
18 that were placed in my arms in my 30s, everything
19 that had been told to me my whole life about my dad
20 just came rushing from the top of my head to the
21 bottom of my toes. You can be told things your
22 whole life, but until you actually experience and
23 see it for your own eyes, like I said, just --
24 there's nothing like it.

25 And I've been extremely honored, and very

1 honored even more so about this nursing home being
2 named in my dad's honor, for the fact that when I
3 was a little girl I used to go to nursing homes and
4 sing at the nursing homes. And at one time I even
5 got to meet one of the oldest living relatives --
6 oldest living Floridians at the time. She was 112
7 or 113, 14 I think, and that was just very
8 impressive to me. And this past holiday, my first
9 granddaughter, Hannah Renee Garrett, she went to
10 the nursing home this year, kindergarten, and sang,
11 and she loved it.

12 And just -- my mom, only being 17 when I was
13 born, obviously my grandma had a big hand in
14 raising me, my grandmom and my grandpa. So this
15 nursing home is even better to me in my heart than
16 even a veterans hospital because the elderly are so
17 dear to me. And obviously veterans, because of my
18 dad and what my dad did that day, veterans always
19 have been a special part in my heart. And I just
20 thank everyone so very much for everything you've
21 all done for us.

22 Thank you.

23 (APPLAUSE).

24 GOVERNOR SCOTT: Good morning. I think
25 Caroline is going to come back in a few minutes and

1 we'll get a picture. The photographer is going to
2 come back in a minute.

3 MRS. COPAS: Thank you.

4 GOVERNOR SCOTT: Thank you.

5 EXECUTIVE DIRECTOR PRENDERGAST: Thank you,
6 again, ladies, for attending today's Cabinet
7 meeting.

8 Governor, the Department of Veterans Affairs
9 has five agenda items for the Cabinet's
10 consideration today. Agenda Item 1 consists of the
11 Cabinet meeting minutes for the September 23rd,
12 2014, Cabinet meeting.

13 We respectfully request approval of these
14 minutes.

15 GOVERNOR SCOTT: Is there a motion to approve?

16 COMMISSIONER PUTNAM: So moved.

17 GOVERNOR SCOTT: Is there a second?

18 CFO ATWATER: Second.

19 GOVERNOR SCOTT: Moved and seconded, show the
20 minutes approved without objection.

21 EXECUTIVE DIRECTOR PRENDERGAST: Thank you.

22 Agenda Item 2 is the Agency's annual report
23 for fiscal year 2013 and 2014. Each of your
24 offices received a copy of this report prior to the
25 holidays, and we would be pleased to review it with

1 you in further detail if you have any questions.

2 Briefly, I'd just like to talk about a couple
3 of the highlights from this year's annual report.
4 The Agency supported 18 Governor's Veteran Service
5 Award ceremonies last year, along with a number of
6 presentations at Cabinet meetings held here in
7 Tallahassee and throughout the state. In total,
8 Governor Scott honored nearly 5,500 veterans with
9 this well-deserved recognition, and we look forward
10 to the first ceremony for 2015 later this week in
11 Melbourne.

12 Fifty VA state veterans nursing homes enjoyed
13 an overall occupancy rate of 97.8 percent for the
14 year with our standard being at 90 percent. The
15 percentages include our assisted living facility in
16 Lake City which operates at a slightly lower
17 percentage for its occupancy. Our six state
18 veterans nursing homes again maintained an average
19 occupancy of 99 percent last year.

20 Further, I'm pleased to note that we now have
21 five of our six state veterans nursing homes rated
22 at the five-star ranking by the Centers for
23 Medicare and Medicaid Services. And our final home
24 is a four-star home striving daily to try and
25 achieve that five-star ranking.

1 Finally, our Benefits and Assistance Division
2 provided over 620,000 services to veterans, their
3 family members, and their survivors last year, and
4 served over 110,000 unique veterans. This hard
5 work from our 99 veterans claims examiners
6 throughout the state under the leadership of
7 Ms. Eileen Tarter, our Division Director, resulted
8 in more than \$174 million in retroactive
9 compensation awarded to veterans, and a return on
10 investment of \$128 of earned federal benefits
11 flowing into Florida's economy for every dollar
12 invested.

13 We respectfully request approval of our annual
14 report.

15 GOVERNOR SCOTT: Is there a motion to accept
16 the report?

17 CFO ATWATER: So moved.

18 GOVERNOR SCOTT: Is there a second?

19 COMMISSIONER PUTNAM: Second.

20 GOVERNOR SCOTT: Any objections?

21 (NO RESPONSE).

22 GOVERNOR SCOTT: Hearing none, the motion
23 carries.

24 EXECUTIVE DIRECTOR PRENDERGAST: Thank you,
25 Governor.

1 Agenda Item 3 is the legislative budget
2 request for fiscal year '15 and '16. I'd like to
3 highlight a couple of the key issues within each
4 division of the agency, but we've provided great
5 detail to the staffs and, as well, to the Office of
6 Policy and Budget upstairs.

7 Priority 1A is our homes improvement and
8 renovation grants request. The Department has been
9 approved for two federal matching-fund grants to
10 increase the safety and security of our residents
11 in two of our homes. Examples to meet these needs
12 include new beds, required medical equipment and
13 safety equipment, and other items to support the
14 health, safety, and well being of our veteran
15 residents.

