

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 Appropriations

BILL: CS/SB 1306

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Transportation, Tourism, and Economic Development); and Senators Book and Pizzo

SUBJECT: Women's Suffrage Centennial Commission

DATE: April 22, 2019

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------------|-----------------|------------|--------------------------|
| 1. | <u>Ponder</u> | <u>McVaney</u> | <u>GO</u> | Favorable |
| 2. | <u>Wells</u> | <u>Hrdlicka</u> | <u>ATD</u> | Recommend: Fav/CS |
| 3. | <u>Wells</u> | <u>Kynoch</u> | <u>AP</u> | Fav/CS |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1306 creates a 19 member Women's Suffrage Centennial Commission for the purpose of ensuring a suitable statewide observance of the centennial of women's suffrage in 2020. The commission may establish a youth working group to advise and provide recommendations to the commission in fulfilling its duties. The commission is created adjunct to the Division of Historical Resources of the Department of State and, except as otherwise provided in the bill, must operate in a manner consistent with statute 20.052, F.S.

The bill provides for the expiration of the section on December 31, 2020.

The Department of State will incur costs associated with supporting the commission, including the costs of per diem and travel by the commission members.

The bill takes effect July 1, 2019.

II. Present Situation:

Commission under Section 20.052, F.S.

“Commission,” unless otherwise required by the State Constitution, is a body 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.¹

Section 20.052, F.S., provides that each advisory body, commission, board of trustees, or any other collegial body created by specific statutory enactment as an adjunct to an executive agency must be established, evaluated, or maintained in accordance with certain requirements.² The private citizen members of an advisory body 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 Unless an exemption is otherwise specifically provided by law, all meetings of an advisory body are public meetings under s. 286.011, F.S.⁴

Women’s Suffrage

After decades of activism, women were granted the right to vote when the Nineteenth Amendment was ratified on August 18, 1920.⁵ The nineteenth amendment declares that “[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have the power to enforce this article by appropriate legislation.” The year 2020 marks the 100th anniversary of women’s suffrage in the United States. Projects and events throughout the United States are underway to commemorate this historic milestone.⁶

III. Effect of Proposed Changes:

Section 1 creates s. 267.0618, F.S., which establishes the Women’s Suffrage Centennial Commission adjunct to the Department of State. The purpose of the commission is to ensure a suitable statewide observance of the centennial of women’s suffrage in 2020.

The commission is composed of 19 members. The Governor must appoint:

- The chair of the commission;;
- A women’s history scholar from a postsecondary educational institution in this state;
- A member of the Florida Historical Commission;;
- Four members of the Florida Commission on the Status of Women;;
- A member of the Florida Women’s Hall of Fame;;
- A representative of the League of Women Voters of Florida;;
- A historian;;

¹ Section 20.03(10), F.S.

² Section 20.052(1), F.S.

³ Section 20.052(5)(a), F.S.

⁴ Section 20.052(5)(c), F.S.

⁵ See Certification of the Adoption of the Nineteenth Amendment to the Constitution, 41 Stat. 1823 (1920).

⁶ See Lycée Français de New York, A Centennial of Woman’s Suffrage, <http://www.suffragettes2020.com/> (last visited April 4, 2019).

- A representative of the National Council of Negro Women; and
- Two citizen members.

The Secretary of State, or his or her designee, and the director of the Division of Historical Resources of the Department of State both serve on the commission. The President of the Senate and the Speaker of the House of Representatives must appoint two members each from their respective legislative chambers to serve on the commission.

The appointed members of the commission serve at the pleasure of the appointing authority, and any vacancies must be filled in the same manner as the initial appointment was made. The commission is directed to meet as often as necessary to fulfill the duties prescribed.

The commission, to ensure a suitable statewide observance of the centennial of the passage and ratification of the Nineteenth Amendment to the United States Constitution, is charged with the following duties:

- Advise on the development of programs and activities appropriate to commemorate the centennial of women's suffrage, and encourage development of such 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 throughout the state to organize and participate in activities to expand the understanding and appreciation of women's suffrage while also recognizing the racial disparities that interfered with the exercise of the right to vote by women of color upon the enfranchisement of women.
- Coordinate and facilitate the public distribution of scholarly research, publication, and interpretation 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's public secondary schools.
- 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.
- Encourage local organizations and nonprofit organizations to further the commemoration of the centennial of women's suffrage.

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. Members of the youth working group are to be appointed by the chair of the commission, upon review of applications.

The bill provides that the Division of Historical Resources of the Department of State shall provide administrative and staff support for the commission.

Section 119.011(2) defines "agency" as:

[A]ny state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government

created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

The commission functions as part of the Division of Historical Resources of the Department of State and qualifies as an “agency” as set forth in s. 119.011(2), F.S. Accordingly, the commission is subject to the requirements of ch. 119, F.S. Within 30 days of the abolishment of the commission, pursuant to s. 20.052(5)(d), F.S., the Department of State is charged with storing the commission’s records appropriately and reclaiming any property assigned to the commission.

The bill provides that this section will expire on December 31, 2020.

Section 2 provides that the bill’s effective date is July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None. However, any meetings of the commission are public meetings and must be open to the public.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of State will incur costs associated with supporting the commission, including the costs of per diem and travel by the commission members. The Division of Historical Resources of the Department of State can coordinate the meeting for the commission utilizing existing staff time and resources. If the commission decides under the duties outlined to producing materials for distribution, then the division may need additional funding in the future. The DOS estimates this cost to be from \$40,000 to \$60,000.⁷

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 267.0618 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations on April 18, 2019:

The committee substitute creates s. 267.0618, F.S., to establish the Women's Suffrage Centennial Commission, instead of a committee. The committee substitute increases the commission membership by three members: two additional members from the Florida Commission on the Status of Women and a representative of the National Council of Negro Women.

- B. **Amendments:**

None.

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

⁷ Email from Brittany Dover, Legislative Affairs Director, Department of State, April 2, 2019 (on file with the staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development).