

By the Committee on Governmental Oversight and Productivity;
and Senator Argenziano

585-1862-05

1 A bill to be entitled

2 An act relating to Department of State;

3 creating s. 257.015, F.S.; providing

4 definitions; amending s. 257.02, F.S.;

5 increasing membership on the State Library

6 Council; revising criteria for membership;

7 revising provisions with respect to the

8 selection process for members; providing for

9 officers of the council; amending s. 257.031,

10 F.S.; deleting references to the State Library

11 Council and provisions for officers of the

12 council; providing additional responsibilities

13 of the State Librarian; amending s. 257.12,

14 F.S.; designating the Division of Library and

15 Information Services as the state library

16 administrative agency; amending s. 257.192,

17 F.S.; conforming terminology; creating s.

18 257.43, F.S.; providing for the establishment

19 of a citizen support organization to provide

20 assistance, funding, and promotional support

21 for the library, archives, and records

22 management programs of the Division of Library

23 and Information Services; providing for use of

24 administrative services and property; requiring

25 an annual audit; amending s. 265.284, F.S.;

26 designating the Division of Cultural Affairs as

27 the state arts administrative agency; deleting

28 obsolete provisions; amending s. 265.2865,

29 F.S.; deleting obsolete provisions; amending s.

30 265.606, F.S.; requiring local sponsoring

31 organizations to submit an annual postaudit to

1 the division under certain circumstances;
2 amending s. 265.701, F.S.; providing contract
3 requirements to ensure continued use as a
4 cultural facility for a specified period
5 following a grant award; providing for
6 repayment of grant funds to the department
7 under specified circumstances; amending s.
8 265.702, F.S.; providing contract requirements
9 to ensure continued use as a regional cultural
10 facility for a specified period following a
11 grant award; providing for repayment of grant
12 funds to the department under specified
13 circumstances; creating s. 265.703, F.S.;
14 providing for the establishment of a citizen
15 support organization to provide assistance,
16 funding, and promotional support for the
17 cultural and arts programs of the Division of
18 Cultural Affairs; providing for use of
19 administrative services and property; requiring
20 an annual audit; amending s. 267.031, F.S.;
21 authorizing the Division of Historical
22 Resources to establish an endowment under the
23 Florida Historical Resources Act; removing a
24 requirement for the establishment of historic
25 preservation regional offices in specific
26 locations; requiring the establishment of at
27 least three historic preservation regional
28 offices; creating citizen advisory boards for
29 regional offices in lieu of citizen support
30 organizations; providing purpose and for
31 appointment of members of the advisory boards;

1 amending s. 267.0612, F.S.; revising provisions
2 with respect to service as a member of the
3 Florida Historical Commission; amending s.
4 267.0617, F.S.; providing for appointment of a
5 grant-review-panel chair under the Historic
6 Preservation Grant Program; amending s.
7 267.0619, F.S.; providing for appointment of a
8 grant-review-panel chair under the Historical
9 Museum Grants program; amending s. 267.0731,
10 F.S.; revising provisions with respect to
11 nominations under the Great Floridians Program;
12 amending s. 267.13, F.S.; providing for the
13 adoption of rules by the Division of Historical
14 Resources to implement provisions governing
15 prohibited practices and penalties therefor;
16 repealing s. 267.16(3), F.S., which imposes a
17 duty on the Division of Historical Resources
18 with respect to Florida Folklife Programs;
19 amending s. 267.173, F.S.; conforming a
20 reference; amending s. 267.174, F.S.; revising
21 dates for the first meeting of the Discovery of
22 Florida Quincentennial Commemoration
23 Commission, completion of the initial draft of
24 the master plan, and submission of the
25 completed master plan; repealing s. 15.0913,
26 F.S., which requires the Department of State to
27 file all Uniform Commercial Code documents
28 within a specified time after receipt of such
29 documents by the Bureau of Uniform Commercial
30 Code of the Division of Corporations; repealing
31 s. 265.51, F.S., relating to the authority of

