

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

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BILL: SB 286

INTRODUCER: Senator Rouson

SUBJECT: Florida Slavery Memorial

DATE: December 4, 2017      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brown	Caldwell	GO	<b>Favorable</b>
2.			AGG	
3.			AP	

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**I. Summary:**

SB 286 adds a new memorial to be placed at the downtown Capitol Complex. The downtown Capitol Complex currently houses numerous outdoor memorials. This bill establishes the Florida Slavery Memorial.

The bill requires the Department of Management Services (department) to administer the memorial.

Accordingly, the department will, in consultation with the Division of Historical Resources of the Department of State:

- Develop a plan for the design, placement, and cost of the memorial; and
- Select an appropriate placement for the memorial, after considering the recommendation of the Florida Historical Commission.

By November 1, 2018, the department must submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

**II. Present Situation:**

**Capitol Complex**

The Capitol Complex located in Tallahassee, includes the inside and the curtilage outside of the downtown Capitol, Historic Capitol, Senate Office Building, House Office Building, Knott Building, Pepper Building, and Holland Building. State-owned lands and public streets adjacent

to these buildings are also included.<sup>1</sup> The rest of the Capitol Complex, the State Capital Circle Office Complex, is located in the southeast section of the city.<sup>2</sup>

### Memorials and Monuments

A monument is defined as:

a permanent structure such as a marker, statue, sculpture, plaque, or other artifice, including living plant material, placed in remembrance or recognition of a significant person or event in Florida history.<sup>3</sup>

The term “monument” does not include an Official Florida Historical Marker.<sup>4</sup>

Legislative approval is required before any building or placement of a monument on the premises of the Capitol Complex. After the Legislature designates in law a new monument, the department must approve the design and placement of the monument after considering the recommendation of the Florida Historical Commission.<sup>5</sup>

Chapter 265, F.S., recognizes various memorials and monuments for placement both inside and outside at the downtown Capitol Complex. To date, the Legislature has approved the following memorials:

- Florida Women’s Hall of Fame;<sup>6</sup>
- Florida Medal of Honor Wall;<sup>7</sup>
- Florida Veterans’ Hall of Fame;<sup>8</sup>
- POW-MIA Chair of Honor Memorial;<sup>9</sup>
- Florida Veterans’ Walk of Honor and Florida Veterans’ Memorial Garden;<sup>10</sup>
- Florida Tourism Hall of Fame;<sup>11</sup>
- Florida Law Enforcement Officers’ Hall of Fame;<sup>12</sup>
- Florida Holocaust Memorial,<sup>13</sup> and
- Arthur G. Dozier School for Boys Memorial.<sup>14</sup>

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<sup>1</sup> Section 281.01, F.S.

<sup>2</sup> Department of Management Services, *Capitol Complex Information*, Available at [https://www.dms.myflorida.com/business\\_operations/real\\_estate\\_development\\_and\\_management/facilities\\_management/building\\_information/capitol\\_complex\\_information](https://www.dms.myflorida.com/business_operations/real_estate_development_and_management/facilities_management/building_information/capitol_complex_information) (last visited Nov. 22, 2017).

<sup>3</sup> Section 265.111(1), F.S.

<sup>4</sup> *Id.* An Official Florida Historical Marker is any marker, plaque, or similar device awarded, approved, or administered by the Division of Historical Resources to recognize and inform the public about historical properties, persons, events, and other topics relating to the history and culture of the state (s. 267.021(8), F.S.)

<sup>5</sup> Section 265.111(2), F.S. One of the duties of the Florida Historical Commission is to provide recommendations to the department on the design and placement of monuments authorized in general law. (s. 267.0612(9), F.S.)

<sup>6</sup> Section 265.001, F.S.

<sup>7</sup> Section 265.002, F.S.

<sup>8</sup> Section 265.003, F.S.

<sup>9</sup> Section 265.00301, F.S.

<sup>10</sup> Section 265.0031, F.S.

<sup>11</sup> Section 265.004, F.S.

<sup>12</sup> Section 265.0041, F.S.

<sup>13</sup> Section 265.005, F.S.

<sup>14</sup> Section 265.007, F.S.

Additionally, the Legislature approved a memorial garden to house approved monuments at the downtown Capitol Complex. One of the monuments designated for placement in the memorial garden is a monument in remembrance of the 241 members of the United States Air Forces who died on October, 23, 1983, in Beirut, Lebanon.<sup>15</sup>

### **III. Effect of Proposed Changes:**

This bill establishes a Florida Slavery Memorial, to be placed alongside other memorials at the downtown Capitol Complex.

The bill requires the Department of Management Services (department) to administer the memorial. Accordingly, the department will, in consultation with the Division of Historical Resources of the Department of State:

- Develop a plan for the design, placement, and cost of the memorial; and
- Select an appropriate placement for the memorial, after considering the recommendation of the Florida Historical Commission.

By November 1, 2018, the department must submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill takes effect July 1, 2018.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require counties or municipalities to spend funds or take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenues in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

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<sup>15</sup> Section 265.111(3), F.S.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

To the extent that the bill does not allocate an appropriation to the department, the department expects to absorb costs within current resources. Whether a fiscal impact is insignificant is unknown at this time.<sup>16</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 265.006, Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>16</sup> Department of Management Services, *2018 Agency Legislative Bill Analysis* (Nov. 29, 2017).