

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 629 Florida Women's Historical Marker Initiative

SPONSOR(S): Constitutional Rights, Rule of Law & Government Operations Subcommittee, Basabe and others

TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 716

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Constitutional Rights, Rule of Law & Government Operations Subcommittee	12 Y, 0 N	Poreda	Miller
2) Infrastructure & Tourism Appropriations Subcommittee			
3) State Affairs Committee			

SUMMARY ANALYSIS

The Division of Historical Resources (Division) in the Department of State is responsible for preserving and promoting Florida's historical, archaeological, and folk culture resources. The Division also is charged with encouraging identification, evaluation, protection, preservation, collection, conservation, and interpretation of information about Florida's historic sites and properties or objects related to Florida's history and culture.

The Florida Historical Marker Program is designed to raise public awareness of Florida's rich cultural history and to enhance the enjoyment of the state's historic sites by citizens and tourists. The Division is responsible for administering all aspects of the Florida Historic Marker Program, including the application process, selection and designation of properties, persons or events to be marked, and the placement and maintenance of the markers. Currently, there are approximately 1,200 markers throughout the state.

The bill establishes The Florida Women's Historical Marker Initiative within the Division to recognize the contributions of 100 women, living or deceased, to the history of Florida with the placement of historical markers by the Florida Historical Marker Program. These markers must be placed throughout the state within the next 10 years with 10 markers be placed each year. The first 10 markers must be placed by December 31, 2025, and the final marker must be placed by December 31, 2035.

The bill also creates The Women's Historical Marker Selection Committee to select those women who will be recognized by the initiative.

The bill may have an indeterminate but negative impact on the budget of the Division. See Financial Comments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Department of State

The Department of State (DOS)¹ is comprised of six divisions: Elections, Historical Resources, Corporations, Library and Information Services, Arts and Culture, and Administration.²

The Secretary of State (Secretary) is the agency head of DOS, appointed by and serving at the pleasure of the Governor, confirmed by the Senate, and acts as the custodian of state records.³ As the chief administrator of the Division of Historical Resources (Division) and the divisions of Arts and Culture and of Library and Information Services, the Secretary also serves as Florida's Chief Arts and Culture Officer.⁴

Division of Historical Resources

The Division is responsible for preserving and promoting Florida's historical, archaeological, and folk culture resources. The Division is also charged with encouraging identification, evaluation, protection, preservation, collection, conservation, and interpretation of information about Florida's historic sites and properties or objects related to Florida's history and culture.⁵ Some of the Division's responsibilities include:

- Developing a comprehensive statewide historic preservation plan;
- Directing and conducting a comprehensive statewide survey, and maintaining an inventory, of historic resources;
- Cooperating with governmental agencies, private organizations, and individuals to ensure that historic resources are taken into consideration at all levels of planning and development;
- Providing public information, education, and technical assistance relating to historic preservation programs; and
- Taking necessary or appropriate action to locate, acquire, protect, preserve, operate, interpret, and promote historic resources to foster an appreciation of Florida history and culture.⁶

The Division also is responsible for encouraging, promoting, maintaining, and operating Florida history museums, providing support and working to promote the use of resources for educational and cultural purposes.⁷ The Division directly oversees the following museums:

- The Museum of Florida History, which is the state's official history museum and showcases Florida's diverse history from prehistoric times to the present day;⁸
- Mission San Luis, a living history museum showcasing the life of the Apalachee Indians and Spanish settlers and hosting workshops such as pottery and blacksmithing;⁹

¹ S. 20.10, F.S.

² S. 20.10(2), F.S.

³ S. 20.10(1), F.S.

⁴ S. 15.18, F.S.

⁵ S. 267.031, F.S.

⁶ S. 267.031(5)(a), (b), (d), (f), and (i), F.S.

⁷ S. 267.071(2), F.S.

⁸ See Florida Department of State, *Museum of Florida History*, available at <https://museumoffloridahistory.com/explore/exhibits/> (last visited January 25, 2024).