16 The grants are, again, a cost-sharing program,
17 with the federal government paying 65 percent, and
18 our State Veterans Trust Fund paying the remaining
19 35 percent. These two grants total \$11 million.

20 And our Priority 1B project is our capital
21 improvement program which the Department requests
22 approximately \$2 million in our state trust funds
23 to maintain and repair the remainder of our state
24 veterans nursing homes. There are several other
25 highlights throughout the budget, but I'd like to

1 turn now to the veterans -- the Division of
2 Veterans Benefits and Assistance.

3 This great team over there does an awesome
4 job, and a couple of years ago, due to our fiscal
5 constraints, we used some of our trust fund money
6 out of our operations and maintenance account to
7 pay for some full-time equivalents to fund our
8 requirements to help deliver veterans' benefits and
9 services. We'd ask that this budget cycle consider
10 removing that money from the trust fund account and
11 putting it back into general revenue where
12 traditionally it has been in the past.

13 And finally, for our Division of Executive
14 Direction and Support, we seek funding for our
15 Bureau of Information and Research in order to
16 allow the agency to do the in-depth analytics and
17 forecasting required to prepare us for the
18 challenges of our next generation of veterans that
19 are returning home on a daily basis. And we would
20 like to meet those requirements well ahead of their
21 demand landing squarely in the Agency's hands to be
22 executed.

23 Subject to your questions, we respectfully
24 request approval of our legislative budget request
25 for 2015 and 2016.

1 GOVERNOR SCOTT: Is there a motion to accept
2 the legislative budget request?

3 ATTORNEY GENERAL BONDI: So moved.

4 GOVERNOR SCOTT: Is there a second?

5 CFO ATWATER: Second.

6 GOVERNOR SCOTT: Florida law requires the
7 Governor to independently submit budget proposals;
8 accordingly, I am abstaining from the vote on
9 this item. The record should reflect my
10 abstention.

11 Any objections to accepting the legislative
12 budget request?

13 (NO RESPONSE).

14 GOVERNOR SCOTT: Hearing none, the motion is
15 approved with one abstention.

16 EXECUTIVE DIRECTOR PRENDERGAST: Thank you,
17 Governor.

18 Agenda Item 4 consists of the Agency proposals
19 for 2015 and, at the high level, Agenda Item 1 for
20 this proposal is in-state tuition for dependents
21 using the post 911 GI Bill. Item 2 is the veterans
22 Employment Opportunity Act; and Item 3 adds some
23 license plates to the license plates available for
24 veterans and increases the opportunity for us to
25 make those sales which provides approximately

1 \$2 million into our annual budget each year from
2 the sale of those license plates.

3 Subject to your questions, we respectfully
4 request approval of the Agency's proposals for
5 2015.

6 GOVERNOR SCOTT: Is there a motion to accept
7 the legislative proposals?

8 COMMISSIONER PUTNAM: So moved.

9 GOVERNOR SCOTT: Is there a second?

10 ATTORNEY GENERAL BONDI: Second.

11 GOVERNOR SCOTT: Florida law requires the
12 Governor to independently review legislation upon
13 passage. Accordingly, I am abstaining from the
14 vote on this item. The record should reflect my
15 abstention.

16 Any objections or comments with regard to
17 these legislative proposals?

18 (NO RESPONSE).

19 GOVERNOR SCOTT: Hearing none, the motion is
20 approved with one abstention.

21 EXECUTIVE DIRECTOR PRENDERGAST: Thank you,
22 Governor.

23 Our final agenda item is Number 5, and it
24 consists of a notice of Proposed Rule 55-12.006,
25 and it concerns residents' contribution to the cost

1 of care.

2 On June 3rd, 2014, House Bill 5003 became law
3 increasing the amount of income that residents to
4 the state veterans nursing homes may retain for
5 their personal use from \$35 per month to \$105 per
6 month. Residents must contribute the remainder of
7 their income to their maintenance and support while
8 residing in a state veterans nursing home up to the
9 actual cost of operating and maintaining the home.

10 We respectfully request approval of this
11 proposed rule change.

12 GOVERNOR SCOTT: Is there a motion to approve?

13 ATTORNEY GENERAL BONDI: So moved.

14 GOVERNOR SCOTT: Is there a second?

15 CFO ATWATER: Second.

16 GOVERNOR SCOTT: Any objections or any
17 comments?

18 (NO RESPONSE).

19 GOVERNOR SCOTT: Hearing none, the motion
20 carries.

21 EXECUTIVE DIRECTOR PRENDERGAST: In closing,
22 thank you, Governor Scott, General Bondi,
23 CFO Atwater, and Commissioner Putnam for your
24 untiring support to our state's veterans and the
25 most veteran friendly state in the nation. Thank

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you.

GOVERNOR SCOTT: Thank you very much.

ATTORNEY GENERAL BONDI: Thank you.

* * * *

1 if we might acknowledge that FDLE's visiting with us in
2 June is an appropriate time for us to align all our
3 expectations against the best measures we have and
4 to -- and to visit with the Commissioner at the time
5 and speak to the success at that time, and if there is
6 any action needed to take, that it would be addressed
7 at that time.

8 GOVERNOR SCOTT: Okay. All right. Anything else?
9 All right.

10 * * *

11 GOVERNOR SCOTT: Now I'd like to recognize Mike
12 Prendergast with the Department of Veterans' Affairs.
13 Good morning.