1 the Department of State to make agreements to
2 indemnify specified items against loss or
3 damage; repealing s. 265.52, F.S., relating to
4 items eligible for indemnity agreements of the
5 Department of State; repealing s. 265.53, F.S.,
6 relating to application for indemnity agreement
7 by a nonprofit agency, institution, or
8 government in the state attempting to obtain
9 indemnification for eligible items it proposes
10 to borrow from a person, organization,
11 institution, or government not in the state;
12 repealing s. 265.54, F.S., relating to review
13 by the Department of State of applications for
14 indemnity agreements and limits of indemnity;
15 repealing s. 265.55, F.S., relating to the
16 processing by the Division of Risk Management
17 of the Department of Financial Services of
18 claims for losses covered by an indemnity
19 agreement; repealing s. 265.56, F.S., relating
20 to an annual report to the Legislature by the
21 Department of State with respect to current and
22 pending claims under indemnity agreements and
23 the value of contracts entered into by the
24 department which are outstanding at the close
25 of the fiscal year; providing severability;
26 providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Section 257.015, Florida Statutes, is
31 created to read:

1 257.015 Definitions.--As used in this chapter, the
2 term:

3 (1) "Department" means the Department of State.

4 (2) "Division" means the Division of Library and
5 Information Services of the Department of State.

6 (3) "Secretary" means the Secretary of State.

7 (4) "State librarian" means the person appointed by
8 the secretary as the director of the Division of Library and
9 Information Services pursuant to s. 257.031.

10 Section 2. Subsections (1) and (3) of section 257.02,
11 Florida Statutes, are amended, and subsection (4) is added to
12 that section, to read:

13 257.02 State Library Council.--

14 (1) There shall be a State Library Council to advise
15 and assist the Division of Library and Information Services on
16 its programs and activities. The council shall consist of nine
17 ~~seven~~ members who shall be appointed by the Secretary of
18 State. Of the nine members, at least one ~~member of the council~~
19 must represent a Florida library professional association, at
20 least one must represent a Florida archive professional
21 association, at least one must represent a Florida records
22 management professional association, ~~be a person who is 60~~
23 ~~years of age or older;~~ and at least one ~~member of the council~~
24 must be a person who is not, and has never been, employed in a
25 library or in teaching library science courses. Members shall
26 be appointed for 4-year terms. A vacancy on the council shall
27 be filled for the period of the unexpired term. No person may
28 be appointed to serve more than two consecutive terms as a
29 member of the council. The Secretary of State may remove from
30 office any council member for malfeasance, misfeasance,
31 neglect of duty, incompetence, permanent inability to perform

1 | official duties, or pleading guilty or nolo contendere to, or
2 | being found guilty of, a felony. ~~In addition to, and at the~~
3 | ~~request of, the members of the council appointed by the~~
4 | ~~Secretary of State, the president elect of the Florida Library~~
5 | ~~Association may serve as a member of the council in a~~
6 | ~~nonvoting capacity during his or her term as president elect.~~

7 | (3) The Secretary of State may, in making
8 | appointments, consult Florida's library, archival, or records
9 | management community ~~the Florida Library Association~~ and
10 | related statewide associations and organizations for
11 | suggestions as to persons having special knowledge and
12 | interest concerning libraries.

13 | (4) The officers of the State Library Council shall be
14 | a chair, elected from the members thereof, and the State
15 | Librarian, who shall serve without voting rights as secretary
16 | of the council.

17 | Section 3. Section 257.031, Florida Statutes, is
18 | amended to read:

19 | 257.031 State Librarian ~~Organization of council;~~
20 | appointment and duties ~~of State Librarian.~~--

21 | ~~(1) The officers of the State Library Council shall be~~
22 | ~~a chair, elected from the members thereof, and the State~~
23 | ~~Librarian, who shall serve without voting rights as secretary~~
24 | ~~of the council.~~ The State Librarian shall be appointed by the
25 | Secretary of State, shall have completed a library school
26 | program accredited by the American Library Association, and
27 | shall serve as the director of the Division of Library and
28 | Information Services of the Department of State. The Secretary
29 | of State may, in making the appointment of State Librarian,
30 | consult the members of the State Library Council.