⁹ See Florida Department of State, *Mission San Luis*, available at <https://missionsanluis.org/learn/> (last visited January 25, 2024).

- The Knott House Museum, showcasing the history of Tallahassee and its role in the Civil War, including the reading of the Emancipation Proclamation on the steps of the Knott House in 1865;¹⁰ and
- The Grove Museum, the mission of which is to preserve and interpret the Call-Collins House, its surrounding area and historical collections, to further public dialogue about civil rights and American history.¹¹
- Currently, the Division provides support for the Florida Museum of Black History Task Force (Task Force), including staffing and necessary expenditures. The purpose of the Task Force is to provide recommendations to the Division for the planning, location, construction, operation, and administration of a Florida Museum of Black History.¹²

Other museums recognized by the state include:

- Certain state railroad museums;¹³
- The Florida Museum of Transportation and History;¹⁴
- The John and Mable Ringling Museum of Art;¹⁵
- The Ringling Museum of the Circus;¹⁶
- The Florida Historic Capitol Museum;¹⁷
- The Florida Agricultural Museum;¹⁸ and
- The Florida Museum of Natural History.¹⁹

Florida Heritage Trails

In order to raise awareness of the state's cultural and historical resources, in 1991 the Division started the Florida Heritage Trails series with the publication of the first edition of the Florida Black Heritage Trail. Each volume identifies historical sites throughout Florida that are related to the volume topic and offers profiles and biographical sketches of significant individuals.²⁰ Subsequently, additional titles have been released including the Woman's Heritage Trail²¹, which was published in 2001. The most recent titles, the Florida Seminole Wars Heritage Trail²² and the Florida Historic Golf Trail,²³ were published in 2015.

Florida Historical Marker Program

The Florida Historical Marker Program is designed to raise public awareness of Florida's rich cultural history and to enhance the enjoyment of the state's historic sites by citizens and tourists.²⁴ The Division is responsible for administering all aspects of the Florida Historic Marker Program, including the application process, selection and designation of properties, persons or events to be marked, and the

¹⁰ See Florida Department of State, *About the Knott House*, available at <https://museumoffloridahistory.com/visit/knott-house-museum/about-the-knott-house/> (last visited January 25, 2024).

¹¹ See Florida Department of State, *The Gove Museum*, available at <https://thegrovemuseum.com/> (last visited January 25, 2024). The Grove was the home to several generations of the Call and Collins families, including former Governor LeRoy Collins. The Grove Advisory Council advises the division on the operation, maintenance, and preservation of the museum. S. 267.075, F.S.

¹² S. 267.0722, F.S.

¹³ See s. 15.045, F.S.

¹⁴ S. 15.046, F.S.

¹⁵ See ss. 265.27, F.S., and 1004.45, F.S.

¹⁶ S. 1004.45, F.S.

¹⁷ S. 272.129, F.S. The Florida Historic Capitol Museum Council provides guidance and support to the museum director and support staff. S. 272.131, F.S.

¹⁸ See s. 570.69, F.S.

¹⁹ S. 1004.56, F.S.

²⁰ Florida Department of State, *Florida Heritage Trails*, available at <https://dos.fl.gov/historical/preservation/heritage-trails/> (last visited January 25, 2024).

²¹ Florida Department of State, *Florida Women's Heritage Trail*, available at <https://dos.fl.gov/historical/preservation/heritage-trails/womens-heritage-trail/> (last visited January 25, 2024).

²² Florida Department of State, *Seminole Wars Heritage Trail*, available at <https://dos.fl.gov/historical/preservation/heritage-trails/seminole-wars-heritage-trail/> (last visited January 26, 2024).

²³ Florida Department of State, *Florida Historic Golf Trail*, available at <http://www.floridahistoricgolftrail.com/> (last visited January 25, 2024).