14 MR. PRENDERGAST: Good morning, Governor Scott,
15 General Bondi, CFO Atwater, and Commissioner Putnam.
16 Every day is Hero's Day in the great Sunshine State
17 with your leadership and fierce dedication to our
18 American patriots who have made everything that we have
19 in the United States of America so richly possible for
20 each and every one of our citizens and today's --
21 today's cabinet meeting has really been a testament to
22 the hard work that goes on among all of the state
23 agencies, from the Department of Economic Opportunity
24 to the Division of Forestry and everything in the
25 between, that makes possible our ability to say that

1 Florida is the most veteran-friendly state in the
2 nation, so thank you very much on behalf of our 1.5
3 million veterans, their family members, and their
4 survivors.

5 Governor Scott, we have for the cabinet today
6 three agenda items for your consideration. Agenda Item
7 1 is the agency's first quarter report for fiscal year
8 2014 and 2015. We just have a couple of quick
9 highlights for you in the interest of time. In our
10 Bureau of Field Services and the Benefits and
11 Assistance Division led by Alene Tarter, who had to
12 depart earlier to attend a conference call, we attended
13 over 200 outreach events during that quarter alone, and
14 we provided services to 15,000 veterans and their
15 families whenever they attended those outreach events.

16 In our Bureau of the State Approving Agency, which
17 helps us ensure that our veterans and our family
18 members and survivors get access to their GI Bill
19 benefits, we actually accredited and approved 3,600
20 programs through the State Approving Agency, and that
21 marked a 52 percent increase for the agency over the
22 previous quarter -- previous fiscal year's same
23 quarter. Of course, we maintained a 99 percent
24 occupancy rate in our state veterans' nursing homes,
25 and we continue to excel in delivering world class care

1 by having all six of our state veterans' nursing homes
2 now ranked at the five-star level.

3 We respectfully request approval of the first
4 quarter's report for the agency.

5 GOVERNOR SCOTT: Is there a motion to accept the
6 report?

7 ATTORNEY GENERAL BONDI: So moved.

8 GOVERNOR SCOTT: Is there second?

9 CFO ATWATER: Second.

10 GOVERNOR SCOTT: Any objections? Any comments?
11 Hearing none, the motion carries.

12 MR. PRENDERGAST: Thank you. Agenda Item 2 is the
13 agency's second quarter report for fiscal year '14 and
14 '15. For the second quarter, our Bureau of Veterans'
15 Claims advocated for more than 27,000 veterans and
16 their family members, and part of those efforts
17 resulted in \$29 million in retroactive compensation to
18 our veterans and their family members.

19 Also, in the second quarter, FDVA began its work
20 with Florida Is For Veterans, Inc., the 501(c)(3)
21 nonprofit that was created as part of the legislative
22 session last year that came into being once we got the
23 appointments made, and as part of that process, the
24 folks at Florida Is For Veterans, Inc., went through
25 and conducted a pretty wide and strategic search, and

1 they ended up tracking Bobby Carbonell, our former
2 Director of Legislative and Cabinet Affairs, to go on
3 and take on the responsibilities and roles as their new
4 Executive Director.

5 So with Bobby's departure, we immediately
6 advertised the vacancy in accordance with our
7 established procedures, and after conducting an open,
8 transparent, and highly competitive process to fill an
9 urgent and critical need in the agency and after
10 reviewing more than 57 applications, we found an
11 exceptionally outstanding candidate, who happened to be
12 part of our agency already.

13 And, Governor, it's someone that you know quite
14 well because she was our key leader for executing all
15 of the Governor's record service award ceremonies over
16 the past calendar year, and that's Captain Colleen
17 Krepstekies, an Operation Iraqi Freedom combat veteran
18 and also a member of our esteemed 53rd Infantry Brigade
19 of the Florida National Guard as a joined guardsman, so
20 we're going to work really hard for this legislative
21 session, but we're looking forward to great
22 contributions from Colleen for all her hard work.

23 (Applause.)

24 GOVERNOR SCOTT: She does a great job.

25 MR. PRENDERGAST: She absolutely does, Governor,

1 and we're blessed to have her in the agency. Ladies
2 and gentlemen, we respectfully request approval of our
3 second quarter a report.

4 GOVERNOR SCOTT: Is there a motion to accept the
5 report?

6 ATTORNEY GENERAL BONDI: So moved.

7 GOVERNOR SCOTT: Is there a second?

8 CFO ATWATER: Second.

9 GOVERNOR SCOTT: Any comments? Any objections?
10 Hearing none, the motion carries.

11 MR. PRENDERGAST: Thank you, Governor. Agenda
12 Item 3 is the agency's recommendation for the Florida
13 Veterans' Hall of Fame Class of 2014. The Florida
14 Veterans' Hall of Fame recognizes and honors those
15 military veterans who, through their works and lives,
16 during or after military service, have made a
17 significant contribution to the state of Florida
18 through civic, business, public service, or other
19 pursuits. It is not a traditional military hall of
20 fame as it focuses on post military contributions to
21 the state of Florida and its citizens.

22 The Florida Veterans' Hall of Fame Council, an
23 appointed seven-member body, is an advisory panel that
24 is responsible for submitting to the Governor and
25 Cabinet a list of recommended nominees. In selecting

1 its nominees for submission, the Council gives
2 preference to veterans who were either born in Florida
3 or adopted Florida as their home state.

4 The Florida Veterans' Hall of Fame Council
5 received a number of nominations from the field, and
6 reviewed each nominee submitted by the general public
7 using established criteria. The Council ranked the
8 nominees and submitted eight recommendations to our
9 agency for possible inclusion in the 2014 Hall of Fame.

