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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(25)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 1, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida Legislature to enact SB 310, HB 141, or similar legislation that would authorize the Florida Legislature to request that the statue of Confederate General Edmund Kirby Smith, one of two statues representing the State of Florida in the National Statuary Hall, be replaced with a statue of a prominent Floridian recommended by the ad hoc committee of the Great Floridians Program within the Division of Historical Resources of the Department of State; and urging the ad hoc committee to consider recommending to the Florida Legislature Environmentalist Marjory Stoneman Douglas or Civil Rights Leader Mary Mcleod Bethune as a statue replacement

Resolution No. R-1121-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

Abigail Price-Williams
County Attorney

APW/smm

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MEMORANDUM

(Revised)

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Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(25)
12-1-15

RESOLUTION NO. R-1121-15

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 310, HB 141, OR SIMILAR LEGISLATION THAT WOULD AUTHORIZE THE FLORIDA LEGISLATURE TO REQUEST THAT THE STATUE OF CONFEDERATE GENERAL EDMUND KIRBY SMITH, ONE OF TWO STATUES REPRESENTING THE STATE OF FLORIDA IN THE NATIONAL STATUARY HALL, BE REPLACED WITH A STATUE OF A PROMINENT FLORIDIAN RECOMMENDED BY THE AD HOC COMMITTEE OF THE GREAT FLORIDIANS PROGRAM WITHIN THE DIVISION OF HISTORICAL RESOURCES OF THE DEPARTMENT OF STATE; AND URGING THE AD HOC COMMITTEE TO CONSIDER RECOMMENDING TO THE FLORIDA LEGISLATURE ENVIRONMENTALIST MARJORY STONEMAN DOUGLAS OR CIVIL RIGHTS LEADER MARY MCLEOD BETHUNE AS A STATUE REPLACEMENT

WHEREAS, in 1864, Congress enacted legislation authorizing the United States President to invite each state to contribute two statues of distinguished citizens for display in a room in the United States Capitol, now known as the National Statuary Hall; and

WHEREAS, in 1914, Florida provided a statue of Dr. John Gorrie, a physician, scientist, inventor, and humanitarian, referred to as the father of air conditioning and refrigeration; and

WHEREAS, in 1922, Florida gave its second statue to the National Statuary Hall Collection, a statue of Confederate General Edmund Kirby Smith; and

WHEREAS, in 2000, Congress enacted legislation, 2 United States Code Section 2132, allowing states to request a replacement of their statues in the following manner:

(a) the State's Legislature adopts a resolution requesting the Joint Committee on the Library of Congress approve the replacement of its statue;

(b) the Governor of the State approves the resolution; and

(c) the statue to be replaced has been displayed for at least 10 years; and

WHEREAS, since the passage of the congressional act, several states have replaced their statues with well-known and highly respected figures; and

WHEREAS, the statue of Confederate General Smith has been on display for 93 years; and

WHEREAS, recently, several members of the Florida Congressional Delegation wrote a bipartisan letter to leaders of the Florida Legislature requesting that the statue of Confederate General Smith be removed from the National Statuary Hall Collection; and

WHEREAS, Senate Bill (SB) 310 has been filed by Senator John Legg (R – Lutz) and House Bill (HB) 141 has been filed by Representative Jose Felix Diaz (R – Miami) and Representative Edwin Narain (D – Tampa) for consideration during the Florida Legislature's 2016 session; and

WHEREAS, SB 310 would:

(a) direct the ad hoc committee of the Great Floridians Program within the Division of Historical Resources of the Department of State to select a prominent Florida citizen to replace the statue of Confederate General Smith; and

(b) provide that the Florida Legislature would request that the United States Joint Committee on the Library of Congress approve the statue replacement; and

WHEREAS, the current version of HB 141, the Committee Substitute to HB 141, would:

(a) direct the ad hoc committee of the Great Floridians Program to recommend a prominent Florida citizen, including but not limited to, a person of distinguished civil or military service, to replace the statue of Confederate General Smith;

(b) require the Department of State to submit a report of the findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives; and

(c) authorize the Florida Legislature to request that the United States Joint Committee on the Library of Congress approve the statue replacement; and

WHEREAS, upon the Florida Legislature passing SB 310, HB 141, or similar legislation, this Board would like to urge the ad hoc committee of the Great Floridians Program to consider two prominent Florida women as possible statue replacements, Marjory Stoneman Douglas and Mary McCleod Bethune; and

WHEREAS, currently, there are only nine women in the National Statuary Hall Collection; and

WHEREAS, Marjory Stoneman Douglas was an important environmentalist in the 20th century who made improvements in the quality of life of Floridians; and

WHEREAS, her book, *The Everglades: River of Grass*, published in 1947, was one of Douglas' most influential works because it redefined the popular conception of the Everglades as a treasured river instead of an insignificant swamp; and