²⁴ S. 267.074, F.S. & Rule 1A-48.002(3), F.A.C.

placement and maintenance of the markers.²⁵ Currently, there are approximately 1,100 markers throughout the state.²⁶ Each marker is cast aluminum with a text area of 30 inches high by 42 inches wide, with lettering and the Florida Heritage emblem in white against a dark blue background. Each marker weighs approximately 95 pounds, including a 7-foot concrete post coated with brushed aluminum.²⁷

Anyone may apply for a Florida Historical Marker. Submitted applications are reviewed by the State Historical Marker Council.²⁸ If an application is approved, the applicant is responsible to obtain funding²⁹ for the cost of manufacturing and installing the marker. Current costs for a Florida Historical Marker are \$2,540 for a single-sided marker and \$2,920 for a double-sided marker.³⁰

These markers tell stories of the places and people who created Florida, by identifying places such as churches, schools, archaeological sites, battlefields, and homes that represent Florida's past.³¹ There are distinct categories of Official Florida Historical Markers:

- "Florida Heritage Landmark" markers identify and interpret heritage landmark properties and recognize the resources of the state that are usually more than fifty years old, are of exceptional significance in the areas of architecture, archaeology, and history, and where the properties largely and visibly retain the distinctive physical characteristics that were present during the historical period for which the property is being recognized.³²
- "Florida Heritage" markers identify people, events and places, including buildings, structures, objects and archaeological sites that do not meet the criteria for Florida Heritage Landmark designation but are still of local, regional, or statewide historic significance relating to Florida history, culture, and ethnic heritage.³³
- A "Special Marker" is established by the Division to guide the public to places of historic or cultural interest and to facilitate the identification and interpretation of various topics, including historic and scenic trails, byways, greenways, and occasions of special significance to the history and culture of Florida.³⁴
- "Historic Highway" markers identify state historic highways.³⁵

State Historical Marker Council

Although the Division administers the Florida Historical Marker Program, the State Historical Marker Council was created to provide assistance, advice, and recommendations to the division in evaluating proposals for Official Florida Historical Markers and identifying goals for the State Historical Marker Program.³⁶ The council consists of three members who represent different areas of the state and are appointed by the Secretary of State to 2-year terms.³⁷ The qualifications for membership are through the demonstration of special interest, experience, or education in interpretation of the state's history and historical properties and have professional training and experience in one or more of the following fields:

- History;

²⁵ *Id.*

²⁶ Florida Department of State, *Florida Historical Marker List*, <https://apps.flheritage.com/markers/> (last visited January 26, 2024).

²⁷ See Florida Department of State, Florida Division of Historical Resources, *Historical Marker FAQ*, <https://dos.fl.gov/historical/about/division-faqs/marker/> (last visited February 1, 2024).

²⁸ See Florida Department of State, Florida Division of Historical Resources, *Review & Approval*, <https://dos.fl.gov/historical/preservation/historical-markers/how-to-apply/review-approval/> (last visited February 1, 2024).

²⁹ Applicants may apply for a small-matching historic preservation grant from the Division to defray some of the cost of the marker. However, markers must be approved before you can apply for a matching grant. See Florida Department of State, Florida Division of Historical Resources, *Grants*, available at <https://dos.fl.gov/historical/grants/> (last visited February 1, 2024).

³⁰ See Florida Department of State, Florida Division of Historical Resources, *Historical Marker FAQ*, *supra*, n. 27.

³¹ See Florida Department of State, Florida Division of Historical Resources, *Historical Markers*, <https://dos.fl.gov/historical/preservation/historical-markers/> (last visited January 26, 2024).

³² S. 267.074(2)(a), F.S. & Rule 1A-48.002(3)(a), F.A.C.

³³ S. 267.074(2)(c), F.S. & Rule 1A-48.002(3)(b), F.A.C.

³⁴ S. 267.074(2)(d), F.S. & Rule 1A-48.002(3)(d), F.A.C.

³⁵ S. 267.074(2)(b), F.S. & Rule 1A-48.002(3)(c), F.A.C.

