

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1195 Governor's Medal of Freedom

**SPONSOR(S):** Barnaby and Shoaf

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1360

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Government Operations Subcommittee	15 Y, 0 N	Roth	Toliver
2) State Affairs Committee	22 Y, 0 N	Roth	Williamson

### SUMMARY ANALYSIS

The Presidential Medal of Freedom is the highest civilian honor in the United States. Originally, established by Executive Order on July 6, 1945, by President Truman as the "Medal of Freedom," it enabled secretaries of State, War, or Navy to honor people who had demonstrated notable service during World War II. In 1963, President Kennedy signed a new Executive Order citing the medal as the "Presidential Medal of Freedom," which a U.S. president can bestow for many types of service and achievements such as security of U.S. interests, world peace, or cultural or other significant public or private endeavors. Most medals go to living people, but posthumous medals are awarded as a way to celebrate those who did not receive recognition during their lifetimes. Since President Kennedy's time in office, each president has awarded the medal to a number of recipients during the President's time in office.

In 2020, in order to implement Specific Appropriation 2598 and 2599 of the 2020-2021 General Appropriations Act (GAA), the "Governor's Medal of Freedom" was created. House Bill 5003 (2020) authorized the Governor to present, in the name of the State of Florida, a medal to be known as the "Governor's Medal of Freedom." The medal must have a suitable inscription and ribbon of appropriate design, and be awarded to any person who has made an especially meritorious contribution to the interests and citizens of Florida, its culture, or other significant public or private endeavor.

The "Governor's Medal of Freedom" was scheduled to expire on July 1, 2021; however, in 2021, the GAA implementing bill reenacted the "Governor's Medal of Freedom" and extended the expiration date to July 1, 2022.

The bill removes the scheduled expiration date of the Governor's Medal of Freedom law.

There may be an indeterminate but insignificant negative fiscal impact on state expenditures.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Background**

###### Presidential Medal of Freedom

The Presidential Medal of Freedom<sup>1</sup> is the highest civilian honor in the United States.<sup>2</sup> Originally, established by Executive Order<sup>3</sup> on July 6, 1945, by President Truman as the “Medal of Freedom,” it enabled secretaries of State, War, or Navy to honor people who have demonstrated notable service during World War II. The first American citizen to receive the award was Anna Rosenberg. She became the regional director of the War Manpower Commission in 1942, and during the last year of World War II, she was a special envoy to Europe for Presidents Franklin D. Roosevelt and Truman. General Dwight D. Eisenhower recommended Rosenberg for the Medal of Freedom based on her service overseas, and she received it from Secretary of War Robert P. Patterson on October 29, 1945.<sup>4</sup>

In 1963, President Kennedy signed a new Executive Order<sup>5</sup> citing the medal as the “Presidential Medal of Freedom,” which a U.S. president can bestow for many types of service and achievements such as security of U.S. interests, world peace, or cultural or other significant public or private endeavors. Most medals go to living people, but posthumous medals are awarded as a way to celebrate those who did not receive recognition during their lifetimes.<sup>6</sup> Since President Kennedy’s time in office, each president has awarded the medal to a number of recipients. Currently, President Obama holds the record for most medals awarded with 115 medals.<sup>7</sup>

###### Florida Gubernatorial Medals

###### *Medal of Heroism*

The “Medal of Heroism” was created in 2003.<sup>8</sup> The Governor may award a Medal of Heroism to a law enforcement, correctional, or correctional probation officer; a firefighter; an emergency medical technician; or a paramedic. A recipient must have distinguished himself or herself conspicuously by gallantry and intrepidity, must have risked his or her life deliberately above and beyond the call of duty while performing duty in his or her respective position, and must have engaged in hazardous or perilous activities to preserve lives with the knowledge that such activities might result in great personal harm.<sup>9</sup>

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<sup>1</sup> The medal is suspended on a blue ribbon and it incorporates the color scheme found on the presidential seal. Its most visible design element is a white star, upon which is centered a collection of 13 smaller gold stars arranged on a field of blue. A red pentagon is set behind the white star, and gold eagles bridge the distance between the points of the star. Britannica, *Presidential Medal of Freedom*, available at <https://www.britannica.com/topic/Presidential-Medal-of-Freedom> (last visited January 12, 2022).

<sup>2</sup> Becky Little, *The Presidential Medal of Freedom Began as a World War II Honor*, History (February 6, 2020), available at <https://www.history.com/news/presidential-medal-freedom-truman> (last visited January 12, 2022).

<sup>3</sup> Executive Order No. 9586.

<sup>4</sup> Becky Little, *supra* at FN 2.

<sup>5</sup> Executive Order No. 11085.

<sup>6</sup> Becky Little, *supra* at FN 2.

