HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #:CS/CS/CS/HB 391Transportation Facility DesignationsSPONSOR(S):State Affairs Committee; Transportation & Tourism Appropriations Subcommittee;Transportation & Infrastructure Subcommittee; Brannan; Fetterhoff and othersTIED BILLS:IDEN./SIM. BILLS:CS/CS/SB 78

FINAL HOUSE FLOOR ACTION: 116 Y's 0 N's GOVERNOR'S ACTION: Approved

SUMMARY ANALYSIS

CS/CS/CS/HB 391 passed the House on March 11, 2020, as CS/CS/SB 78, as amended. The Senate concurred in the House amendment to the Senate bill and subsequently passed the bill as amended on March 12, 2020. The bill includes CS/HB 21, SB 342, SB 382, CS/HB 433, SB 612, HB 815, SB 1026, SB 1046, and SB 1068.

State law authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the law require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone system listings. State law also requires the appropriate city or county commission to pass a resolution supporting the designation prior to the erection of markers indicating the designation.

The bill creates 27 honorary designations for various transportation facilities across the state and directs the Department of Transportation (DOT) to erect suitable markers for each designation. The bill also makes changes to two previous designations.

The bill requires DOT to examine the feasibility and impact of renaming the Dixie Highway in Miami-Dade County as the Harriet Tubman Highway and report its findings to the Legislature by October 1, 2020.

The bill designates the Florida Highway Patrol station located in Fort Pierce as the "Trooper Joseph Bullock Building" and directs the Department of Highway Safety and Motor Vehicles (DHSMV) to erect suitable markers.

The bill will have an insignificant negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the above designations. DHSMV will incur expenditures associated with naming the Florida Highway Patrol station. These costs can be absorbed within each agency's existing resources.

The bill was approved by the Governor on June 30, 2020, ch. 2020-185, L.O.F., and became effective on July 1, 2020.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Designations

Section 267.062, F.S., provides for the naming of state buildings and other facilities. The statute provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes, and other similar facilities may not be named for a living person.

Section 334.071, F.S., authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

Road Markers

The Department of Transportation (DOT) must place a marker at each termini or intersection of an identified road or bridge and erect other markers it deems appropriate for the transportation facility. The appropriate city or county commission must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of the Bill

Road Designations

The bill requires DOT to erect suitable markers designating each of the below designations.

Subsection 1 designates the Pensacola Bay Bridge (bridge numbers 480-289 and 480-290) on U.S. 98/S.R. 30 over the Pensacola Bay between 17th Avenue in Escambia County and Baybridge Drive in Santa Rosa County as the "General Daniel 'Chappie' James, Jr., Bridge."

Born in Pensacola in 1920, General Daniel "Chappie" James, Jr., was one of the Tuskegee Airmen. He served with the U.S. Air Corps and later the U.S. Air Force in World War II, Korea, and Vietnam. In 1975, he became the first African American Four-Star General in the U.S. Armed Forces. General James passed away on February 25, 1978.¹

Subsection 2 designates that portion of Bloxham Cutoff Road/S.R. 267 between U.S. 98 in Wakulla County and S.R. 20 in Leon County as the "J.D. Turner Highway."

J.D. Turner lived in Wakulla County from 1948 until his death in 1995. He served honorably in World War II, earning numerous campaign medals, and was a strong advocate for veterans. Mr. Turner also served for 23 years as a Florida Highway Patrol Auxiliary Officer and for 20 years as a Wakulla County Commissioner. He also supported Wakulla County youth.²

Subsection 3 provides that, notwithstanding any other law to the contrary, bridge numbers 880050, 880051, 880052, and 880053 on S.R. 510 between Wabasso and Wabasso Beach in Indian River County are designated as the "A.B. Michael Bridges."

¹ https://www.af.mil/About-Us/Biographies/Display/Article/106647/general-daniel-james-jr/ (last visited Feb. 4, 2020).