31 | (2) The State Librarian shall:

1 (a) Keep a record of the proceedings of the State
2 Library Council;

3 (b) Keep an accurate account of the financial
4 transactions of the division;

5 (c) Have charge of the work of the division in
6 organizing new libraries and improving those already
7 established; ~~and~~

8 (d) In general, perform such duties as may, from time
9 to time, be assigned to him or her by the Secretary of State;
10 ~~and-~~

11 (e) Manage operations of the programs assigned by law
12 to the division.

13 Section 4. Section 257.12, Florida Statutes, is
14 amended to read:

15 257.12 Division of Library and Information Services
16 authorized to accept and expend federal funds.--

17 (1) The Division of Library and Information Services
18 of the Department of State is designated as the state library
19 administrative agency authorized to accept, receive,
20 administer, and expend any moneys, materials, or any other aid
21 granted, appropriated, or made available by the United States
22 or any of its agencies for the purpose of giving aid to
23 libraries and providing educational library service in the
24 state.

25 (2) The division is authorized to file any accounts
26 required by federal law or regulation with reference to
27 receiving and administering all such moneys, materials, and
28 other aid for said purposes; provided, however, that the
29 acceptance of such moneys, materials, and other aid shall not
30 deprive the state from complete control and supervision of its
31 library.

1 Section 5. Section 257.192, Florida Statutes, is
2 amended to read:

3 257.192 Program grants.--The Division of Library and
4 Information Services is authorized to accept and administer
5 appropriations for library program grants and to make such
6 grants in accordance with the Florida long-range ~~plan~~ ~~program~~
7 for library services.

8 Section 6. Section 257.43, Florida Statutes, is
9 created to read:

10 257.43 Citizen support organization; use of state
11 administrative services and property; audit.--

12 (1) CITIZEN SUPPORT ORGANIZATION.--The division may
13 support the establishment of a citizen support organization to
14 provide assistance, funding, and promotional support for the
15 library, archives, and records management programs of the
16 division. For the purposes of this section, a "citizen support
17 organization" means an organization that is:

18 (a) A Florida corporation not for profit incorporated
19 under the provisions of chapter 617 and approved by the
20 Department of State.

21 (b) Organized and operated to conduct programs and
22 activities; raise funds; request and receive grants, gifts,
23 and bequests of money; acquire, receive, hold, invest, and
24 administer, in its own name, securities, funds, objects of
25 value, or other property, real or personal; and make
26 expenditures to or for the direct or indirect benefit of the
27 division or individual program units of the division.

28 (c) Determined by the division to be consistent with
29 the goals of the division and in the best interests of the
30 state.

31

1 (d) Approved in writing by the division to operate for
2 the direct or indirect benefit of the division. Such approval
3 must be given in a letter of agreement from the division.

4 (2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.--

5 (a) The division may fix and collect charges for the
6 rental of facilities and properties managed by the division
7 and may permit, without charge, appropriate use of
8 administrative services, property, and facilities of the
9 division by a citizen support organization, subject to the
10 provisions of this section. Such use must be directly in
11 keeping with the approved purposes of the citizen support
12 organization and may not be made at times or places that would
13 unreasonably interfere with opportunities for the general
14 public to use such facilities for established purposes. Any
15 moneys received from rentals of facilities and properties
16 managed by the division may be held in the operating trust
17 fund of the division or in a separate depository account in
18 the name of the citizen support organization and subject to
19 the provisions of the letter of agreement with the division.
20 The letter of agreement shall provide that any funds held in
21 the separate depository account in the name of the citizen
22 support organization shall revert to the division if the
23 citizen support organization is no longer approved by the
24 division to operate in the best interests of the state.

25 (b) The division may prescribe by rule any condition
26 with which a citizen support organization must comply in order
27 to use division administrative services, property, or
28 facilities.

29 (c) The division shall not permit the use of any
30 administrative services, property, or facilities of the state
31 by a citizen support organization that does not provide equal

1 membership and employment opportunities to all persons
2 regardless of race, color, religion, sex, age, or national
3 origin.