10 Based on the Council's formal nominating criteria
11 and Florida Statutes, the Florida Department of
12 Veterans' Affairs is honored to recommend five of the
13 eight names for your approval. The nominees are the
14 late Rear Admiral Leroy Collins, Jr., from Tampa,
15 Florida; Major General James Lee Dozier, United States
16 Army retired; Dr. and Colonel and former Surgeon
17 General of the great state of Florida, Colonel Frank
18 Farmer, who served in Vietnam with the Army and retired
19 from the Air Force as a full Colonel; Chief Master
20 Sergeant Gene Cecil Johnson, United States Air Force
21 retired, and as we observe Black History Month, Chief
22 Johnson will be the first African-American inductee, if
23 so voted today; and finally, Lieutenant General
24 Lawrence F. Snowden, United States Marine Corps retired
25 and a Tallahassee native.

1 Moving forward, we will work with your respective
2 offices to schedule a ceremony at the Capitol so that
3 we can formally honor the nominees as they are inducted
4 into the Hall of Fame with their names placed on the
5 wall near the Capitol's rotunda.

6 Before we proceed, here to speak on Agenda Item 3
7 is Mr. David McAllister, Sons of Confederate Veterans,
8 Florida Division.

9 MR. McALLISTER: Good morning, Governor and
10 cabinet members. I'm David McAllister, PO Box 7343,
11 Wesley Chapel, Florida. I advocate for appreciation of
12 history and veterans and especially of the period of
13 the war between the states. I am the Chairman of the
14 Sons of Confederate Veterans, Florida Division, Florida
15 Veterans' Hall of Fame Committee. I am here with Mr.
16 H. K. Edgerton, a veteran of the United States Army;
17 former President of the NAACP of Ashville, North
18 Carolina; Chairman Emeritus of the Southern Legal
19 Resource Center; winner of the CSS Hunley Award, named
20 for the famous confederate submarine, which is the
21 highest accolade of the National Sons of Confederate
22 Veterans for his -- which he won for his defense of all
23 southerners' civil rights and the defense of the good
24 name of the confederate veteran.

25 Honorable Governor, ladies and gentlemen, it would

1 be a sad day when the Florida cabinet is complicit in
2 breaking Florida law. Failure to act and hopefully to
3 approve all eight of the recommendations of the Florida
4 Veterans' Hall of Fame Council for 2014 violates
5 Florida Statute 265.03. The Director of the Department
6 of Veterans' Affairs has no authority to delay this
7 issue past the calendar year of 2014, nor has he the
8 authority to exclude or include certain Florida
9 veterans and not others arbitrarily and unilaterally.

10 I'm calling on Attorney General Pam Bondi to
11 investigate these violations of Florida Statute.
12 Florida Statute Number 1.01, Definitions, defines the
13 term "veteran". The term "veteran" means a person who
14 served in the active military, naval, or air service
15 and who was discharged or released under honorable
16 conditions only, or who later received an upgraded
17 discharge under honorable conditions. That's all. The
18 enabling statute for the Hall of Fame says it is the
19 intent of the legislature to recognize and honor those
20 military veterans who, through their works and lives,
21 during and after military service, have made a
22 significant contribution to the state of Florida.

23 These are the three men that the Director deems
24 not qualified. The first is Governor and earlier
25 General Edward A. Perry, who led the Florida Brigade at

1 the Battle of Chancellorsville; Colonel and later the
2 first Inspector General David Lang, who led the Florida
3 Brigade at Gettysburg; Private and later Sergeant
4 Samuel Pasco, a Harvard graduate who came to Florida,
5 signed up, was wounded at the Battle of Missionary
6 Ridge, became a POW.

7 Now, Governor Perry, when he was Governor, founded
8 and started the university system in Florida. He also
9 started the Florida Veterans' Pension Plan. Inspector
10 General David Lang is known as the Father of the
11 Florida National Guard. Samuel Pasco, after the war,
12 became a lawyer, was elected to the Florida
13 legislature, Chairman of the Constitutional Convention,
14 was elected by the legislature to be a United States
15 Senator from Florida where he was on the Panama Canal
16 Commission for the nation, and he's the namesake of
17 Pasco County here in the state of Florida.

18 These are people, men, obviously, certainly,
19 worthy candidates. I ask that you withhold your
20 approval of any veterans for the Florida Veterans' Hall
21 of Fame until all veterans can be recognized. The
22 whole world is actually watching Florida. What you do
23 is important way beyond the plaque in the rotunda of
24 the Capitol building. Would you deny Holt Collier or
25 Napoleon Winbush, who is a black confederate and whose

1 grandson, Nelson Winbush, lives here in Florida and is
2 a member of the Sons of Confederate Veterans? The
3 President, himself, is qualified for full voting
4 membership in the Sons of Confederate Veterans.

5 Where's the reconciliation in Florida for
6 confederate veterans? Where's the inclusion of their
7 decedents in the diversity of this state? If you
8 believe that it's important that no veteran be left
9 behind and that no veteran is a second-class citizen,
10 then remember this about the message that you send with
11 your vote today. How we treat the veterans of 150
12 years ago is how the veterans of today will be treated
13 150 years from now. Thank you very much.