² Resolution of the Wakulla County Board of County Commissioners in support of the designation, approved Aug. 19, 2019 (on file in the Transportation & Infrastructure Subcommittee).

A.B. Michael is known as the "Dean of the Florida Citrus Industry" due to his over 60-year involvement with the industry. He served on the Florida Citrus Commission and, in 1964, was inducted into the Florida Citrus Hall of Fame. He passed away in 1964.³

Subsection 4 designates that portion of W. Kennedy Boulevard between Lois Avenue and Dale Mabry Highway in Hillsborough County as the "Master Police Officer Lois Marrero Memorial Highway."

An 18-year veteran of the Tampa Police Department and the first department female officer killed in the line of duty, Officer Lois Marrero was gunned down by a fleeing bank robbery suspect.⁴

Subsection 5 designates that portion of E. Laurel Street between N. Orange Avenue and N. Morgan Street in Hillsborough County as the "Officer James Ronco Memorial Highway."

On May 27, 1916, Officer James Ronco arrested a female prisoner after she escaped from the police station. While he was transporting her to jail, the prisoner grabbed Officer Ronco's gun and shot him. Officer Ronco regained control of his weapon and fired three shots, killing the prisoner, before he died.⁵

Subsection 6 designates bridge number 930361 on S.R. A1A/Jack Nicklaus Drive in Palm Beach County as the "Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson."

The term "Gold Star" describes a family member who has lost a loved one in military service. The Gold Star signifies the family's pride in the loved one's sacrifice rather than the mourning of their personal loss.⁶

Captain Joseph M. Berkson served as a senior combat adviser with South Vietnamese Rangers during the North Vietnamese army offensive of 1972. On May 2, 1972, Captain Berkson was being airlifted from hostile activity when the helicopter he was in was shot down by a surface-to-air missile and he was killed in the crash.

Subsection 7 designates that portion of S.R. 408/Spessard L. Holland East-West Expressway between S. Crystal Lake Drive and S. Semoran Boulevard in Orange County as the "Sergeant Tracy Vickers Memorial Expressway."

Sergeant Vickers served with the Florida Highway Patrol for more than four year. On September 27, 2019, Sergeant Vickers was killed as a result of a crash when his patrol car struck a construction truck in Orange County.⁷

Subsection 8 designates that portion of S.R. 438 between Winters Landing Drive and Clarke Road in Orange County as the "Julius 'July' Perry Memorial Highway."

Julius "July" Perry is the lone victim identified by name from among the victims of a white mob attack on African-American residents in Ocoee on November 2, 1920.

Subsection 9 designates that portion of I-95 between the Florida state line in Nassau County and S.W. 32nd Road in Miami-Dade County as the "Purple Heart Memorial Highway."

³ https://floridacitrushalloffame.com/inductees/a-b-michael/ (last visited Feb. 4, 2020).

⁴ Officer Down Memorial Page, *Officer Lois Marie Marrero* available at https://www.odmp.org/officer/15726-officer-lois-marie-marrero (last visited Mar. 12, 2020).

⁵ City of Tampa, *Fallen Officer – James Ronco* available at https://www.tampagov.net/police/info/honoring-our-heroes/james-ronco and Officer Down Memorial Page, *Police Officer James Ronco* available at https://www.odmp.org/officer/11486-police-officer-james-ronco (both last visited Mar. 12, 2020).

⁶ http://goldstarfamilies.com/ (last visited Feb. 6, 2020).

⁷ https://www.flhsmv.gov/florida-highway-patrol/fhp-memorial/tracy-vickers/ (last visited Jan. 30, 2020).

The Purple Heart is awarded to members of the U.S. Armed Forces who are wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds received in action.⁸

Subsection 10 designates that portion of U.S. 98 between C.R. 386 and Pine Street in Gulf County as the "Willis V. Rowan Memorial Highway."