4 (3) ANNUAL AUDIT.--The citizen support organization
5 shall provide for an annual financial audit in accordance with
6 s. 215.981.

7 Section 7. Subsection (1), paragraph (d) of subsection
8 (3), and subsections (6) and (7) of section 265.284, Florida
9 Statutes, are amended to read:

10 265.284 Chief cultural officer; director of division;
11 powers and duties.--

12 (1) The Secretary of State is the ~~shall be~~ chief
13 cultural officer of the state, and the Division of Cultural
14 Affairs is designated as the state arts administrative agency.

15 (3) The Division of Cultural Affairs shall have direct
16 administrative authority and responsibility for all of the
17 programs authorized by this act. In furtherance thereof, the
18 division shall have the authority to:

19 (d) On request, or at its own initiative, consult with
20 and advise other individuals, groups, organizations, or state
21 agencies and officials, particularly the Governor and the
22 Cabinet, concerning the acquisition by gift or purchase of
23 fine art works, the appropriate use and display of state-owned
24 art treasures for maximum public benefit, and the suitability
25 of any structures or fixtures, including framing, primarily
26 intended for ornamental or decorative purposes in public
27 buildings.

28 ~~(6) Subject to funding by the Legislature, there are~~
29 ~~created the State Orchestra Program, State Dance Program, and~~
30 ~~State Opera Program, each to be administered as part of, and~~
31

1 ~~under the direct supervision of, the Division of Cultural~~
2 ~~Affairs.~~

3 ~~(6)(7)~~ Notwithstanding any provision of s. 287.022 or
4 s. 287.025(1)(e), the division may enter into contracts to
5 insure museum collections, artifacts, relics, and fine arts to
6 which it holds title.

7 Section 8. Subsection (4) of section 265.2865, Florida
8 Statutes, is amended to read:

9 265.2865 Florida Artists Hall of Fame.--

10 (4) ~~In the first year, the Secretary of State shall~~
11 ~~name no more than 12 members to the Florida Artists Hall of~~
12 ~~Fame. Thereafter,~~ The Secretary of State shall name no more
13 than four members to the Florida Artists Hall of Fame in any
14 one ± year.

15 Section 9. Paragraph (c) is added to subsection (4) of
16 section 265.606, Florida Statutes, to read:

17 265.606 Cultural Endowment Program; administration;
18 qualifying criteria; matching fund program levels;
19 distribution.--

20 (4) Once the secretary has determined that the
21 sponsoring organization has complied with the criteria imposed
22 by this section, he or she may authorize the transfer of the
23 appropriate state matching funds to the organization. However,
24 the secretary shall ensure that the local group has made
25 prudent arrangements for the trusteeship of the entire
26 endowment, and such trusteeship is hereby created. The
27 sponsoring organization may then expend moneys in the
28 endowment program fund, subject to the following requirements:

29 (c) Any contract administered under this section shall
30 require the local sponsoring organization to submit to the
31

1 division an annual postaudit of its financial accounts
2 conducted by an independent certified public accountant.

3 Section 10. Present subsection (4) of section 265.701,
4 Florida Statutes, is renumbered as subsection (5), and a new
5 subsection (4) is added to that section, to read:

6 265.701 Cultural facilities; grants for acquisition,
7 renovation, or construction; funding; approval; allocation.--

8 (4) Any contract administered under this section shall
9 require the recordation of a restrictive covenant by the
10 grantee and property owner or the purchase of a bond as
11 prescribed by rule to ensure that the facility continues to be
12 used as a cultural facility for a period of 10 years following
13 the grant award. If the facility ceases to be used as a
14 cultural facility during the 10 years following the grant
15 award, the grant funds shall be repaid to the department
16 according to an amortization schedule set forth in rule.