14 GOVERNOR SCOTT: Thank you.

15 Do you have a question?

16 ATTORNEY GENERAL BONDI: Yes, Governor. No, I
17 don't have a question, but I would ask that the Colonel
18 come up, and if he could, with his general counsel,
19 they are the entity who can address this, the general
20 counsel for Veterans' Affairs.

21 MR. PRENDERGAST: Thank you, General Bondi,
22 Governor Scott, CFO Atwater, and Commissioner Putnam.
23 In fact, it's not a technicality. It's a reality, and
24 I would like for my general counsel at the Department
25 of Veterans' Affairs to speak to the essence of the

1 matter so that we can discuss it in the legal terms
2 that are appropriate for the statutes of the state and
3 also to the U.S. Code. Mr. David Herman.

4 MR. HERMAN: Good afternoon. Thank you. Very
5 briefly, the nomination guidelines for the Florida
6 Veterans' Hall of Fame was approved in 2012. They're
7 on the public website. They're the same criteria in
8 effect today as they were when they were approved. The
9 nominees for the Florida Veterans' Hall of Fame must
10 meet the following criteria: They must have received
11 an honorable discharge from the United States Armed
12 Forces and provide official documentation verifying
13 discharge status.

14 Regrettably, three of the nominations that were
15 given to the Executive Director of the Department of
16 Veterans' Affairs did not meet this criteria. They
17 were -- served with the Confederate States of America,
18 not the United States Armed Forces, and no discharge
19 documentation showing their honorable discharge status
20 was provided. Additionally, the nominees must meet the
21 definition of veteran as defined in Section 1.01 of the
22 Florida Statutes. This definition does not reference
23 the Confederate States of America.

24 Given the failure to meet this criteria, the
25 Department of Veterans' Affairs had the authority and

1 responsibility to not advance that recommendation. The
2 Florida Department of Veterans' Affairs appreciates and
3 thanks the Florida Veterans' Hall of Fame Council for
4 their work and their expertise in developing this list
5 of nominees. However, per Florida law, the Florida
6 Veterans' Hall of Fame Council is an advisory council.

7 They provide recommendations. They submit those
8 recommendations. Then, as the Council exists within
9 the Department of Veterans' Affairs, they provide that
10 list to the Executive Director, who then makes the
11 recommendations from there to the Governor and Cabinet
12 for a decision. I can answer other questions, if
13 needed.

14 COMMISSIONER PUTNAM: I have a question. Are
15 there any inductees in the Veterans' Hall of Fame who
16 served prior to Florida's statehood who were
17 territorial members of our militia?

18 MR. HERMAN: No, sir.

19 COMMISSIONER PUTNAM: And would they be eligible?

20 MR. HERMAN: If they meet the criteria, sir.

21 COMMISSIONER PUTNAM: But they wouldn't meet your
22 criteria because they wouldn't have served in the
23 United States Army. They would have served in some
24 militia or territorial militia.

25 MR. McALLISTER: Amen.

1 COMMISSIONER PUTNAM: Do the nominees -- when you
2 say "nominees," how many submissions were there? How
3 many names were put forward for consideration?

4 MR. HERMAN: There were eight nominees put forward
5 for consideration, sir.

6 COMMISSIONER PUTNAM: I mean, of the pool of
7 people who were considered --

8 GOVERNOR SCOTT: So you -- Commissioner, you're
9 saying how many nominees to the commission?

10 COMMISSIONER PUTNAM: Yes.

11 ATTORNEY GENERAL BONDI: Overall.

12 GOVERNOR SCOTT: How many overall nominees?

13 MR. PRENDERGAST: In excess of 50 this year.

14 MR. McALLISTER: About 40, 50 this year.

15 GOVERNOR SCOTT: Okay. Let's -- let's let the
16 person at the microphone speak.

17 MR. HERMAN: I beg your pardon. About 50, sir.

18 COMMISSIONER PUTNAM: Okay. So the eight that
19 were put forward went through the same selection
20 process. They were evaluated, ranked, compared against
21 the broader pool of 50, and it wasn't until the end of
22 the process that you discovered or interpreted that
23 three should not be eligible. Is that correct?

24 MR. HERMAN: After the list was submitted to the
25 Executive Director, sir, we reviewed them.

1 COMMISSIONER PUTNAM: So you all don't have
2 anybody on the committee? You don't staff the
3 committee? You don't provide administrative support?

4 MR. HERMAN: The Florida Veterans' -- excuse me.
5 The foundation, the Florida Veterans' Foundation staffs
6 the Hall of Fame, sir.

7 GOVERNOR SCOTT: Say that one more time.

8 MR. HERMAN: I'm sorry. The Florida Veterans' --
9 excuse me. The Florida Veterans' Foundation provides
10 staff support for the Florida Veterans' Hall of Fame
11 Council.

12 GOVERNOR SCOTT: So if there had been a review of
13 the statute at the time, that's who would have done the
14 review? You were -- at that point, you were not asked.
15 Right?

16 MR. HERMAN: Yes, sir, Governor.

17 GOVERNOR SCOTT: Okay. Thank you very much.

18 Any other questions?

19 COMMISSIONER PUTNAM: I'll be happy to yield, if
20 others have questions. Otherwise, I'll --

21 GOVERNOR SCOTT: If you have more, go ahead.

22 COMMISSIONER PUTNAM: I think you all screwed this
23 up.

24 MR. McALLISTER: Amen. Amen.

25 COMMISSIONER PUTNAM: Sir, you're not helping me.

1 We don't need to relitigate the Civil War or the war
2 between the states, whichever camp you come down on.

3 Kirby Smith is one of our two state honorees in
4 the nation's capitol. Under your logic, we should
5 remove that, and that debate has occurred before. The
6 legislature could have that debate again and make a
7 different decision, but it's not -- there clearly have
8 been people pre-statehood who made a difference in our
9 state. There clearly were people who were part of the
10 state's legal decision to succeed who, at the
11 conclusion of hostilities, rolled their sleeves up and
12 helped make Florida what it has become today. Good,
13 bad, and ugly.