Willis V. Rowan served in World War II as a 2nd Lieutenant in the Army Air Force and was killed in action.⁹

Subsection 11 designates that portion of U.S. 98 between Pine Street and C.R. 382/Industrial Road in Gulf County as the "John C. Gainous Memorial Highway."

John C. Gainous was killed in action in Vietnam. The Veterans of Foreign Wars Post 10069 in Highland View is named in his memory.¹⁰

Subsection 12 designates that portion of I-10 between U.S. 29/S.R. 95 and S.R. 291 in Escambia County as the "Deputy Donald Ray Cook Memorial Highway."

On December 3, 1988, off-duty Escambia County Deputy Sheriff Donald Cook learned of a high-speed law enforcement pursuit of armed robbery suspects coming into Escambia County from Santa Rosa County. As the pursuit continued toward a roadblock he had set up, Deputy Cook was struck by a vehicle and killed.¹¹

Subsection 13 designates that portion of I-95 between mile markers 105 and 110 in Martin County as the "Trooper Joseph Bullock Memorial Highway."

Trooper Bullock, who was a veteran of the U.S. Air Force, served with the Florida Highway Patrol for nearly 19 years. On February 5, 2020, he was shot and killed in the line of duty during a traffic stop in Martin County.¹²

Subsection 14 designates that portion of S.R. 281 between U.S. 90 and U.S. 98 in Santa Rosa County as the "Bart D. and John R. Broxson Parkway."

Bart D. Broxson served as the Santa Rosa County Sheriff for three years when, on December 24, 1959, a reckless driver on State Road 87 near Holley struck his patrol car head-on.¹³

John R. Broxson served as the Santa Rosa County Sheriff following his father's death in 1959. He also served in the Florida House of Representatives from 1962-1964, in the Florida Senate from 1966-1972, and as a Santa Rosa County Commissioner from 2004-2008. Mr. Broxson passed away in 2019.¹⁴

Subsection 15 designates that portion of U.S. 90/Beaver Street between Chaffee Road and U.S. 301 in Duval County as the "John B. Coxwell Memorial Highway."

⁸ The Military Order of the Purple Heart website, https://www.purpleheart.org/about-the-purple-heart/ (last visited Oct.23, 2019). ⁹ https://www.findagrave.com/memorial/99877556/willis-v-rowan (last visited Nov. 12, 2019).

¹⁰ https://www.findagrave.com/memorial/100183488/john-c-gainous (last visited Nov. 12, 2019).

¹¹ See NorthEscambia.com, Escambia Commission Votes for Renaming Part of I-10 for Deputy Killed 30 Years Ago, Feb. 7, 2020 available at http://www.northescambia.com/2020/02/escambia-commission-votes-for-renaming-part-of-i-10-for-deputy-killed-30-years-ago (last visited Mar. 12, 2020).

¹² https://www.flhsmv.gov/florida-highway-patrol/fhp-memorial/joseph-bullock/ (last visited Feb. 11, 2020).

¹³ Officer Down Memorial Page, *Sheriff Bart Dell Broxson* available at https://www.odmp.org/officer/24008-sheriff-bart-dell-broxson (last visited Mar. 12, 2020).

¹⁴ Pensacola News Journal, *Longtime Santa Rosa figure, former legislator John Broxson, dies at age* 87, Dec. 10, 2019, available at https://www.pnj.com/story/news/2019/12/10/longtime-santa-rosa-county-politician-john-broxson-dies-age-87/4380817002/ (last visited Mar. 12, 2020).

John B. Coxwell was a prominent Jacksonville business and civic leader and philanthropist. He was the Chairman of the Board of J.B. Coxwell Contracting, Inc.; served as the head of the Florida Transportation Builder's Association in 2004; and was one of the founders and supporters of Seamark Ranch, which is a home for abused or neglected children. Mr. Coxwell passed away on November 14, 2017.¹⁵

Subsection 16 designates that portion of U.S. 41/S.W. 8th Street between S.W. 82nd Avenue and S.R. 973/87th Avenue in Miami-Dade County as the "Manuel H. 'Manny' Piedra Memorial Highway."

