

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 433 Transportation Facility Designations

**SPONSOR(S):** Transportation & Infrastructure Subcommittee, Fetterhoff

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	12 Y, 0 N, As CS	Johnson	Vickers
2) Transportation & Tourism Appropriations Subcommittee			
3) State Affairs Committee			

### SUMMARY ANALYSIS

State law authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the law require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone system listings. State law also requires the appropriate city or county commission to pass a resolution supporting the designation prior to the erection of markers indicating the designation.

The bill designates the Purple Heart Memorial Highway, the Willis V. Rowan Memorial Highway, and the John C. Gainous Memorial Highway and directs the Department of Transportation (DOT) to erect suitable markers for each designation.

DOT estimates a \$14,000 negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the above designations. This cost can be absorbed within existing DOT resources.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Designations

Section 267.062, F.S., provides for the naming of state buildings and other facilities. The statute provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes, and other similar facilities may not be named for a living person.

Section 334.071, F.S., authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

##### Road Markers

The Department of Transportation (DOT) must place a marker at each termini or intersection of an identified road or bridge and erect other markers it deems appropriate for the transportation facility. The appropriate city or county commission must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

#### Effect of the Bill

**Subsection 1** designates that portion of I-95 between the Florida state line in Nassau County and S.W. 32<sup>nd</sup> Road in Miami-Dade County as the “Purple Heart Memorial Highway.”

The Purple Heart is awarded to members of the U.S. Armed Forces who are wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds received in action.<sup>1</sup>

**Subsection 2** designates that portion of U.S. 98 between C.R. 986 and Pine Street in Gulf County as the “Willis V. Rowan Memorial Highway.”

Willis V. Rowan served in World War II as a 2nd Lieutenant in the Army Air Force and was killed in action. At the time of his death, on October 14, 1943, he was 25 years old.<sup>2</sup>

**Subsection 3** designates that portion of U.S. 98 between Pine Street and C.R. 382/Industrial Road in Gulf County as the “John C. Gainous Memorial Highway.”

John C. Gainous was killed in action in Vietnam. The Veterans of Foreign Wars Post 10069 in Highland View is named in his memory. At the time of his death, on May 18, 1967, he was 20 years old.<sup>3</sup>

The bill also requires DOT to erect suitable markers for each of the above honorary designations.

### B. SECTION DIRECTORY:

Section 1 provides honorary designations for various transportation facilities and directs DOT to erect suitable markers.

Section 2 provides an effective date of July 1, 2020.

<sup>1</sup> The Military Order of the Purple Heart website, <https://www.purpleheart.org/about-the-purple-heart/> (Last visited Oct.23, 2019).

<sup>2</sup> <https://www.findagrave.com/memorial/99877556/willis-v-rowan> (Last visited Nov. 12, 2019).

<sup>3</sup> <https://www.findagrave.com/memorial/100183488/john-c-gainous> (Last visited Nov. 12, 2019)

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

The bill does not impact state government revenues.

#### 2. Expenditures:

DOT estimates a negative fiscal impact of \$14,000 to the State Transportation Trust Fund for appropriate markers for these designations. This will provide two signs (one sign in each direction) for each of the 12 counties traversed by I-95,<sup>4</sup> and one sign in each direction for each of the other two designations at a cost of \$500 per sign.<sup>5</sup> This cost can be absorbed within existing DOT resources.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

The bill does not impact local government revenues.

#### 2. Expenditures:

The bill does not impact local government expenditures.

### 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. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

#### 2. Other:

None.

### B. RULE-MAKING AUTHORITY:

The bill does not provide a grant of rulemaking authority, nor does it require rulemaking.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

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<sup>4</sup> The 12 counties include: Nassau, Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward, and Miami-Dade.

<sup>5</sup> Email from Amanda Marsh, Office of Legislative Programs, Florida Department of Transportation, RE: Road Designation Fiscal (Aug. 14, 2019).

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On November 13, 2019, the Transportation & Infrastructure Subcommittee adopted a strike-all amendment and reported the bill favorably as a committee substitute. The strike-all amendment clarified the beginning and end points of the Purple Heart Memorial Highway, and added designations for the Willis V. Rowan Memorial Highway and the John C. Gainous Memorial Highway.

This analysis is drafted to the committee substitute as approved by the Transportation & Infrastructure Subcommittee.