

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS
FINAL BILL ANALYSIS**

BILL #: CS/HB 1359 Women's Suffrage Centennial Commemoration Committee
SPONSOR(S): State Affairs Committee; Mariano; Joseph and others
TIED BILLS: **IDEN./SIM. BILLS:** CS/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	22 Y, 0 N, As CS	Moehrle	Williamson
FINAL HOUSE FLOOR ACTION: GOVERNOR'S ACTION: Approved			
114	Y's 0	N's	

SUMMARY ANALYSIS

CS/HB 1359 passed the House on May 1, 2019, as CS/SB 1306.

Generally, a “commission” is created by specific statutory enactment within a department, the office of the Governor, or the Executive Office of the Governor and exercising limited quasi-legislative or quasi-judicial powers or both.

The bill creates the Women’s Suffrage Centennial Commission 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 staff support for the commission. The bill requires the commission 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 commission expires December 31, 2020.

The bill may have an indeterminate negative fiscal impact on state expenditures.

The bill was approved by the Governor on June 7, 2019, ch. 2019-62, L.O.F., and will become effective on July 1, 2019.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Background

Commissions

Under Florida law, a “commission,” is a body created by specific statutory enactment within a department, the office of the Governor, or the Executive Office of the Governor exercising limited quasi-legislative or quasi-judicial powers, or both.¹

Section 20.052, F.S., provides the following requirements for commissions:

- 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 commission is made an adjunct must advise the Legislature at the time the commission 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 commission;² and
- A commission 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 commission 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.³

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.⁴ 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.⁵ The FCSW is administratively housed within the Office of the Attorney General.⁶ The FCSW studies the changing and developing roles of women in American society⁷ and makes recommendations to the Governor, Cabinet, and Legislature in an annual report.⁸

Division of Historical Resources

The Division of Historical Resources within the Department of State (DOS),⁹ in part, is responsible for:

- Developing a comprehensive statewide historic preservation plan.
- Directing and conducting a comprehensive statewide survey of historic resources and maintaining an inventory of such resources.

¹ Section 20.03(10), F.S.

² Section. 20.052(1)-(3), F.S.

³ Section 20.052(5)(a), F.S.

⁴ Section 14.24, F.S.; *see also* About the FCSW, FLORIDA COMMISSION ON THE STATUS OF WOMEN, <http://fscw.net/about/> (last visited Mar. 14, 2019).

⁵ Section 14.24(1), F.S.

⁶ *Id.*

⁷ Section 14.24(4), F.S.

⁸ Section 14.24(6), F.S.

⁹ Section 20.10(2)(b), F.S.

- 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.¹⁰

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.¹¹ 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.¹²

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.¹³ 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.¹⁴

FHC must provide assistance, advice, and recommendations to the Division of Historical Resources.¹⁵

Effect of the Bill

The bill creates the Women's Suffrage Centennial Commission 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 within DOS to provide administrative and staff support for the commission.

The commission is composed of the following 19 members:

- The chair of the commission, appointed by the Governor;
- The Secretary of State, or his or her designee;
- The director of the Division of Historical Resources;
- Two members of the Senate, appointed by the President of the Senate;
- Two members of the House of Representatives, appointed by the Speaker of the House of Representatives;
- 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;
- Four members of the FCSW, appointed by the Governor;
- A member of the Florida Women's Hall of Fame, appointed by the Governor;
- A representative of the League of Women Voters of Florida, appointed by the Governor;
- A historian, appointed by the Governor;

¹⁰ Section 267.031(5), F.S.

¹¹ Chapter 2001-199, L.O.F.; codified as s. 267.0612, F.S.

¹² Section 267.0612, F.S.

¹³ Section 267.0612(1)(a)1., F.S.

¹⁴ *Id.*

¹⁵ *See* s. 267.0612(6), F.S.

- Two citizen members, appointed by the Governor; and
- One member recommended by the National Council of Negro Women, appointed by the Governor.

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

- Advise on the development of programs and activities appropriate to commemorate the centennial of women's suffrage;
- 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;
- Encourage local organizations and nonprofit organizations to further the commemoration of the centennial of women's suffrage;
- Coordinate with the Department of Education regarding the manner in which the centennial of women's suffrage will be commemorated in the state; and
- Assist the Department of State in developing a statewide public awareness campaign on the centennial of women's suffrage through such means as, but not limited to, public service announcements, outdoor advertising, and a website.

The bill permits the commission to establish a youth working group to advise and provide recommendations to the commission. Members of the youth working group must serve on a volunteer basis, be Florida residents, be between the ages of 15 and 30 years of age, identify as women, and demonstrate an interest in history. The chair of the commission appoints members of the youth working group.

The bill provides that the commission expires December 31, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DOS will incur costs associated with supporting the commission, including the costs of per diem and travel by commission members. In addition, the requirement for the commission to operate a public awareness campaign will add additional costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.