Manny Piedra was the founder and former owner of Manny's Formal Wear. He served in the Army under the Cuban Volunteer Training Program in 1962, training in Ft. Jackson, South Carolina, and Ft. Knox, Kentucky. Mr. Piedra was an active member of the Big Five Club and a parishioner at St. Augustine Church in Coral Gables. He passed away at the age of 78.¹⁶

Subsection 17 designates that portion of U.S. 441 between Deep Creek Bridge and C.R. 6 in Columbia County as the "Austin D. Gay Memorial Highway."

Inspector Gay served with the Florida Department of Agriculture as a road guard inspector for 14 years. On April 14 1979, Inspector Gay was shot and killed after being abducted from his inspection station on U.S. 441.¹⁷

Subsection 18 designates that portion of I-10 between the Madison County line and mile marker 275 in Suwannee County as the "Wesley L. Silas Memorial Highway."

On March 1, 1994, Officer Silas, an officer with the Office of Agricultural Law Enforcement, was killed after being struck by a tractor trailer at the Agricultural Inspection Station on I-10 near Live Oak.¹⁸

Subsection 19 designates that portion of U.S. 19 between Luther Wilson Road and the Econfina River Bridge in Taylor County as the "Joshua S. Montaad Memorial Highway."

On June 6, 2017, Officer Montaad was killed in a single vehicle crash on U.S. 19 in Taylor County, when his patrol car left the roadway and struck a tree and caught fire. He had served with the Office of Agricultural Law Enforcement for two years.¹⁹

Subsection 20 designates that portion of S.R. 90/S.W. 8th Street between S.W. 12th Avenue and S.W. 14th Avenue in Miami-Dade County as the "Rosa Maria Plasencia Way."

Rosa Maria Plasencia, president and CEO of the nonprofit Amigos for Kids, died in October 2019. Though she had no children of her own, Plasencia is survived by the children she served through her work.²⁰

Subsection 21 designates that portion of U.S. 129/S.R. 49 between the Levy County line and the Suwannee County line in Gilchrist County as the "Slaughter, Read, Ramirez, Lindsey Memorial Highway."

¹⁵ Legacy.com, *John Benjamin Coxwell* available at https://www.legacy.com/obituaries/timesunion/obituary.aspx?pid=187260817 (last visited Feb. 12, 2020).

¹⁶ Legacy.com, *Manuel H. Piedra* available at https://www.legacy.com/obituaries/herald/obituary.aspx?n=manuel-h-piedra&pid=191302474 (last visited Mar. 12, 2020).

¹⁷ https://www.odmp.org/officer/20615-inspector-austin-dewey-gay (last visited Oct. 18, 2019).

¹⁸ https://www.odmp.org/officer/986-officer-wesley-l-silas (last visited Oct. 18, 2019).

¹⁹ https://www.odmp.org/officer/23268-officer-joshua-sanchez-montaad (last visited Oct. 18, 2019).

²⁰ Miami Herald, '*Her mission must live on.*' *Child advocate Rosa Maria Plasencia dies at 59*, October 10, 2018, available at https://www.miamiherald.com/news/local/community/miami-dade/article219776885.html (last visited Mar. 12, 2020).

Sidney Slaughter, Mark Read, Noel Ramirez-Beltran, Jr., and Taylor Lindsey were officers with the Gilchrist County Sheriff's Office who were killed in the line of duty.

