

**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 Military and Veterans Affairs, Space, and Domestic Security

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BILL: SB 608

INTRODUCER: Senator Hukill

SUBJECT: POW-MIA Chair of Honor Memorial

DATE: March 4, 2014

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Ryon	Ryon	MS	<b>Pre-meeting</b>
2.			GO	
3.			RC	

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**I. Summary:**

SB 608 establishes the POW-MIA Chair of Honor Memorial to honor the sacrifices endured by members of the United States Armed Forces who were held as prisoners of war or remain missing in action.

The bill requires the Department of Management Services (DMS) to designate an area of the Capitol Complex for the memorial and to consult with the Florida Department of Veterans' Affairs (FDVA) and the Florida chapters of Rolling Thunder, Inc. regarding the design, construction, installation, and continuous management of the memorial.

**II. Present Situation:**

**Veterans in Florida**

Florida has the third largest population of veterans in the nation with over 1.5 million, behind only California and Texas.<sup>1</sup> Florida has more than 113,000 veterans from World War II, the largest number in the nation.<sup>2</sup> In addition, approximately 75 percent of Florida's veteran population is wartime veterans, including more than 231,000 veterans of the Afghanistan and Iraq wars and 498,000 Vietnam-era veterans. There are approximately 187,000 military retirees who call Florida home.<sup>3</sup>

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<sup>1</sup> FDVA, Annual Report Fiscal Year 2012-13, Facts and Figures. p. 4. Available at: <http://floridavets.org/wp-content/uploads/2013/12/Annual-Report-2012-13-Final.pdf>

<sup>2</sup> *Id.*

<sup>3</sup> FDVA, Fast Facts, available at: [http://floridavets.org/?page\\_id=50](http://floridavets.org/?page_id=50).

## **Military Recognition by Florida Legislature**

The Florida Legislature recognizes the military service of Florida residents through the Florida Veterans' Hall of Fame and the Florida Medal of Honor Wall. The Florida Veterans' Hall of Fame recognizes and honors those military veterans who, through their works and lives during or after military service, made a significant contribution to the State of Florida.<sup>4</sup> The Florida Medal of Honor Wall recognizes and honors those who are accredited, or associated by birth, to the State of Florida, who through their conspicuous bravery and gallantry during wartime, and at considerable risk to their own lives, earned the Medal of Honor.<sup>5</sup>

## **Managing Agency for the Capitol Complex**

Section 272.03(1), F.S., provides that the Capitol Center is under the general control of the 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.<sup>6</sup> 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 the DMS.<sup>7</sup>

## **POW-MIA**

More than 83,000 Americans are missing from World War II, the Korean War, the Cold War, the Vietnam War and the 1991 Gulf War.<sup>8</sup> As of October, 2013, there are a total of 1,643 unaccounted for military servicemembers in southeast Asia since the end of the Vietnam War, with 57 indicating Florida as their home of record.<sup>9</sup> In addition, 32 military servicemembers from Florida have either been accounted for (including POW returnees and POW escapees) or their remains have been recovered and identified since the end of the war.<sup>10</sup>

In accordance with the Missing Service Personnel Act,<sup>11</sup> the current number of personnel missing from operations in Iraq and other current conflicts is seven: two service members from Operation Desert Storm; and one service member and three Department of Defense contractors from Operation Iraqi Freedom; and one service member from Operation Enduring Freedom.<sup>12</sup>

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<sup>4</sup> s. 265.003, F.S.

<sup>5</sup> s. 265.002, F.S.

<sup>6</sup> Department of Management Services, House Bill 731 Agency Analysis (October 25, 2013) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

<sup>7</sup> *Id.*

<sup>8</sup> Department of Defense Prisoner of War, Missing Personnel Office (DPMO), available at: <http://www.dtic.mil/dpmo/>.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> 10 U.S.C. sections 1501-1513, Missing Service Personnel Act (MSPA). The MSPA tasks the DPMO with responsibility for policy, control and oversight of the entire process of investigation and recovery of missing persons (including matters related to search, rescue, escape and evasion) and for coordination between the Department of Defense and other U.S. agencies on all matters concerning missing persons.

<sup>12</sup> DPMO website, available at: <http://www.dtic.mil/dpmo/>

**Rolling Thunder, Inc.**

Incorporated in 1995, Rolling Thunder, Inc. is a class 501(c) (4) non-profit organization with over 94 chartered chapters throughout the United States and members abroad, including eight chapters in Florida.<sup>13</sup>

The major function of Rolling Thunder, Inc. is to publicize the POW-MIA issue, educate the public that many American Prisoners of War were left behind after all previous wars, and help correct the past and to protect future veterans from being left behind should they become Prisoners Of War-Missing In Action.<sup>14</sup>

**III. Effect of Proposed Changes:**

The bill creates s. 265.0031, F.S., to establish the POW-MIA Chair of Honor Memorial to honor the sacrifices endured by members of the Armed Forces of the United States who were held as prisoners of war or remain missing in action.

The bill requires the DMS to designate an area of the Capitol Complex for the memorial and to consult with the FDVA and the Florida chapters of Rolling Thunder, Inc. regarding the design, construction, installation, and continuous management of the memorial.

**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.

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<sup>13</sup> Rolling Thunder, Inc. website, available at: <http://www.rollingthunder1.com/index.html>.

<sup>14</sup> *Id.*

C. Government Sector Impact:

DMS will incur minimal costs associated with the maintenance of the monument area.<sup>15</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 265.0031 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.

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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>15</sup> See *supra* note 6.