14 So if you're throwing these guys out on a
15 technicality, that's just dumb, and we don't need to
16 relitigate this. If it needs further clarification by
17 the legislature, I'm not willing to hold up five
18 deserving people to wait on three, but I'm sure
19 irritated that it gets all the way to the Cabinet to
20 relitigate the war between the states in 2015.

21 GOVERNOR SCOTT: All right. So we have a choice.
22 All right. We can say that we want to -- your legal
23 advice is that we don't have a choice. Right?

24 MR. HERMAN: Yes, Governor.

25 GOVERNOR SCOTT: All right. So we have a choice.

1 We can either say we'll wait, if the legislature wants
2 to come back and amend the existing statute and wait
3 for the Class of 2014, all right, we can not take your
4 advice, or we can approve these five, and then we'll
5 wait and see if the legislature changes the law. Are
6 those the three choices we have?

7 MR. HERMAN: Yes, Governor.

8 GOVERNOR SCOTT: Okay. Does anybody have any
9 comments or suggestions?

10 COMMISSIONER PUTNAM: One question. Who has
11 ultimate author -- I assume since we're voting on
12 this -- who has ultimate authority to make this
13 decision?

14 MR. HERMAN: You do, sir, the Governor and
15 Cabinet, sir.

16 COMMISSIONER PUTNAM: Well, then I would move that
17 we adopt the five you've put forward and that we
18 provisionally adopt the three, pending clarification
19 from the Florida legislature this legislative session,
20 and then you guys can go to the legislature and defend
21 why you think pre-statehood soldiers who helped make us
22 a state and those who served during the period of
23 hostilities don't deserve to be recognized.

24 ATTORNEY GENERAL BONDI: Just -- Governor, may I?
25 Just so you understand, it has to be pending

1 legislative approval this session to make it legal.

2 GOVERNOR SCOTT: Attorney General, will you say
3 that and explain that one more time?

4 ATTORNEY GENERAL BONDI: Well, I see Commissioner
5 Putnam's point, but we have to have it -- we're being
6 told that that's not the law right now. I don't have
7 it in front of me. So according to the general
8 counsel, it would have to be pending legislative
9 approval.

10 GOVERNOR SCOTT: Right.

11 ATTORNEY GENERAL BONDI: For the three additional
12 members? Sir, for the three additional members, for
13 the three, you understand that it would have to be
14 pending legislative approval?

15 COMMISSIONER PUTNAM: Legislative clarification --

16 ATTORNEY GENERAL BONDI: Clarification.

17 COMMISSIONER PUTNAM: -- that, in fact, those who
18 served prior to 1845 and those who served during the
19 period that the state of Florida was not a part of the
20 United States of America would be just as eligible as
21 all others who have served the state of the Florida.

22 ATTORNEY GENERAL BONDI: And I don't think
23 anyone's disagreeing with that, but that's not the law
24 as it currently exists, according to the general
25 counsel. Is that correct?

1 MR. HERMAN: Yes, Attorney General.

2 ATTORNEY GENERAL BONDI: So we can --

3 GOVERNOR SCOTT: All right. Let's go back for a
4 second.

5 ATTORNEY GENERAL: -- approve them pending.

6 GOVERNOR SCOTT: Colonel, can you -- can you give
7 us the background of the three that don't fit within
8 the definition of today so we know what we're voting
9 on?

10 MR. PRENDERGAST: I don't have their biographies
11 with me this morning, Governor Scott, but all of the
12 cabinet aides were provided copies of their biographies
13 prior to the cabinet aides meeting last week. The
14 three gentlemen in question are Samuel Pasco, David
15 Lang and Edward Perry.

16 ATTORNEY GENERAL BONDI: May I ask a question?

17 MR. PRENDERGAST: And they -- their -- their
18 packets that were submitted did not contain anything
19 whatsoever indicative of active federal service in the
20 Armed Forces of the United States of America in
21 accordance with our statutes and also in accordance
22 with the nominating guidelines for the Florida
23 Veterans' Hall of Fame Council, and those guidelines
24 for the 2014 class remain unchanged for the 2015 class
25 that is currently advertised out on the street.

1 ATTORNEY GENERAL BONDI: But were they simply just
2 crossed off the list because they didn't qualify
3 statutorily, or you're saying if they qualified
4 statutorily, you still wouldn't have nominated them? I
5 think that's the question.

6 GOVERNOR SCOTT: Yeah. You probably didn't make
7 that decision because you said they didn't meet the
8 qualifications.

9 MR. PRENDERGAST: They did not meet the initial
10 qualifications.

11 GOVERNOR SCOTT: So why don't we do -- why don't
12 we -- I think we're all okay with this.

13 COMMISSIONER PUTNAM: He's one of the
14 commissioners who could shed some light on how they
15 made their consideration.

16 ATTORNEY GENERAL BONDI: Commissioner Hart --

17 GOVERNOR SCOTT: Okay. Can we -- here's my
18 biggest concern. I didn't review the other three
19 because I didn't -- they weren't presented.