Deputy Sidney Slaughter was shot and killed when he interrupted a burglary in progress at a local grocery store on January 22, 1934.²¹

Sheriff Mark Read was killed on December 9, 1956, when he was requested to go to a rural residence to take a shotgun from the homeowner. Sheriff Read was shot as he stepped out of his car, but he was able to call for help and drive away. Sheriff Read died later at the hospital.²²

Sergeant Noel Ramirez-Beltran, Jr., and Deputy Sheriff Taylor Lindsey were shot and killed in an ambush as they took their lunch break on April 19, 2018.²³ Sergeant Ramirez-Beltran had served in law enforcement for seven years and Deputy Lindsey had served with the Gilchrist County Sheriff's Office for three years.²⁴

Subsection 22 designates bridge numbers 280070 and 280071 on S.R. 223 in Bradford County as the "Archibald Johns Thomas Bridge."

Archibald Johns Thomas served in World War I, as a member of the Florida House of Representatives from 1927-1928, and as Clerk of the Circuit Court for Bradford County for 20 years. He passed away on September 16, 1975.²⁵

Subsection 23 designates that portion of S.R. 285 between S.R. 20 and College Boulevard in Okaloosa County as the "Mayor Randall Wise Memorial Highway."

Mayor Randall Wise was first appointed as mayor of Niceville in 1971 and served until his death on January 20, 2020. At that time, he was the fourth-longest current serving mayor in the United States.²⁶

Subsection 24 designates, upon completion of construction, the roundabout at S.R. 64 and Pope Road/Greyhawk Boulevard in Manatee County as the "Chase Coyner and Matthew Powers Memorial Roundabout."

In September 2018, Chase Coyner, age 17, and Matthew Powers, age 15, were killed in a traffic crash on S.R. 64 and Pope Road in Manatee County while on their way to homecoming at Lakewood Ranch High School.²⁷

Subsection 25 designates bridge numbers 150213 and 150214 on I-275/U.S. 19/S.R. 93 in Pinellas County as the "Phoebe Jonchuck Memorial Bridge."

Phoebe Jonchuck, age 5, was killed when she was thrown from the bridge in 2015.²⁸

https://www.lawenforcementtoday.com/memoriam-sergeant-noel-ramirez-deputy-taylor-lindsey/ (last visited Mar. 12, 2020).

²⁵ Bradford County Resolution 2019-10 (copy on file with Transportation & Infrastructure Subcommittee).

²¹ Officer Down Memorial Page, *Deputy Sidney Slaughter* available at https://www.odmp.org/officer/18214-deputy-sheriff-sidney-slaughter (last visited Mar. 12, 2020).

²² Officer Down Memorial Page, *Sheriff Mark Read* available at https://www.odmp.org/officer/11055-sheriff-mark-read (last visited Mar. 12, 2020); *Conner v. State*, 106 So.2d 416 (1958).

²³ Officer Down Memorial Page, *Sergeant Noel Ramirez-Beltran, Jr.* available at https://www.odmp.org/officer/23657-sergeant-noel-ramirez-beltran-jr (last visited Feb. 26, 2020).

²⁴ Law Enforcement Today, In Memoriam Sergeant Noel Ramirez and Deputy Taylor Lindsey, April 20, 2018, available at

²⁶ City of Niceville Press Release announcing the death of Mayor Randall Wise, January 21, 2020 (copy on file with Transportation & Infrastructures Subcommittee.

²⁷ https://www.baynews9.com/fl/tampa/news/2018/09/16/two-teens-killed-in-collision-on-sr-64-in-manatee-county (last visited Feb. 11, 2020).

²⁸ https://www.baynews9.com/fl/tampa/news/2019/04/28/memorial-ride-held-for-phoebe-jonchuck-after-father-s-conviction (last visited Mar. 17, 2020).

Subsection 26 designates that portion of S.R. 514 between I-95 and Babcock Street S.E. in Brevard County as "Deputy Chief Lynne Nungesser Memorial Highway."