³⁶ S. 267.0743, F.S.

³⁷ S. 267.0743(1) & (2), F.S.

- Historic preservation;
- Architecture;
- Architectural history; or
- Archaeology.³⁸

Florida Commission on the Status of Women

Within the Office of the Attorney General, the Florida Commission on the Status of Women (Commission) was established to study the changing and developing roles of women in American society.³⁹ The areas the Commission is directed to study include, but are not limited to:

- The socioeconomic factors that influence the status of women;⁴⁰
- The development of individual potential;⁴¹
- The encouragement of women to utilize their capabilities and assume leadership roles;⁴²
- The coordination of efforts of numerous women's organizations interested in the welfare of women;⁴³
- The identification and recognition of contributions made by women to the community, state, and nation; and⁴⁴
- The implementation of ideas where working conditions, financial security, and legal status of both sexes are improved.⁴⁵

The Commission consists of 22 members who represent rural and urban interests and the ethnic and cultural diversity of the state's population. The Speaker of the House of Representatives, the President of the Senate, the Attorney General, and the Governor each appoint four members, and the Chief Financial Officer and the Commissioner of Agriculture each appoint three members. All members are appointed to terms of 4 years and may not serve more than 8 consecutive years on the Commission.⁴⁶

Effect of the Bill

The bill establishes The Florida Women's Historical Marker Initiative within the Division to recognize the contributions of 100 women, living or deceased, to the history of this state with the placement of historical markers by the Florida Historical Marker Program.

The bill also creates The Women's Historical Marker Selection Committee to select those women who will be recognized by the initiative. Membership shall consist of the following:

- Three members appointed by the Governor, two of whom must be noted Florida historians;
- One member appointed by the President of the Senate;
- One member appointed by the Speaker of the House;

³⁸ S. 267.0743(1), F.S.

³⁹ S. 14.24(1), F.S.

⁴⁰ S. 14.24(4)(a), F.S.

⁴¹ S. 14.24(4)(b), F.S.

⁴² S. 14.24(4)(c), F.S.

⁴³ S. 14.24(4)(d), F.S.

⁴⁴ S. 14.24(4)(e), F.S.

⁴⁵ S. 14.24(4)(f), F.S.

⁴⁶ S. 14.24(1), F.S.

- One member appointed by the Secretary of State;
- A member of the Florida Commission on the Status of Women;
- A representative of the Division of Historical Resources;
- A member of the State Historical Marker Council; and
- Two members of the general public.

The bill sets the following criteria for women to be recognized by a Florida Women's Historical Marker:

- A woman must have been born in, resided in, or been employed in this state and must have significantly contributed to the State of Florida, her county, or her specific community;
- A woman recognized for a specific contribution or achievement may be living, but such contribution or achievement must have occurred more than 30 years before being selected for a Historical Marker;
- A woman may be recognized for a lifetime achievement, but such woman must have been deceased for at least 30 years before such recognition; and
- At least one woman from each of the state's 67 counties must be recognized, and the remaining 33 women recognized shall be selected by the Women's Historical Marker Selection Committee.

The bill also directs The Florida Historical Marker Program to place 100 Historical Markers, recognizing one woman for each marker, throughout the state within the next 10 years, with 10 markers to be placed each year. The first 10 markers must be placed by December 31, 2025, and the final marker must be placed by December 31, 2035.

B. SECTION DIRECTORY:

Section 1. Cites this act as the "Florida Women's Historical Marker Initiative."

Section 2. Creates an unnumbered section of law establishing The Florida Women's Historical Marker Initiative.

Section 3. Provides an effective date of July 1, 2024.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill establishes the Florida Women's Historical Marker Initiative within the Division of Historical Resources. The Division may incur additional workload and costs associated with the placing of 100 new historical markers.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The 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 neither authorizes nor requires executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill creates an unnumbered section of general law. The next available statute number for codification is s. 267.0744, F.S.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.