

STORAGE NAME: h0305s1a.hhs

DATE: April 9, 1999

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
HEALTH AND HUMAN SERVICES APPROPRIATIONS
ANALYSIS**

BILL #: CS/HB 305

RELATING TO: Florida World War II Veterans Memorial

SPONSOR(S): Committee on Community Affairs and Representatives Turnbull and others

COMPANION BILL(S): SB 714 (s), HB 303 (c), SB 716 ©

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY AFFAIRS YEAS 9 NAYS 0
 - (2) HEALTH AND HUMAN SERVICES APPROPRIATIONS YEAS 9 NAYS 0
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

The bill creates the "Florida World War II Veterans Memorial Act." The bill requires construction of a memorial to honor the residents of Florida who served in the Armed Forces of the United States during World War II.

The bill specifies that the memorial be located within the Florida Capitol Center Planning District (CCPD). The Commission on Veterans' Affairs (Commission) must confer with the Capitol Center Planning Commission when considering the location of the memorial within the CCPD. The Commission must submit its recommendations for the location and design of the memorial to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before January 31, 2002.

Construction on the memorial must have begun by June 30, 2005, if sufficient funds are available in the Florida World War II Veterans Memorial Matching Trust Fund created by House Bill 303. The bill requires that upon completion of the memorial, the Governor arrange an appropriate unveiling ceremony on a date that coincides with the anniversary of a significant event in the history of World War II.

This bill has no impact on the state's general revenue fund. At such time as the legislature may appropriate funds, the trust fund created by House Bill 303 is authorized to receive those funds.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The Department of Veterans Affairs reports that 405,399 men and women were killed, and 671,846 were wounded, as a result of World War II. Among those casualties, an estimated 463 were Florida residents. Today, World War II veterans are all over 70 years old with a national mortality rate of approximately 30,000 per month.

According to information provided by the 1980 and 1990 Census, out of all veterans who relocated to another state during that decade, 47% moved to Florida. In fact, the rate of net growth in Florida's veteran population during the last two decades has exceeded 102 veterans per day. According to the Florida Department of Veterans Affairs', out of the approximately 1.7 million veterans residing in Florida on July 1, 1997, 559,500 were World War II veterans.

To honor those who served in World War II, the U.S. Congress introduced in 1987, and then subsequently passed in 1993, a bill authorizing the construction of a national World War II memorial on federal land in the District of Columbia. The memorial will be funded entirely from private donations and is estimated to cost \$100 million. As of January 1999, approximately \$38 million had been raised through corporate and foundation giving, various veteran groups, and individual donations. Ground breaking for the memorial is scheduled for Veterans Day 2000.

The Capitol Center Planning Commission was created within the Department of Management Services. Pursuant to section 272.12 F.S., the Planning Commission is the sole planning and zoning authority within the Capitol Center Planning District (CCPD). The CCPD approves and coordinates existing buildings, as well as the location and construction of new buildings within the CCPD.

There are currently two memorial sites within the CCPD. The first, the *Vietnam Veterans Memorial*, was dedicated on November 11, 1985. The memorial itself is located across from the Old Capitol, in Tallahassee, and consists of two granite columns with the American flag suspended between them. Engraved on the columns are the names of 1,942 Vietnam War dead and the 83 men listed as missing in action. In 1996, the Florida Legislature authorized the construction of the *Korean War Veterans Memorial* to honor the 555 Floridians who gave their lives and the 316,000 Floridians who served during the Korean War. This memorial is currently under construction.

B. EFFECT OF PROPOSED CHANGES:

The bill creates the "Florida World War II Veterans Memorial Act." The bill requires construction of a memorial to honor the residents of Florida who served in the Armed Forces of the United States during World War II. The bill requires that if sufficient funds are available, construction must have begun by June 30, 2005.

The bill specifies that the memorial be located within the CCPD and contain the opening and closing dates of World War II. Moreover, the memorial would include any descriptions and features as may be recommended by the Commission on Veterans' Affairs (Commission).

The Commission is authorized to solicit design proposals for the memorial and to select an appropriate design for the memorial. In cooperation with the Capital Center Planning Commission, the Commission is to select an appropriate location for the memorial within the Capital Center. The Commission must submit its recommendations for design and location to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2002. Pre-construction as well as construction costs are to be included in the recommendations, as well as the life-cycle cost estimate required by section 255.255, F.S. The Department of Management Services is to assist the Commission in preparing these estimates.

