

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 Fiscal Policy

BILL: SB 876

INTRODUCER: Appropriations Subcommittee on General Government and Senator Dean

SUBJECT: Beirut Memorial

DATE: April 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanders</u>	<u>Ryon</u>	<u>MS</u>	Favorable
2.	<u>Davis</u>	<u>DeLoach</u>	<u>AGG</u>	Recommend: Fav/CS
3.	<u>Pace</u>	<u>Hrdlicka</u>	<u>FP</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

SB 876 requires the Department of Management Services to establish a Beirut Memorial in the Capitol Complex to honor those who lost their lives in the October 23, 1983, attack on the U.S. Armed Forces in Beirut, Lebanon. The DMS is responsible for the design and placement of the Beirut Memorial in coordination with the Florida Department of Veterans' Affairs, the Florida Historical Commission, and the Division of Historical Resources of the Department of State.

The bill has an indeterminate fiscal impact. The establishment of the Beirut Memorial is contingent upon a legislative appropriation.

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.¹ Lebanon was in the midst of a civil war that threatened the stability of the region and raised the threat of a wider war.² Syria and Israel supported opposing Lebanese

¹ U.S. Department of State, Office of the Historian, *The Reagan Administration and Lebanon, 1981-1984*, available at <https://history.state.gov/milestones/1981-1988/lebanon> (last visited April 14, 2015).

² *Id.*

factions and perpetuated the violence in an attempt to gain control of the country. In response, the MNF was tasked to protect Palestinian civilians from the ongoing conflict.³

On October 23, 1983, the headquarters and barracks of the 1st Battalion, 8th Marines Regiment in Beirut, Lebanon was attacked.⁴ 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 U.S. Armed Forces.⁵

In February of 1984, President Reagan ordered that the Marines withdraw from Lebanon.⁶

Managing Agency for the Capitol Center

Section 272.03(1), F.S., provides that the Capitol Center⁷ is under the general control and supervision of the Department of Management Services (DMS),⁸ which includes the management and maintenance of both the grounds and buildings.⁹ Additionally, the DMS has the authority to provide for the establishment of parks, walkways, and parkways on the grounds of the Capitol Center.¹⁰ 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.¹¹ 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.¹²

Capitol Complex Monuments

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.”¹³

³ *Id.*

⁴ Marines Blog: The Official Blog of the United States Marine Corps, *30th Anniversary of Beirut Bombing: Survivor Shares his Story*, available at <http://marines.dodlive.mil/2013/10/22/30th-anniversary-of-beirut-bombing-survivor-shares-his-story/> (last visited April 14, 2015).

⁵ *Id.*

⁶ *Supra* note 1.

⁷ 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.

⁸ Section 272.03, F.S.

⁹ Section 272.09, F.S.

¹⁰ Section 272.07, F.S.

¹¹ Department of Management Services, *2014 Legislative Bill Analysis, SB 608* (February 19, 2014) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

¹² *Id.*

¹³ Section 281.01, F.S.

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.¹⁴ Additionally, the DMS must coordinate with the Division of Historical Resources of the Department of State regarding a monument's design and placement.¹⁵ 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.¹⁶

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

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

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.²⁰ 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.²¹

III. Effect of Proposed Changes:

This bill creates s. 265.005, F.S., to establish the Beirut Memorial, subject to legislative appropriation, on the premises of the Capitol Complex to honor those who lost their lives in the October 23, 1983, attack on the U.S. Armed Forces in Beirut, Lebanon.

The bill directs the DMS to approve the design and placement of the Beirut Memorial, taking into consideration recommendations from the Florida Department of Veterans' Affairs and the Florida Historical Commission. Additionally, the DMS must coordinate with the Division of Historical Resources regarding the Beirut Memorial's design and placement.

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

¹⁴ Section 265.111(2), F.S.

¹⁵ *Id.*

¹⁶ 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.

¹⁷ Section 265.0031, F.S.

¹⁸ *Id.*

¹⁹ Section 265.00301, F.S.

²⁰ Section 265.0031(2), F.S.

²¹ *Id.*

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:

The cost to construct the Beirut Memorial is indeterminate, as the design for the memorial has not been completed. The establishment of the memorial is contingent upon a legislative appropriation.

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.)

See PCS (742686) by Fiscal Policy (Recommended CS by Appropriations Subcommittee on General Government) on April 6, 2015.

B. Amendments:

None.

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