

CHAPTER 2014-126

Committee Substitute for House Bill No. 731

An act relating to monuments on the Capitol Complex; creating s. 265.0031, F.S.; providing legislative intent; defining the term “Capitol Complex”; establishing the POW-MIA Chair of Honor Memorial; authorizing the Florida chapters of Rolling Thunder, Inc., to fund the memorial; requiring the Department of Management Services to consider recommendations of the Department of Veterans’ Affairs, the Florida chapters of Rolling Thunder, Inc., and the Florida Historical Commission, regarding specific aspects of the memorial; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement; creating s. 265.111, F.S.; defining the term “monument”; prohibiting the construction and placement of a monument on the premises of the Capitol Complex unless authorized by general law and approved by the Department of Management Services; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement of a monument; requiring the Department of Management Services to set aside an area of the Capitol Complex for a memorial garden; establishing requirements for the memorial garden; amending s. 267.0612, F.S.; revising the powers and duties of the Florida Historical Commission to conform to changes made by the act; providing for applicability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 265.0031, Florida Statutes, is created to read:

265.0031 POW-MIA Chair of Honor Memorial.—

(1) It is the intent of the Legislature to recognize and honor the sacrifices endured by members of the Armed Forces of the United States who were held as prisoners of war or remain missing in action.

(2) For purposes of this section, the term “Capitol Complex” has the same meaning as in s. 281.01.

(3) There is established the POW-MIA Chair of Honor Memorial.

(a) The POW-MIA Chair of Honor Memorial shall be funded by the Florida chapters of Rolling Thunder, Inc., without appropriation of state funds.

(b) The Department of Management Services shall approve the design and placement of the POW-MIA Chair of Honor Memorial in the Capitol Complex. The Department of Management Services must consider recommendations from the Department of Veterans’ Affairs, the Florida chapters of Rolling Thunder, Inc., and the Florida Historical Commission in determining the appropriate design and placement of the memorial. The

Department of Management Services shall coordinate with the Division of Historical Resources of the Department of State regarding the memorial's design and placement subject to the division's powers and duties under s. 267.031.

Section 2. Section 265.111, Florida Statutes, is created to read:

265.111 Capitol Complex; monuments.—

(1) For purposes of this section, the term “monument” means a permanent structure such as a marker, statue, sculpture, plaque, or other artifice, including living plant material, placed in remembrance or recognition of a significant person or event in Florida history. The term does not include any “Official Florida Historical Marker” as defined in s. 267.021.

(2) The construction and placement of a monument on the premises of the Capitol Complex, as defined in s. 281.01, is prohibited unless authorized by general law and unless the design and placement of the monument is approved by the Department of Management Services after considering the recommendations of the Florida Historical Commission, pursuant to s. 267.0612(9). The Department of Management Services shall coordinate with the Division of Historical Resources of the Department of State regarding a monument's design and placement subject to the division's powers and duties under s. 267.031.

(3) The Department of Management Services, in consultation with the Florida Historical Commission, shall set aside an area of the Capitol Complex, not including the State Capital Circle Office Complex, and dedicate a memorial garden on which authorized monuments shall be placed.

Section 3. Subsection (9) is added to section 267.0612, Florida Statutes, to read:

267.0612 Florida Historical Commission; creation; membership; powers and duties.—In order to enhance public participation and involvement in the preservation and protection of the state's historic and archaeological sites and properties, there is created within the Department of State the “Florida Historical Commission.” The commission shall serve in an advisory capacity to the director of the Division of Historical Resources to assist the director in carrying out the purposes, duties, and responsibilities of the division, as specified in this chapter.

(9) The commission shall provide recommendations to the Department of Management Services on the design and placement of monuments authorized by general law to be placed on the premises of the Capitol Complex pursuant to s. 265.111.

Section 4. The provisions of s. 265.111, Florida Statutes, as created by this act, do not apply to a monument constructed and placed on the premises of the Capitol Complex before July 1, 2014.

Section 5. This act shall take effect July 1, 2014.

Approved by the Governor June 13, 2014.

Filed in Office Secretary of State June 13, 2014.