<sup>7</sup> The Conversation, *What Trump’s Picks for the Presidential Medal of Freedom Say About Him* (November 18, 2018), available at <https://theconversation.com/what-trumps-picks-for-the-presidential-medal-of-freedom-say-about-him-107081> (last visited January 12, 2022).

<sup>8</sup> Chapter 2003-51, L.O.F.

<sup>9</sup> Section 14.33(1), F.S.

### *Governor's Medal of Merit*

The "Governor's Medal of Merit" was created in 2004<sup>10</sup> and can be presented to:<sup>11</sup>

- Any legal resident of Florida who has rendered exceptional meritorious service to the citizens of this state;
- Any legal resident of Florida who is serving under honorable conditions on active duty as a member of the U.S. Armed Forces, the Florida National Guard, or the U.S. Reserve Forces and has rendered exceptional meritorious service to the citizens of this state while on active duty; or
- Any legal resident of Florida who has been honorably discharged from active duty as a member of the U.S. Armed Forces, the Florida National Guard, or the U.S. Reserve Forces and, while on active duty, rendered exceptional meritorious service<sup>12</sup> to the citizens of this state.

In the event of the death of an individual who has been chosen to receive the Governor's Medal of Merit, the medal must be presented to a designated representative of the chosen recipient.<sup>13</sup> The Governor's Medal of Merit may only be presented to an individual once.<sup>14</sup>

### *Governor's Medal of Freedom*

In 2020, in order to implement Specific Appropriation 2598 and 2599 of the 2020-2021 General Appropriations Act (GAA),<sup>15</sup> the "Governor's Medal of Freedom" was created.<sup>16</sup> House Bill 5003 (2020), which created s. 14.35, F.S., authorized the Governor to present, in the name of the State of Florida, a medal to be known as the "Governor's Medal of Freedom." The medal must have a suitable inscription and ribbon of appropriate design, and be awarded to any person who has made an especially meritorious contribution to the interests and citizens of Florida, its culture, or other significant public or private endeavor.

In the event of the death of an individual who has been chosen to receive the Governor's Medal of Freedom, the medal may be presented to a designated representative of the chosen recipient. The Governor's Medal of Freedom may only be presented to an individual once. The expiration of the section was July 1, 2021.

In 2021, the GAA implementing bill<sup>17</sup> reenacted the "Governor's Medal of Freedom" in Senate Bill 2502 (2021), and extended the expiration date to July 1, 2022.

On April 7, 2021, former Florida State University head football coach Bobby Bowden, was awarded the inaugural Governor's Medal of Freedom from Governor Ron DeSantis.<sup>18</sup> Most recently, Felix I. Rodríguez-Mendigutía was awarded the medal.<sup>19</sup> Rodríguez-Mendigutía received the medal for his dedication to fighting communism and supporting freedom and liberty.<sup>20</sup>

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<sup>10</sup> Chapter 2004-228, L.O.F.

<sup>11</sup> Section 14.34(1), F.S.

<sup>12</sup> The term "exceptional meritorious service" means acts above and beyond the level of duty normally required by that person's respective military or civilian position. Section 14.34(1)(c), F.S.

<sup>13</sup> Section 14.34(2)(a), F.S.

<sup>14</sup> Section 14.34(2)(b), F.S.

<sup>15</sup> See ch. 2020-111, L.O.F.

<sup>16</sup> See ch. 2020-114, L.O.F.

<sup>17</sup> See ch. 2021-37, L.O.F.

<sup>18</sup> Byron Dobson, *Gov. DeSantis awards retired FSU football coach Bobby Bowden with Governor's Medal of Freedom*, Tallahassee Democrat (April 7, 2021), available at <https://www.tallahassee.com/story/news/2021/04/07/desantis-awards-bobby-bowden-florida-medal-freedom/7126164002/> (last visited January 13, 2022).

<sup>19</sup> *Governor Ron DeSantis Awards Felix Rodríguez with Governor's Medal of Freedom*, flgov.com (September 17, 2021), available at <https://www.flgov.com/2021/09/17/governor-ron-desantis-awards-felix-rodriguez-with-governors-medal-of-freedom/> (last visited January 13, 2022).

<sup>20</sup> *Id.*

## Effect of the Bill

The bill removes the scheduled expiration date of the Governor's Medal of Freedom law. The bill also replaces the word "citizens" with the word "residents" when referencing the contribution the medal recipient makes to the people of Florida. Lastly, the bill makes editorial changes.

### B. SECTION DIRECTORY:

**Section 1:** Amends s. 14.35, F.S., Governor's Medal of Freedom.

**Section 2:** Provides an effective date of July 1, 2022.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

There may be an indeterminate but insignificant negative impact on state expenditures for the creation of medals.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### 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 affect county or municipal governments.

#### 2. Other:

None.

### B. RULE-MAKING AUTHORITY:

There is no rule-making authority nor is there a need for rule-making authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

None.