Deputy Chief Nungesser served nearly 41 years with the Palm Bay Police Department, rising to the rank of Deputy Chief before her 2012 retirement. She passed away on May 12, 2019.²⁹

Dixie Highway/Harriet Tubman Highway

The bill designates that portion of South Dixie Highway/U.S. 1/S.R. 5 between the Monroe County line and S.R. 9A/I-95 Northbound in Miami-Dade County as the "Harriet Tubman Highway/U.S. 1/S.R. 5." The bill also designates that portion of W. Dixie Highway/S.R. 909 between N.E. 119th Street and N.E. 163rd Street in Miami-Dade County as the "Harriet Tubman Highway/State Road 909." The bill requires DOT to erect suitable markers designating such roads as "Harriet Tubman Highway."

The bill requires DOT to examine the feasibility and impact of renaming such roads as "Harriet Tubman Highway," rather than only designating the roads, including the impact and method to change and update the E911 system, meet any U.S. Postal Service requirements, and the financial impact to businesses and residents. DOT must report its findings to the Legislature by October 1, 2020.

Known as the "Moses of her people," Harriet Tubman was enslaved, escaped, and helped others gain their freedom as a "conductor" on the Underground Railroad. Her work learning the towns and transportation routes while leading others to safety gave her a knowledge base important to the Union Army during the Civil War. She served as a scout, spy, guerrilla soldier, and nurse for the Union Army during the war. She died in 1913 and was buried with military honors in Auburn, New York.³⁰

Florida Highway Patrol Station Designation

The bill designates the Florida Highway Patrol station located at 2929 N. 25th Street in the City of Fort Pierce in St. Lucie County as the "Trooper Joseph Bullock Building" and directs the Department of Highway Safety and Motor Vehicles (DHSMV) to erect suitable markers.³¹

Revisions of Previous Designations

The bill revises the designation for the "Robert L. 'Bob' Billingslea Highway" in Orange County from S.R. 535 between S.R. 526 and the Osceola County line to that portion of C.R. 435/Apopka Vineland Road between S.R. 91/Florida's Turnpike and S.R. 535 in Orange County, and that portion of S.R. 535 between Apopka Vineland Road and the Orange County line.

The bill also renames the "Colonel Bud Day Overpass" in Okaloosa County as the "Brigadier General Bud Day Overpass" to reflect his posthumous promotion to Brigadier General.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

- A. FISCAL IMPACT ON STATE GOVERNMENT:
 - 1. Revenues:

The bill does not impact state government revenues.

2. Expenditures:

²⁹ Deputy Chief Lynne Manion Nungesser Obituary (copy on file with Transportation & Infrastructure Subcommittee).

³⁰ National Women's History Museum, *Harriet Tubman* available at https://www.womenshistory.org/education-

resources/biographies/harriet-tubman (last visited Mar. 12, 2020).

³¹ As previously mentioned, Trooper Bullock served with the Florida Highway Patrol for nearly 19 years and was killed in the line of duty on February 5, 2020.

DOT estimates a cost of \$1,000 for most of the above designations for the appropriate markers, which provides for two signs per designation at \$500 per sign.³² Additionally, \$12,000 will provide two signs (one sign in each direction) for each of the 12 counties traversed by I-95³³ for the Purple Heart Memorial Highway designation. Therefore, the bill has an estimated negative fiscal impact of \$39,000 to the State Transportation Trust Fund, which can be absorbed within existing DOT resources.

The cost to DOT to conduct the study and issue the report on the feasibility and impact to rename Dixie Highway in Miami-Dade County is unknown, but is expected to be absorbed within existing resources.

The cost to erect a designation at the Florida Highway Patrol station in the City of Fort Pierce is unknown, but is expected to be absorbed within existing DHSMV resources.

- B. FISCAL IMPACT ON LOCAL GOVERNMENTS:
 - 1. Revenues:

The bill does not impact local government revenues.

2. Expenditures:

The bill does not impact local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

³² Email from Amanda Marsh, Office of Legislative Programs, Florida Department of Transportation, RE: Road Designation Fiscal, Aug. 14, 2019 (copy on file with the Transportation & Infrastructure Subcommittee).

³³ The 12 counties include Nassau, Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward, and Miami-Dade.