

**STORAGE NAME:** h0097a.ca

**DATE:** October 4, 1999

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
COMMUNITY AFFAIRS  
ANALYSIS**

**BILL #:** HB 97

**RELATING TO:** Memorial on POW/MIA Information

**SPONSOR(S):** Representative Fiorentino and others

**TIED BILL(S):**

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

- (1) COMMUNITY AFFAIRS (PRC)
  - (2)
  - (3)
  - (4)
  - (5)
- 

**I. SUMMARY:**

The memorial requests the United States Congress to provide the Florida Department of Veterans' Affairs (DVA) with any information regarding Florida residents who are classified as prisoners-of-war or missing-in-action (POW/MIA). Upon official notification, the DVA may begin action to determine the POW/MIA's well being and try to bring about his safe return. Any information made available to the DVA will be made accessible to members of the immediate family of the POW/MIA.

No state revenues or expenditures are required by this memorial.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |   |                             |   |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

A memorial is used when the legislature wishes to speak to the Federal Government.

The issue of POW/MIA's has long been a hotly debated topic. As a matter of public policy the U.S. government does not rule out the possibility that an American POW who is not found may still be alive. According to Congressional reports, original counts of missing and unaccounted U.S. Personnel in the Vietnam war amounted to more than 2,400. As of December of 1998, 1,592 were still classified as missing in action.

C. EFFECT OF PROPOSED CHANGES:

This memorial requests the U.S. Congress to provide the DVA with any available information regarding a Florida resident classified as a U.S. POW/MIA. The memorial provides that upon notification that a Florida resident is classified as a POW/MIA, the DVA will attempt to ascertain information regarding the POW/MIA, and endeavor to bring about his or her safe return to the U.S.

Any information made available to the DVA will also be made accessible to members of the immediate family. The memorial defines immediate family as parents, children, spouses or any other family members related by blood, marriage or adoption.

Copies of the memorial are to be sent to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of Florida's congressional delegation.

D. SECTION-BY-SECTION ANALYSIS:

N/A

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

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1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

The memorial does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The memorial does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

The memorial does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

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B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

A similar memorial, HM 531, was filed during the 1999 Legislative session by Representative Fiorentino and others. The bill died in the Senate Committee on Rules and Calendar.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON Community Affairs:

Prepared by:

Staff Director:

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Bridget Edmond

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Joan Highsmith-Smith