

**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 Appropriations Subcommittee on General Government

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BILL: PCS/SB 876 (742686)

INTRODUCER: Appropriations Subcommittee on General Government and Senator Dean

SUBJECT: Beirut Memorial

DATE: April 6, 2015

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanders</u>	<u>Ryon</u>	<u>MS</u>	<b>Favorable</b>
2.	<u>Davis</u>	<u>DeLoach</u>	<u>AGG</u>	<b>Recommend: Fav/CS</b>
3.	_____	_____	<u>FP</u>	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

PCS/SB 876 requires the Florida Veteran's Memorial Garden to include a memorial to honor those who lost their lives in the October 23, 1983, attack on the U.S. Armed Forces in Beirut, Lebanon.

The bill has an indeterminate fiscal impact.

The bill has an effective date of July 1, 2015.

**II. Present Situation:**

**Beirut Attack**

In July of 1982, President Reagan authorized the deployment of U.S. Marines to join a multinational force (MNF) alongside French and Italian troops to contribute to peacekeeping efforts in Lebanon.<sup>1</sup> Lebanon was in the midst of a civil war that threatened the stability of the region and raised the specter of a wider war.<sup>2</sup> Syria and Israel were at ends supporting opposing

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<sup>1</sup> U.S. Department of State, Office of the Historian, *The Reagan Administration and Lebanon, 1981-1984*, <https://history.state.gov/milestones/1981-1988/lebanon> (last visited March 2, 2015).

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

Lebanese factions and perpetuating violence in an attempt to gain control of the country. In response, the MNF was tasked to protect Palestinian civilians from the ongoing conflict.<sup>3</sup>

On October 23, 1983, the headquarters and barracks of the 1<sup>st</sup> Battalion, 9<sup>th</sup> Marines Regiment in Beirut, Lebanon was attacked.<sup>4</sup> A truck carrying 2,000 pounds of explosives drove into the facility, exploded and collapsed the structure killing 220 Marines and 21 other members of the United States Armed Forces.<sup>5</sup> In February of 1984, President Reagan ordered that the Marines withdraw from Lebanon.<sup>6</sup>

### **Managing Agency for the Capitol Center**

Chapter 272, F.S., provides that the Capitol Center<sup>7</sup> is under the general control and supervision of the DMS,<sup>8</sup> which includes the management and maintenance of both the grounds and buildings.<sup>9</sup> Additionally, the DMS has the authority to provide for the establishment of parks, walkways, and parkways on the grounds of the Capitol Center.<sup>10</sup> This responsibility has historically included assistance in establishing and maintaining public memorials throughout the Capitol Center, including project management oversight of the design and construction of memorials.<sup>11</sup> After an entity is assigned a designated space within the Capitol Center for an exhibit, the entity is the manager of the exhibit's content and display, in consultation with the DMS.<sup>12</sup>

The “Capitol Complex” is defined to include:

“that portion of Tallahassee, Leon County, Florida, commonly referred to as the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, the Holland Building, and the curtilage of each, including the state-owned lands and public streets adjacent thereto within an area bounded by and including Monroe Street, Jefferson Street, Duval Street, and Gaines Street. The term shall also include the State Capital Circle Office Complex located in Leon County, Florida.”<sup>13</sup>

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<sup>3</sup> *Id.*

<sup>4</sup> Marines Blog: The Official Blog of the United States Marine Corps, *30<sup>th</sup> Anniversary of Beirut Bombing: Survivor Shares his Story*, <http://marines.dodlive.mil/2013/10/22/30th-anniversary-of-beirut-bombing-survivor-shares-his-story/> (last visited March 2, 2015).

<sup>5</sup> *Id.*

<sup>6</sup> U.S. Department of State, Office of the Historian, *The Reagan Administration and Lebanon, 1981-1984*, <https://history.state.gov/milestones/1981-1988/lebanon> (last visited March 2, 2015).

<sup>7</sup> Section 272.12, F.S., describes the Tallahassee area bounded by Martin Luther King, Jr. Boulevard, College Avenue, Franklin Boulevard, East Jefferson Street, and the Seaboard Coastline Railway right-of-way as the Capitol Center.

<sup>8</sup> Section 272.03, F.S.

<sup>9</sup> Section 272.09, F.S.

<sup>10</sup> Section 272.07, F.S.

<sup>11</sup> Department of Management Services, Senate Bill 608 Agency Analysis (February 19, 2014) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

<sup>12</sup> *Id.*

<sup>13</sup> Section 281.01, F.S.

## Capitol Complex Monuments

The construction and placement of a monument on the premises of the Capitol Complex is prohibited unless authorized by general law and unless the design and placement of the monument is approved by the DMS after considering the recommendations of the Florida Historical Commission.<sup>14</sup> Additionally, the DMS must coordinate with the Division of Historical Resources of the Department of State regarding a monument's design and placement.<sup>15</sup> The DMS, in consultation with the Florida Historical Commission, is required to set aside an area of the Capitol Complex to be dedicated as a memorial garden for the placement of authorized monuments. Monuments constructed on or after July 1, 2014, are required to be placed in the memorial garden.<sup>16</sup>

Among the statutorily authorized Capitol Complex memorials to honor military service members are:

- The Florida Veterans' Walk of Honor;<sup>17</sup>
- The Florida Veterans' Memorial Garden;<sup>18</sup> and
- The POW-MIA Chair of Honor Memorial.<sup>19</sup>

The Florida Veterans' Walk of Honor and the Florida Veterans' Memorial Garden are administered by the direct-support organization (DSO) of the Department of Veteran's Affairs without funding from the state.<sup>20</sup> However, donations made to the Florida Veterans' Walk of Honor and the Florida Veterans' Memorial Garden are credited to the DSO of the Department of Veterans' Affairs and used to support and maintain the Florida Veteran's Walk of Honor, the Florida Veterans' Memorial Garden, and other efforts of the DSO.<sup>21</sup>

### III. Effect of Proposed Changes:

This bill creates s. 265.0031(4), F.S., to require the Florida Veterans' Memorial Garden to include a memorial in remembrance of the 241 members of the United States Armed Forces who lost their lives in the October 23, 1983, attack on the U.S. Armed Forces in Beirut, Lebanon.

The bill provides an effective date of July 1, 2015.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

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<sup>14</sup> Section 265.111(2), F.S.

<sup>15</sup> *Id.*

<sup>16</sup> Section 265.111(1), F.S., defines the term "monument" to mean a permanent structure such as a marker, statue, sculpture, plaque, or other artifice, including living plant material, placed in remembrance or recognition of significant person or event in Florida history. The term does not include any "Official Florida Historical Marker" as defined in s. 267.021, F.S.

<sup>17</sup> Section 265.0031, F.S.

<sup>18</sup> *Id.*

<sup>19</sup> Section 265.00301, F.S.

<sup>20</sup> Section 265.0031(2), F.S.

<sup>21</sup> *Id.*

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:

Under PCS/SB 876, the cost to construct the memorial is indeterminate, as the design for the memorial has not been completed.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends 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.)

**Recommended CS by Appropriations Subcommittee on General Government on April 2, 2015:**

The committee substitute requires the Florida Veterans' Memorial Garden to include a memorial in remembrance of the 241 members of the United States Armed Forces who lost their lives on October 23, 1983, in Beirut, Lebanon.

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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