

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1359 Women's Suffrage Centennial Commemoration Committee
SPONSOR(S): Mariano, Joseph and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 1306

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Oversight, Transparency & Public Management Subcommittee	12 Y, 0 N	Moehrle	Harrington
2) Transportation & Tourism Appropriations Subcommittee	11 Y, 0 N	Cobb	Davis
3) State Affairs Committee			

SUMMARY ANALYSIS

Generally, a “committee” or “task force” is created as an advisory body to study a specific problem and recommend a solution or policy alternative, and upon completion of that mission the committee terminates.

The bill establishes the Women’s Suffrage Centennial Commemoration Committee, created adjunct to the Department of State, for the purpose of ensuring a suitable statewide observance of the centennial of women’s suffrage and the passage of the 19th Amendment to the United States Constitution. The bill requires the Division of Historical Resources within the Department of State to provide administrative and support staff for the committee. The bill requires the committee to:

- Advise on the development of programs and activities appropriate to commemorate the centennial of women’s suffrage, and encourage the development of programs and activities to ensure that the commemoration results in a positive legacy and has long-term benefits;
- Facilitate the observance of women’s suffrage-related activities throughout the state;
- Encourage civic, historical, educational, economic, and other organizations to organize and participate in activities to expand the understanding and appreciation of women’s suffrage;
- Coordinate and facilitate the public distribution of scholarly research, publication, and interpretation of women’s suffrage; and
- Encourage local organizations and nonprofit organizations to further the commemoration of the centennial of women’s suffrage.

The bill provides that the committee expires on December 31, 2020.

The bill will likely have an indeterminate, though insignificant negative fiscal impact on state expenditures.

The bill has an effective date of July 1, 2019.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Committees

Under Florida law, a “committee” or “task force” is an advisory body created by the Legislature without specific statutory enactment for a time not to exceed 1 year or created by specific statutory enactment for a time not to exceed 3 years.¹ Generally, a committee or task force is appointed to study a specific problem and recommend a solution or policy alternative regarding the problem, and upon completion of that mission, the committee terminates.²

Section 20.052, F.S., provides the following requirements for statutorily enacted committees:

- Created only when it is found to be necessary and beneficial to the furtherance of a public purpose;
- Must be terminated by the Legislature when it is no longer necessary and beneficial to the furtherance of a public purpose. The executive agency to which the committee is made an adjunct must advise the Legislature at the time the committee ceases to be essential to the furtherance of a public purpose;
- The Legislature and the public must be kept informed of the numbers, purposes, memberships, activities, and expenses of the committee;³ and
- A committee may not be created or reestablished unless it meets a statutorily defined purpose and its powers conform to the definitions under s. 20.03, F.S.

A private citizen member of a committee that is adjunct to an executive agency must be appointed by the Governor, the head of the department, the executive director of the department, or a Cabinet officer.⁴

Florida Commission on the Status of Women

The Florida Commission on the Status of Women (FCSW) is a nonpartisan board, statutorily created in 1991, consisting of 22 appointed members.⁵ The Governor, the Speaker of the House of Representatives, the President of the Senate, and the Attorney General each appoint four members and the Chief Financial Officer and Commissioner of Agriculture each appoint three members for a term of four years.⁶ The FCSW is administratively housed within the Office of the Attorney General.⁷ The FCSW studies the changing and developing roles of women in American society⁸ and makes recommendations to the Governor, Cabinet, and Legislature in an annual report.⁹

Division of Historical Resources

The Division of Historical Resources within the Department of State (DOS),¹⁰ in part, is responsible for:

- Developing a comprehensive statewide historic preservation plan.

¹ Section 20.03(8), F.S.

² *Id.*

³ Section. 20.052(1)-(3), F.S.

⁴ Section 20.052(5)(a), F.S.

⁵ Section 14.24, F.S.; *see also* About the FSCW, FLORIDA COMMISSION ON THE STATUS OF WOMEN, <http://fscw.net/about/> (last visited Mar. 14, 2019).