The bill requires the Governor to arrange an appropriate dedication and unveiling ceremony upon completion of the memorial. The Governor may choose the date of the ceremony; however, that date is to coincide with the anniversary of a significant and meaningful event in World War II history.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

The Commission on Veterans' Affairs must submit recommendations for the location and design of the memorial to the Governor and the Legislature on or before January 31, 2002. The Department of Management Services is to assist the Commission in preparing estimates on acquiring the site, construction of the memorial, and life cycle costs, all of which are to be included in the report.

Group and individual private contributors may collect funds to deposit in the Florida World War II Veterans Memorial Matching Trust Fund created by House Bill 303. The trust fund is to be administered by the Department of Veterans' Affairs.

Upon completion of the memorial the Governor must arrange an appropriate unveiling ceremony.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

An agency or program is not eliminated or reduced.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

The Florida World War II Veterans Memorial Matching Fund created by House Bill 303 allows for the collection of private contributions to be used in the construction of the memorial.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

This bill does not purport to give services to families or children.

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

No.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

This bill does not create or change a program providing services to families or children.

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

None.

E. SECTION-BY-SECTION ANALYSIS:

Section 1 -- Creates the "Florida World War II Veterans Memorial Act."

Section 2 -- Requires that the Veterans Memorial Matching Trust Fund receive private contributions and matching state funds for the construction of the World War II Veterans' Memorial; requires contributions be returned to individuals contributing to the trust fund if construction of the memorial is not begun by June 30, 2005.

Section 3 -- Requires that construction begin by June 30, 2005, if funds are available in the Florida World War II Veterans Memorial Matching Trust Fund; requires location of the memorial be within the Florida CCPD; provides that dates of Conflict and other inscriptions or features as recommended by the Commission be included on the Memorial.

Section 4 -- Requires the Commission to consider the design of the Memorial and allows public input; requires the location be considered by the Commission in cooperation with the Capital Center Planning Commission; requires the Commission to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives, on or before January 31, 2002, recommending the location, design, acquisition, construction, and life cycle costs of the Memorial; requires the Department of Management Services to assist the Commission in acquiring information for the report.

Section 5 -- Requires the Governor to designate a date of his choosing, which coincides with a significant event in World War II, for the dedication of the memorial.

Section 6 -- Provides for an effective date of July 1, 1999, if House Bill 303, or similar legislation, is adopted in the same legislative session.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

See fiscal comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

The cost to the State for construction of the World War II memorial would depend upon the location, size and design of the memorial, as well as the amount of private contributions. According to the Florida Department of Veterans' Affairs in FY 1984-1985, the Legislature appropriated approximately \$480,000 for site preparation and construction of the *Vietnam War Veterans Memorial*. Furthermore, the Florida Legislature appropriated approximately \$420,000 of the \$500,000 needed for the construction of the *Korean War Veterans Memorial*.

The Department of Veterans' Affairs has not included in their Legislative Budget Request (LBR), funds for the construction of the memorial. However, the Department is currently seeking to amend its LBR.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Committee on Community Affairs adopted the following amendments at its meeting on February 17, 1999. The committee subsequently adopted a committee substitute to the bill incorporating these amendments into the substitute.

Amendment #1 -- On page 1, line 16, correcting the number of years since the completion of World War II from 52 to over 53 years.

Amendment #2 -- On page 3, line 2, changing the requirement that contributions made to the World War II Matching Trust Fund be returned if the memorial has not been constructed by January 1, 2005, and extending that period to June 30, 2005.

Amendment #3 -- On page 3, lines 5 & 6 & 7, clarifying that construction of the memorial must begin by June 30, 2005, rather than constructed during fiscal year 2004-2005.

Amendment #4 -- On page 4, line 10, inserting the appropriate corresponding House Bill number 303.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Joan Highsmith-Smith/Aimee Diaz

Staff Director:

Joan Highsmith-Smith

AS REVISED BY THE COMMITTEE ON HEALTH AND HUMAN SERVICES APPROPRIATIONS:

Prepared by:

Robert Wagner

Staff Director:

Lynn Dixon