20 ATTORNEY GENERAL BONDI: Never made it to us.

21 GOVERNOR SCOTT: So I don't -- I don't feel
22 comfortable voting on something I have no -- I'd want
23 to read it first. So it seems to me what we ought to
24 do is I think -- I don't think your resolution is a bad
25 idea or your motion's a bad idea, but I'd like to

1 postpone it to the next meeting, and let's all read
2 their backgrounds and make sure we know what we're
3 approving.

4 ATTORNEY GENERAL BONDI: Because they were just
5 automatically disqualified is what I'm understanding,
6 so, Governor, if it's appropriate --

7 COMMISSIONER PUTNAM: That's an important point.
8 My understanding is they bubbled up to the top and were
9 selected as one of the eight winners. They weren't --
10 they weren't crossed off at the beginning. They were
11 crossed off after being determined they were among the
12 eight vets.

13 MR. PRENDERGAST: They were -- they were voted by
14 the Florida Veterans' Hall of Fame Council and
15 forwarded as the eight recommendations for the Class of
16 2014, and after we received the list, we went through
17 and did our due diligence to ensure that the Council
18 had complied with the Hall of Fame guidelines, but
19 also, we went back to the U.S. Code and reviewed the
20 statutory language in the U.S. Code and as well as
21 Florida Statutes, and we followed Florida Statutes
22 1.01, but we also went back to Title 38 that talks
23 specifically about definitions of what a veteran is,
24 and Title 38 says that a veteran provide -- means a
25 person who served in the active military, naval, or air

1 service and who was discharged or released there from
2 under conditions other than dishonorable.

3 The term "Armed Forces" means the United States
4 Army, the United States Navy, the United States Marine
5 Corps, the United States Air Force, and the United
6 States Coast Guard, including reserve components
7 thereof. The term "active duty" means full-time duty
8 in the armed forces, other than duty for training, and
9 the term "active military" for any of those services
10 means active duty, that they were activated under the
11 statutory authority of the United States of America to
12 serve, and then received a discharge certificate
13 indicating that they were indeed a veteran.

14 We have men and women in our National Guard all
15 across this county who have never been activated to
16 serve in support of a Title 10 responsibility, and
17 various states have done a lot of great things to make
18 sure that those men and women are taken care of,
19 appreciated and respected and thanked for their
20 service, but that does not automatically make them
21 eligible for veterans' benefits under Title 38 of the
22 U.S. Code.

23 ATTORNEY GENERAL BONDI: Governor, I'd like to
24 review the applications. I haven't had a chance to
25 review them.

1 GOVERNOR SCOTT: Here's -- it seems to me what we
2 ought to do is two things. One, we got to review the
3 applications. That's one. Two, I'd like to have the
4 Attorney General review the -- review the statute and
5 give us your advice.

6 ATTORNEY GENERAL BONDI: I think my general
7 counsel's all over it back there. So, yes, but that's
8 going to take time. We're going to have to look at
9 that and speak with all of these gentlemen, and I'd
10 like to speak with Commissioner Hart also who was on
11 the committee, the selection committee.

12 GOVERNOR SCOTT: Commissioner?

13 COMMISSIONER PUTNAM: Governor, I certainly
14 appreciate this good conversation, and I'm going to
15 withdraw my motion that calls for their conditional
16 approval so that everyone can have an opportunity to
17 research this further, but as a policy matter, it's not
18 my view that we should exclude based on the period of
19 time during which they served, and clearly, there's no
20 character or other features about their biography that
21 disqualify them, other than the period of time during
22 which they served their state, or the commission would
23 not have elevated them to the top eight, but everyone
24 should do their due diligence.

25 So I would withdraw my motion and move that we

1 approve the five that are put forward and urge the
2 Florida Department of Veterans' Affairs, a cabinet
3 agency, to seek legislative clarification that will
4 allow members of the pre-statehood militia and the
5 period of time during the succession to be eligible,
6 given all the other factors, for inclusion -- for
7 consideration into the Hall of Fame.

8 GOVERNOR SCOTT: Commissioner, I want you to think
9 about something, though. If we do it that way, we
10 cannot go back -- we can't go back and include them in
11 this class. Right? I think the law right now is you
12 can only do five. Right?

13 MR. PRENDERGAST: No. Governor, we can -- the
14 Hall of Fame Council can nominate up to 20 for your
15 consideration.

16 GOVERNOR SCOTT: All right. So I'm fine with
17 doing the five then, as long as we actually review it
18 and do more, if we want to.

19 ATTORNEY GENERAL BONDI: And let me -- can I
20 clarify with general counsel? So they don't all have
21 to be done -- I haven't read -- they don't have to all
22 be done at the same time. Correct? So if we do five
23 today, could we later add additional ones?

24 MR. HERMAN: I believe so, Attorney General.
25 Excuse me. It's hard to hear. The statute says the

1 department can submit a list of names up to 20, so it's
2 at the discretion of the Governor and Cabinet to choose
3 some, all, or none of that list.

4 ATTORNEY GENERAL BONDI: I don't -- no offense. I
5 just don't feel that that's a solid enough answer right
6 now. Governor, what I would ask currently is that we
7 just withdraw this from today, not defer it, just
8 withdraw it where we have time to look at this entire
9 class because I don't want to mistakenly -- and you
10 presented great names, but there may be additional
11 great names. I don't want to mistakenly add five
12 people and then not be able to come back.