⁶ Section 14.24(1), F.S.

⁷ *Id.*

⁸ Section 14.24(4), F.S.

⁹ Section 14.24(6), F.S.

¹⁰ Section 20.10(2)(b), F.S.

- Directing and conducting a comprehensive statewide survey of historic resources and maintaining an inventory of such resources.
- Ensuring that historic resources are taken into consideration at all levels of planning and development.
- Providing public information, education, and technical assistance relating to historic preservation programs.¹¹

Florida Historical Commission

The Florida Historical Commission (FHC) was established in 2001 to enhance public participation and involvement in the preservation and protection of the state's historic and archaeological sites and properties.¹² FHC is part of DOS and is tasked with advising and assisting the Division of Historical Resources in carrying out its programs, duties, and responsibilities.¹³

FHC is composed of 11 members: seven are appointed by the Governor in consultation with the Secretary of State, two by the President of the Senate, and two by the Speaker of the House of Representatives.¹⁴ The FHC must include:

- A licensed architect with expertise in historic preservation and architectural history;
- A professional historian in the field of American history;
- A professional architectural historian;
- An archaeologist specializing in the field of prehistory;
- An archaeologist specializing in the historic period; and
- Representatives of the public with demonstrated interest in the preservation of Florida's historical and archaeological heritage.¹⁵

FHC must provide assistance, advice, and recommendations to the Division of Historical Resources.¹⁶

Effect of the Bill

The bill establishes the Women's Suffrage Centennial Commemoration Committee, created adjunct to DOS for the purpose of ensuring a suitable statewide observance of the centennial of women's suffrage and the ratification of the 19th Amendment to the United States Constitution. The bill requires the Division of Historical Resources of DOS to provide administrative and support staff for the committee.

The committee is composed of the following nine members:

- The Secretary of State, or his or her designee;
- The director of the Division of Historical Resources;
- A women's history scholar from a postsecondary educational institution in Florida, appointed by the Governor;
- A member of the Florida Historical Commission, appointed by the Governor;
- Two members of the FCSW, appointed by the Governor;
- A historian, appointed by the Governor; and
- Two citizen members, appointed by the Governor.

The bill provides that the committee may meet as often as it deems necessary to fulfill the duties prescribed in the act. Specifically, the bill provides that the committee must:

- Advise on the development of programs and activities appropriate to commemorate the centennial of women's suffrage;

¹¹ Section 267.031(5), F.S.

¹² Chapter 2001-199, L.O.F.; codified as s. 267.0612, F.S.

¹³ Section 267.0612, F.S.

¹⁴ Section 267.0612(1)(a)1., F.S.

¹⁵ *Id.*

¹⁶ *See* s. 267.0612(6), F.S.

- Encourage the development of programs and activities to ensure that the commemoration results in a positive legacy and has long-term benefits;
- Facilitate the observance of women's suffrage-related activities;
- Encourage civic, historical, educational, economic, and other organizations to organize and participate in activities to expand the understanding and appreciation of women's suffrage;
- Coordinate and facilitate the public distribution of scholarly research, publication, and interpretation of women's suffrage; and
- Encourage local organizations and nonprofit organizations to further the commemoration of the centennial of women's suffrage.

The bill provides that the committee expires on December 31, 2020.

B. SECTION DIRECTORY:

Section 1. creates the Women's Suffrage Centennial Commemoration Committee.

Section 2. provides an effective date of July 1, 2019.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill may have an indeterminate, though likely insignificant negative fiscal impact on the Department of State due to the requirement to provide support staff to the committee. It is expected that the costs associated with assisting the committee can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill creates the committee as an unnumbered section of law; that is, outside of the Florida Statutes. Under s. 20.03(8), F.S., a committee or task force created without specific statutory enactment, as this committee is, may not exist for longer than one year. The committee in this bill exists from the effective date of the bill, July 1, 2019, to December 31, 2020, a period exceeding one year.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.