

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 Governmental Oversight and Accountability

BILL: SB 1306

INTRODUCER: Senators Book and Pizzo

SUBJECT: Women's Suffrage Centennial Commemoration Committee

DATE: April 1, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Ponder</u>	<u>McVaney</u>	<u>GO</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>ATD</u>	_____
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 1306 creates a 16 member Women's Suffrage Centennial Commemoration Committee for the purpose of ensuring a suitable statewide observance of the centennial of women's suffrage in 2020. The committee may establish a youth working group to advise and provide recommendations to the committee in fulfilling its duties. The committee is created adjunct to the Department of State and, except as otherwise provided in the bill, must operate in a manner consistent with s. 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 committee, including the costs of per diem and travel by the committee members.

The bill takes effect July 1, 2019.

II. Present Situation:

Committee under Section 20.052, F.S.

“Committee” is defined to mean an “advisory body created 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 and appointed to study a specific problem and recommend a solution or policy alternative related to that problem.”¹ The existence of an advisory body terminates upon the completion of its assignment.²

Section 20.052, F.S., provides that an advisory body created by specific statutory enactment as an adjunct to an executive agency must be established, evaluated, or maintained in accordance

¹ Section 20.03(8), F.S.

² *Id.*

with certain requirements.³ 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.⁴ Unless an exemption is otherwise specifically provided by law, all meetings of an advisory body are public meetings under s. 286.011, F.S.⁵

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 committee functions as part 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(1)(4)(d), F.S., the Department of State is charged with storing the committee’s records appropriately and reclaiming any property assigned to the commission.

Women’s Suffrage

After decades of activism, women were granted the right to vote when the Nineteenth Amendment was ratified on August 18, 1920.⁶ 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 brings 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.⁷

III. Effect of Proposed Changes:

Section 1 establishes the Women’s Suffrage Centennial Commemoration Committee adjunct to the Department of State. The purpose of the committee is to ensure a suitable statewide observance of the centennial of women’s suffrage in 2020.

The committee is to be composed of 16 members, to include:

- The chair of the committee, appointed by the Governor;
- The Secretary of State, or his or her designee;
- The director of the Division of Historical Resources of the Department of State;
- Two members of the Senate, appointed by the President of the Senate;

³ Section 20.052(1), F.S.

⁴ Section 20.052(1)(b), F.S.

⁵ Section 20.052(1)(c), F.S.

⁶ See Certification of the Adoption of the Nineteenth Amendment to the Constitution, 41 Stat. 1823 (1920).

⁷ See <http://www.suffragettes2020.com/> (last visited March 21, 2019).

- 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 this state, appointed by the Governor;
- A member of the Florida Historical Commission, appointed by the Governor;
- Two members of the Florida Commission on the Status of Women, 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; and
- Two citizen members, appointed by the Governor.

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

The committee, in ensuring 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 committee to establish a youth working group to advise and provide recommendations to the committee. 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 committee, 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 committee.

Section 2 provides that this section expires December 31, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

B. Public Records/Open Meetings Issues:

None. However, any meetings of the committee are public meetings 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 Division of Historical Resources of the Department of State, as the agency providing administrative staff and support for the committee, will incur costs associated with supporting the committee, including per diem and reimbursement for travel expenses to committee members pursuant to s. 20.052(4)(d), F.S.

VI. Technical Deficiencies:

Line 19 states the committee is "a committee as defined in s. 20.03(8), F.S." In that statute, a committee is an advisory body that exists for up to one year in not created by statutory enactment or up to 3 years if created by statutory enactment. In this bill, the committee is created without specific statutory enactment and should be limited to an existence of one year if created

consistent with s. 20.03(8), F.S. This bill provides for the committee to be in existence for approximately 1½ years; thus, exceeding the statutory one-year period. The Legislature may want to consider establishing the committee via specific statutory enactment to provide for a longer life span, up to 3 years.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill does not amend the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.