13 GOVERNOR SCOTT: Me either.

14 ATTORNEY GENERAL BONDI: So I would just ask at
15 this time, based on the confusion, to withdraw it.
16 Commissioner Hart is nodding, and then we can still
17 revisit the Class of 2014 honorees, Commissioner
18 Putnam, because I don't want there to be a loophole in
19 here that could leave people out.

20 COMMISSIONER PUTNAM: Okay.

21 GOVERNOR SCOTT: Okay. Commissioner Putnam, are
22 you going to withdraw yours?

23 COMMISSIONER PUTNAM: I'll withdraw my motion.

24 GOVERNOR SCOTT: Okay. So we have a motion that
25 we're going to withdraw this.

1 ATTORNEY GENERAL BONDI: Withdraw.

2 GOVERNOR SCOTT: What the plan is we're going to
3 bring it back after you have the opportunity to review
4 it, after we have the opportunity to review all of
5 the -- at least all the eight.

6 ATTORNEY GENERAL BONDI: And we may -- it sounds
7 like we do need legislative clarification, and we may
8 be able to -- I have to look at the law and see if we
9 can approve additional members conditionally, you know,
10 upon legislative clarification.

11 Gentleman, you want to do this the right way, and
12 that's what we're all trying to do, the general
13 counsel, the Colonel, everyone here, Commissioner Hart,
14 so we want do this in -- and with the proper decorum
15 and respect.

16 GOVERNOR SCOTT: Okay. There's a motion. Is
17 there a second?

18 ATTORNEY GENERAL BONDI: Second.

19 GOVERNOR SCOTT: Any comments or objections?

20 COMMISSIONER PUTNAM: Wasn't it your motion?

21 ATTORNEY GENERAL BONDI: Oh, I thought it was your
22 motion.

23 GOVERNOR SCOTT: Okay. It's the Attorney
24 General's motion.

25 COMMISSIONER PUTNAM: I'll second her motion.

1 GOVERNOR SCOTT: All right. So any comments or
2 objections?

3 ATTORNEY GENERAL BONDI: Just one question for the
4 general counsel because I don't want to -- I don't want
5 to cause confusion with the Class of 2014. There's no
6 time frame on this. Right? We're okay. We're already
7 in 2015. We're okay?

8 Sir, please -- please have proper decorum. We're
9 trying to help you. Okay? You're military. You
10 should understand this.

11 MR. HERMAN: No, ma'am. I believe there's not a
12 specific limitation.

13 ATTORNEY GENERAL BONDI: Okay. So that helps you.
14 All right. Thank you.

15 GOVERNOR SCOTT: Okay. So the motion we're doing,
16 just to make sure everybody knows, we're withdrawing
17 this issue, but the plan is we're going to review it.
18 You're going to give us your advice on -- sorry -- on
19 the law, and then we'll review those additional
20 candidates, and we'll come back, hopefully next
21 meeting.

22 All right. All in favor aye?

23 (Unanimous ayes.)

24 GOVERNOR SCOTT: Opposed?

25 (None.)

1 GOVERNOR SCOTT: Motion carries.

2 MR. PRENDERGAST: Thank you, Governor and Cabinet.

3 GOVERNOR SCOTT: Next, we have John Steverson with
4 the Department of Environmental Protection.

5 MR. STEVERSON: Good afternoon, Governor and
6 Cabinet. There are three items on the Board of
7 Trustees' agenda. I will be as quick as I possibly
8 can, but if you could grant me -- grant me one moment
9 of latitude, I would like to mention that Operation
10 Outdoor Freedom events, those hunts are fantastic.
11 Where I just recently came from, the Northwest Florida
12 Water Management District, we'll be holding our third
13 annual hunt this year. We got that going with the help
14 of Commissioner Putnam's office and Executive Director
15 Nick Wiley, and I plan to be there skinning deer first
16 thing Saturday morning. I invite you to come by. It's
17 just a great chance to give back just a little bit to
18 those who gave so much.

19 Our first item is submittal of the minutes of the
20 November 12th and December 9th cabinet meetings.

21 GOVERNOR SCOTT: Is there a motion to approve this
22 item?

23 ATTORNEY GENERAL BONDI: So moved.

24 GOVERNOR SCOTT: Is there a second?

25 CFO ATWATER: Second.



Mike Prendergast
Executive Director

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Rick Scott
Governor
Pam Bondi
Attorney General
Jeff Atwater
Chief Financial Officer
Adam Putnam
Commissioner of Agriculture

March 13, 2015

MEMORANDUM

TO: Honorable Rick Scott
Honorable Pam Bondi
Honorable Jeff Atwater
Honorable Adam Putnam

FROM: Florida Department of Veterans' Affairs
Mike Prendergast, Executive Director

SUBJECT: Florida Veterans' Hall of Fame – Class of 2014

The agency is pleased to recommend the following five veterans for induction into the 2014 Florida Veterans' Hall of Fame:

- Rear Admiral LeRoy Collins, Jr.
- Major General James Dozier
- Colonel Frank Farmer
- Chief Master Sergeant Eugene Johnson
- Lieutenant General Lawrence Snowden

If you have any questions, please call my Legislative and Cabinet Affairs Director Colleen Krepstekies, at (850) 487-1533 x7723.

cc: Monica Russell, Director of Cabinet Affairs
Executive Office of the Governor

Cynthia Kelly, Director
Governor's Office of Policy and Budget