

By the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Hukill

583-02177-14

2014608c1

1 A bill to be entitled
2 An act relating to monuments on the Capitol Complex;
3 creating s. 265.0031, F.S.; providing legislative
4 intent; defining the term "Capitol Complex";
5 establishing the POW-MIA Chair of Honor Memorial;
6 requiring the Florida chapters of Rolling Thunder,
7 Inc., to fund the memorial; subjecting the memorial to
8 approval by the Florida Historical Commission;
9 requiring the commission to consider recommendations
10 of the Department of Veterans' Affairs and the Florida
11 chapters of Rolling Thunder, Inc., regarding specific
12 aspects of the memorial; creating s. 265.111, F.S.;
13 defining the term "monument"; prohibiting the
14 construction and placement of a monument on the
15 premises of the Capitol Complex unless authorized by
16 general law; subjecting the design and placement of a
17 monument to the approval of the Florida Historical
18 Commission; requiring the Department of Management
19 Services to submit recommendations to the Florida
20 Historical Commission; requiring the Department of
21 Management Services to set aside an area of the
22 Capitol Complex for a memorial garden; establishing
23 requirements for the memorial garden; amending s.
24 267.0612, F.S.; revising the powers and duties of the
25 Florida Historical Commission to conform to changes
26 made by the act; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 265.0031, Florida Statutes, is created
31 to read:

32 265.0031 POW-MIA Chair of Honor Memorial.-

33 (1) It is the intent of the Legislature to recognize and
34 honor the sacrifices endured by members of the Armed Forces of
35 the United States who were held as prisoners of war or remain
36 missing in action.

37 (2) For purposes of this section, the term "Capitol
38 Complex" has the same meaning as in s. 281.01.

39 (3) There is established the POW-MIA Chair of Honor
40 Memorial.

41 (a) The POW-MIA Chair of Honor Memorial shall be funded by
42 the Florida chapters of Rolling Thunder, Inc., without
43 appropriation of state funds.

44 (b) Pursuant to s. 267.0612(9), the Florida Historical
45 Commission shall approve the design and placement of the POW-MIA
46 Chair of Honor Memorial in the Capitol Complex. In addition to
47 recommendations from the Department of Management Services, the
48 commission shall consider recommendations from the Department of
49 Veterans' Affairs and the Florida chapters of Rolling Thunder,
50 Inc., in determining the appropriate design and placement of the
51 memorial.

52 Section 2. Section 265.111, Florida Statutes, is created to
53 read:

54 265.111 Capitol Complex; monuments.-

55 (1) For purposes of this section, the term "monument" means
56 a permanent structure such as a marker, statue, sculpture,
57 plaque, or other artifice, including living plant material,
58 placed in remembrance or recognition of a significant person or

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59 event in Florida history.

60 (2) The construction and placement of a monument on the
61 premises of the Capitol Complex, as defined in s. 281.01, is
62 prohibited unless authorized by general law and unless the
63 design and placement of the monument is approved by the Florida
64 Historical Commission, pursuant to s. 267.0612(9). The
65 Department of Management Services shall submit recommendations
66 to the Florida Historical Commission regarding the design and
67 placement of an authorized monument.

68 (3) The Department of Management Services, in consultation
69 with the Florida Historical Commission, shall set aside an area
70 of the Capitol Complex and dedicate a memorial garden on which
71 authorized monuments shall be placed. Except for historically
72 authenticated monuments from the restoration of the Historic
73 Capitol, monuments situated on the Capitol Complex, as of July
74 1, 2014, may be moved to the memorial garden as directed by the
75 Florida Historical Commission. The memorial garden may not be
76 placed in an area within 50 feet of the outer perimeter of the
77 grounds surrounding the Historic Capitol.

78 Section 3. Subsection (9) is added to section 267.0612,
79 Florida Statutes, to read:

80 267.0612 Florida Historical Commission; creation;
81 membership; powers and duties.—In order to enhance public
82 participation and involvement in the preservation and protection
83 of the state's historic and archaeological sites and properties,
84 there is created within the Department of State the "Florida
85 Historical Commission." The commission shall serve in an
86 advisory capacity to the director of the Division of Historical
87 Resources to assist the director in carrying out the purposes,

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88 duties, and responsibilities of the division, as specified in
89 this chapter.

90 (9) The commission shall approve the design and placement
91 of a monument authorized by general law to be placed on the
92 premises of the Capitol Complex pursuant to s. 265.111. Prior to
93 approval, the commission shall consider the recommendations of
94 the Department of Management Services regarding the design and
95 placement of such a monument.

96 Section 4. This act shall take effect July 1, 2014.