WHEREAS, in 1980, the Florida Department of Environmental Protection's headquarters building in Tallahassee was named after Douglas; and

WHEREAS, the National Parks Conservation Association established the Marjory Stoneman Douglas Award in 1986, which honors individuals who go to great lengths to advocate and fight for the protection of the National Park System; and

WHEREAS, in 1987, Douglas was named a great Floridian by the ad hoc committee of the Great Floridians Program; and

WHEREAS, in 1991, she was honored with a visit from Queen Elizabeth II; and

WHEREAS, in 1993, former President Bill Clinton awarded Douglas the Presidential Medal of Freedom, the highest honor given to a civilian; and

WHEREAS, Douglas was inducted into the National Wildlife Federation Hall of Fame in 1999; and

WHEREAS, in 2000, she was inducted into the National Women's Hall of Fame; and

WHEREAS, instead of gifts and celebrations on her birthday, Douglas asked that trees be planted, resulting in over 100,000 planted trees across the state; and

WHEREAS, Douglas would be the tenth woman in the National Statuary Hall Collection should the ad hoc committee of the Great Floridians Program recommend her as a statue replacement; and

WHEREAS, another possible statue replacement might be Mary McCleod Bethune, an important civil rights leader and educator in the 20th century who also made improvements in the quality of life of Floridians; and

WHEREAS, Bethune served as an advisor to five United States presidents; and

WHEREAS, she established the school now known as Bethune-Cookman University in Daytona Beach; and

WHEREAS, Bethune advocated for equal opportunity and helped establish the National Council of Negro Women, United Negro College Fund, and the Federal Council on Negro Affairs; and

WHEREAS, in 1935, the National Association for the Advancement of Colored People (NAACP) awarded Bethune the Spingarn Medal, awarded annually by the NAACP for outstanding achievement by an African-American; and

WHEREAS, Bethune played an important role during World War II as the Assistant Director of the Women's Army Corps; and

WHEREAS, Bethune served as one of three African-American consultants to the United States delegation involved in developing the Charter of the United Nations; and

WHEREAS, in 1973, Bethune was inducted into the National Women's Hall of Fame; and

WHEREAS, in 1974, Bethune became the first African-American woman to be honored by a public sculpture in Lincoln Park, in Washington D.C.; and

WHEREAS, in 1985, the United States Postal Service issued a stamp in Bethune's honor; and

WHEREAS, in 1991, the International Astronomical Union named the Bethune Patera, a geological feature similar to a crater, on planet Venus in Bethune's honor; and

WHEREAS, in 1994, the National Park Service acquired Bethune's last residence and designated it as the Mary McLeod Bethune Council House National Historic Site; and

WHEREAS, in 2002, the ad hoc committee of the Great Floridians Program named Bethune a great Floridian; and

WHEREAS, Bethune would become the first African-American in the National Statuary Hall Collection should the ad hoc committee of the Great Floridians Program recommend her as a statue replacement; and

WHEREAS, this Board would like to urge the Florida Legislature to enact SB 310, HB 141, or similar legislation that would provide that the ad hoc committee of the Great Floridians Program recommend to the Florida Legislature a prominent Floridian to replace the statue of Confederate General Smith; and

WHEREAS, in the event such a bill passes, this Board would also like to urge the ad hoc committee of the Great Floridians Program to consider Environmentalist Marjory Stoneman Douglas or Civil Rights Leader Mary McLeod Bethune as a statue replacement,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact SB 310, HB 141, or similar legislation that would authorize the Florida Legislature to request that the statue of Confederate General Edmund Kirby Smith, one of two statues representing the State of Florida in the National Statuary Hall Collection, be replaced with a statue of a prominent Floridian recommended by the ad hoc committee of the Great Floridians Program within the Division of Historical Resources of the Department of State.

Section 2. Upon the passage of SB 310, HB 141, or similar legislation, urges the ad hoc committee of the Great Floridians Program within the Division of Historical Resources of the Department of State to consider recommending to the Florida Legislature Environmentalist Marjory Stoneman Douglas or Civil Rights Leader Mary McLeod Bethune as a statue replacement.

Section 3. Directs the Clerk of the Board to transmit certified copies of this resolution to the Members of the Florida Congressional Delegation, the Governor, the Senate President, the House Speaker, Senator John Legg, Representative Jose Felix Diaz, Representative Edwin Narain, the Chair and remaining Members of the Miami-Dade State Legislative Delegation and the ad hoc committee of the Great Floridians Program within the Division of Historical Resources of the Department of State.

Section 4. Directs the County's state lobbyists to advocate for the legislation described in Section 1 above and the action described in Section 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item, and to include this item in the 2017 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **absent**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of December, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. APP

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