

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.)

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

BILL: SB 250

INTRODUCER: Senator Abruzzo

SUBJECT: Henry Morrison Flagler Memorial

DATE: December 5, 2013

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|-------------|----------------|-----------|------------------|
| 1. | McKay/Jones | McVaney | GO | Favorable |
| 2. | _____ | _____ | AGG | _____ |
| 3. | _____ | _____ | AP | _____ |
| 4. | _____ | _____ | RC | _____ |

I. Summary:

SB 250 establishes the Henry Morrison Flagler Memorial. The Department of Management Services (DMS) is required to designate an area for the memorial in the Capitol courtyard. DMS is to consult with the Henry Morrison Flagler Museum regarding the construction, installation, and continuous management of the memorial. The bill permits the commission of a figurative bronze sculpture to be installed in the designated area using funds collected from private donations to the Henry Morrison Flagler Museum.

II. Present Situation:

Henry Morrison Flagler

Henry Morrison Flagler, a co-founder of Standard Oil, began his investment in the development of Florida in 1885¹. Flagler developed luxury resorts throughout Florida, including the Ponce de Leon Hotel, the Royal Poinciana Hotel, the Royal Palm Hotel, and The Breakers. Flagler extended the Florida East Coast Railway from Jacksonville to Key West. The Over-Sea railroad to Key West was considered the most ambitious engineering feat ever undertaken by a private citizen.²

Flagler is considered an inventor of modern Florida, and is memorialized throughout Florida with a figurative statue at Flagler College and replica statues at the Key West Bight Ferry terminal, Miami-Dade County Courthouse, and Bradley Park in Palm Beach.³ Flagler established

¹Henry Morrison Flagler Museum, *Henry Morrison Flagler Biography*, <http://www.flaglERMuseum.us/history/flagler-biography> (last visited Dec. 5, 2013).

² *Id.*

³ *Flagler's Florida*, 31, available at http://interactive.sun-sentinel.com/services/newspaper/education/nie/curriculum/Flag_tab.pdf (last visited Dec. 5, 2013).

transportation infrastructure, tourism, and agricultural industries that remain the foundation of Florida's economy today.

Henry Morrison Flagler Museum⁴

The Henry Morrison Flagler Museum is a non-profit corporation established in 1959. The museum is located at Whitehall, Flagler's former winter home in Palm Beach, Florida. Whitehall opened to the public in 1960.⁵ The museum offers year-round tours of the mansion as well as exhibits, concerts, and a lecture series on Gilded Age events. Whitehall is a National Historic Landmark and Florida's first museum.⁶

Managing Agency for the Capitol Complex

Section 272.03(1), F.S., provides that the Capitol Center is under the general control of DMS, which includes the operation and maintenance of both the grounds and buildings. This responsibility has historically included assistance in establishing and maintaining public memorials throughout the Capitol Complex, including project management oversight of the design and construction of memorials.⁷ After an entity is assigned a designated space within the Capitol complex for an exhibit, the entity is the manager of the exhibit's content and display, in consultation with DMS.⁸

Current Capitol Ground Memorials

The Capitol grounds currently have three fixed memorials: the Florida Fraternal Order of Police Law Enforcement Memorial in the Capitol courtyard; the Combat Wounded Veterans memorial adjacent to the Senate Office Building; and a plaque in remembrance of Dr. Martin Luther King, Jr., also in the Capitol courtyard.⁹

III. Effect of Proposed Changes:

The bill creates section 265.004, F.S., which establishes the Henry Morrison Flagler Memorial. The bill provides legislative intent in the proposed statute to recognize and honor Henry Morrison Flagler for his significant contributions to the development of Florida.

The bill requires DMS, the managing agency for the Capitol Complex, to designate an area for the memorial in the courtyard between the Capitol Building and the Historic Capitol. After designating the location, DMS will consult with the Henry Flagler Memorial Museum regarding the construction, installation, and continuous management of the memorial.

⁴Henry Morrison Flagler Museum, *Florida's First Museum*, <http://flaglermuseum.us/history/floridas-first-museum> (last visited Dec. 5, 2013).

⁵Henry Morrison Flagler Museum, *Whitehall's Grounds and Architecture*, <http://www.flaglermuseum.us/history/grounds-and-architecture> (last visited Dec. 5, 2013)

⁶National Historic Landmarks Program, *Whitehall (Henry M. Flagler House)*, <http://tps.cr.nps.gov/nhl/detail.cfm?ResourceId=957812452&ResourceType=Building> (last visited Dec. 5, 2013)

⁷Department of Management Services, *Senate Bill 250 Agency Analysis* (October 25, 2013) (on file with the Senate Committee on Governmental Oversight).

⁸*Id.*

⁹My Florida Capitol, *Capitol Grounds and Monuments*, <http://myfloridacapitol.com/grounds.php> (last visited Dec 5, 2013)

The Henry Flagler Memorial Museum will commission a figurative bronze sculpture in the area designated by DMS for the memorial. The sculpture will be commissioned using funds from private donations to the museum.

The effective date of the bill is July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the DMS analysis, DMS will incur minimal costs associated with the maintenance of the monument area.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 265.004 of the 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.

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