

STORAGE NAME: s0876.ca
DATE: April 15, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
ANALYSIS**

BILL #: SB 876
RELATING TO: Designations
SPONSOR(S): Senator Forman and others
COMPANION BILL(S): None

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY AFFAIRS
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

The bill designates the Pembroke Pines Veterans' Home as the "Alexander "Sandy" Ninger, Jr. State Veterans' Nursing Home," and requires the Department of Veterans' Affairs to erect suitable markers.

The bill designates the Florida Records Storage Center of the Department of State the "Jim Smith Building," and requires the Department of State to erect suitable markers.

The bill designates the Sawgrass Expressway (SR 869), as the "Jerry Thompson Expressway," and requires the Department of Transportation to erect suitable markers.

The fiscal impact on state funds is insignificant.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Section 267.062, Florida Statutes

Section 267.062, F.S., provides that no state building, complex, or facility may be named for a living person, except as specifically provided by law.

Designation of the Broward County State Veterans' Nursing Home

The state Department of Veterans' Affairs operates nursing homes in Daytona Beach and Land O' Lakes in Pasco County. A third facility is under contract for construction in Broward County. A citizens' committee including legislators from that area, representatives of two local governments, and others, accepted and recommended nominations from the public for naming the new facility. The committee recommended naming the Broward County facility in honor of Lieutenant Alexander "Sandy" Nininger, Jr. He was a graduate of Ft. Lauderdale H.S. and the U.S. military academy.

Lieutenant Alexander "Sandy" Nininger, Jr.

Killed before his twenty-fourth birthday, Lieutenant Alexander "Sandy" Nininger, Jr. died a hero. In January of 1942, Sandy Nininger, Jr. was serving in Company A, 57th Infantry of the Philippine Scouts. The Japanese were making progress in the initial attacks that eventually led to the infamous Bataan Death March. During that month, Sandy Nininger, Jr. organized a reconnaissance patrol to gather information on the disposition of Japanese forces opposing him. It was during this patrol that the Japanese executed a ferocious attack on the American and Filipino defenders. Though assigned to another company not engaged in combat, Sandy Nininger, Jr. voluntarily attached himself to Company K, same regiment. After repelling attack after attack, the Japanese began to overrun Sandy Nininger, Jr.'s position. Sandy's memorial plaque recounts the fateful event and reads as follows:

Single-handedly, Sandy Nininger...charged into the enemy positions with a rifle, grenades and fixed bayonet. Shooting snipers out of trees and destroying enemy groups in fox holes, he plunged forward. Then seizing a Japanese machine gun, he continued onward, killing at least forty enemy and forcing many others to retreat.

For his heroism "above and beyond the call of duty," President Roosevelt awarded Sandy Nininger, Jr. posthumously with the Congressional Medal of Honor. This was the first Medal of Honor given during World War II.

Former Secretary of State Jim Smith

Jim Smith is currently a partner at Smith, Ballard and Logan, P.A., Attorneys at Law. He is a graduate of Florida State University and Stetson University College of Law. Jim Smith has dedicated a large portion of his professional life serving the citizens of Florida. He has served as deputy secretary of both the Department of State and the Department of Commerce, and served as a member of the Board of Regents. He was elected to two four-year terms as Attorney General of the State of Florida where he established a special projects unit relating to environmental issues and created the first permanent RICO office within the Department of Legal Affairs. He has also served in the executive branch of government by serving as the senior executive assistant to Governor Askew and chief of staff to Governor Martinez. In addition, Jim Smith served as Florida's Secretary of State from 1987 to 1995.

Jerry Thompson

Jerry Thompson was a member of the Broward County Board of Commissioners from 1974 to 1996, an unprecedented longevity record. He also served as the executive director of the Broward County Expressway Authority. While serving as commissioner, Jerry Thompson is credited with conceiving a project to construct a 22-mile toll road that runs from Sunrise to Deerfield Beach, now known as the Sawgrass Expressway. Jerry Thompson died at the age of 72, one day before the Senate voted to rename the Sawgrass Expressway in his memory.

B. EFFECT OF PROPOSED CHANGES:

The bill designates the Pembroke Pines Veterans' Home as the "Alexander "Sandy" Nininger, Jr. State Veterans' Nursing Home," and requires the Department of Veterans' Affairs to erect suitable markers.

The bill designates the Florida Records Storage Center of the Department of State, located in Tallahassee, Florida, the "Jim Smith Building." The bill requires the Department of State to erect suitable markers.

The bill designates the Sawgrass Expressway (SR 869), as the "Jerry Thompson Expressway," and requires the Department of Transportation to erect suitable markers.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

The Department of Veterans' Affairs, the Department of State, and the Department of Transportation are required to erect suitable markers designating the areas.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

An agency or program is not eliminated or reduced.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

Not applicable.

(2) what is the cost of such responsibility at the new level/agency?

Not applicable.

(3) how is the new agency accountable to the people governed?

Not applicable.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

The bill does not purport to provide services to families or children.

(1) Who evaluates the family's needs?

Not applicable.

(2) Who makes the decisions?

Not applicable.

(3) Are private alternatives permitted?

Not applicable.

(4) Are families required to participate in a program?

Not applicable.

(5) Are families penalized for not participating in a program?

Not applicable.

b. Does the bill directly affect the legal rights and obligations between family members?

No.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

The bill does not create or change a program providing services to families or children.

(1) parents and guardians?

Not applicable.

(2) service providers?

Not applicable.

(3) government employees/agencies?

Not applicable.

D. STATUTE(S) AFFECTED:

None.

E. SECTION-BY-SECTION ANALYSIS:

Section 1-- Designates the state Veteran's nursing home in Pembroke Pines as the "Alexander "Sandy" Nininger, Jr. State Veterans' Nursing Home.

Section 2 -- Requires the Department of Veterans' Affairs to erect suitable markers bearing the designation of the state veterans home as "Alexander "Sandy" Nininger, Jr. State Veterans' Nursing Home.

Section 3 -- Designates the building currently holding the Florida Records Storage Center of the Department of State as the "Jim Smith Building"; requires the Department of State to erect suitable markers bearing the designation.

Section 4 -- Designates the Sawgrass Expressway (SR 869) as the "Jerry Thompson Expressway"; requires the Department of Transportation to erect suitable markers bearing the designation.

Section 5 -- Provides the act shall take effect July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

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1. Non-recurring Effects:

The Department of Veterans' Affairs estimates the cost of erecting a marker to designate the State Veterans' Home to be approximately \$5,000. This \$5,000 has been accounted for in the construction costs.

The Department of State estimates the cost of erecting a marker to designate the Florida Records Storage Center to be minimal.

The Department of Transportation estimates the cost of erecting markers to redesignate the Sawgrass Expressway (SR 869) to be \$250/per sign.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

Indeterminate.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

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IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Staff Director:

Aimee Diaz

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