17 Section 11. Present subsection (8) of section 265.702,
18 Florida Statutes, is renumbered as subsection (9), and a new
19 subsection (8) is added to that section, to read:

20 265.702 Regional cultural facilities; grants for
21 acquisition, renovation, or construction; funding; approval;
22 allocation.--

23 (8) Any contract administered under this section shall
24 require the recordation of a restrictive covenant by the
25 grantee and property owner or the purchase of a bond as
26 prescribed by rule to ensure that the facility continues to be
27 used as a regional cultural facility for a period of 10 years
28 following the grant award. If the facility ceases to be used
29 as a regional cultural facility during the 10 years following
30 the grant award, the grant funds shall be repaid to the
31

1 department according to an amortization schedule set forth in
2 rule.

3 Section 12. Section 265.703, Florida Statutes, is
4 created to read:

5 265.703 Citizen support organization; use of state
6 administrative services and property; audit.--

7 (1) CITIZEN SUPPORT ORGANIZATION.--The division may
8 support the establishment of a citizen support organization to
9 provide assistance, funding, and promotional support for the
10 cultural and arts programs of the division. For the purposes
11 of this section, the term "citizen support organization" means
12 an organization that is:

13 (a) A Florida corporation not for profit incorporated
14 under chapter 617 and approved by the Department of State.

15 (b) Organized and operated to conduct programs and
16 activities; raise funds; request and receive grants, gifts,
17 and bequests of money; acquire, receive, hold, invest, and
18 administer, in its own name, securities, funds, objects of
19 value, or other property, real or personal; and make
20 expenditures to or for the direct or indirect benefit of the
21 division or individual program units of the division.

22 (c) Determined by the division to be consistent with
23 the goals of the division and in the best interests of the
24 state.

25 (d) Approved in writing by the division to operate for
26 the direct or indirect benefit of the division. Such approval
27 must be given in a letter of agreement from the division.

28 (2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.--

29 (a) The division may fix and collect charges for the
30 rental of facilities and properties managed by the division
31 and may permit, without charge, appropriate use of

1 administrative services, property, and facilities of the
2 division by a citizen support organization, subject to the
3 provisions of this section. Such use must be directly in
4 keeping with the approved purposes of the citizen support
5 organization and may not be made at times or places that would
6 unreasonably interfere with opportunities for the public to
7 use such facilities for established purposes. Any moneys
8 received from rentals of facilities and properties managed by
9 the division may be held in the operating trust fund of the
10 division or in a separate depository account in the name of
11 the citizen support organization and subject to the provisions
12 of the letter of agreement with the division. The letter of
13 agreement shall provide that any funds held in the separate
14 depository account in the name of the citizen support
15 organization shall revert to the division if the citizen
16 support organization is no longer approved by the division to
17 operate in the best interests of the state.

18 (b) The division may prescribe by rule any condition
19 with which a citizen support organization must comply in order
20 to use division administrative services, property, or
21 facilities.

22 (c) The division shall not permit the use of any
23 administrative services, property, or facilities of the state
24 by a citizen support organization that does not provide equal
25 membership and employment opportunities to all persons
26 regardless of race, color, religion, sex, age, or national
27 origin.

28 (3) ANNUAL AUDIT.--The citizen support organization
29 shall provide for an annual financial audit in accordance with
30 s. 215.981.

31

1 Section 13. Subsection (3) and paragraph (m) of
2 subsection (5) of section 267.031, Florida Statutes, are
3 amended to read:

4 267.031 Division of Historical Resources; powers and
5 duties.--

6 (3) The division may accept gifts, grants, bequests,
7 loans, and endowments for purposes not inconsistent with its
8 responsibilities under this chapter. The division may also
9 establish an endowment that is consistent with the
10 responsibilities of this chapter.

11 (5) It is the responsibility of the division to:

12 (m) Establish regional offices for the purpose of
13 assisting the division in the delivery of historic
14 preservation services to the counties and municipalities of
15 the state and to the citizens of the State of Florida.
16 Historic preservation regional offices shall be established in
17 at least three ~~St. Augustine, Tampa, Palm Beach County, and in~~
18 ~~other~~ areas of the state which the division deems appropriate.
19 For each regional office established, the division shall
20 establish a citizen advisory board to provide assistance,
21 advice, and recommendations to the regional offices~~support~~
22 ~~organization in accordance with s. 267.17.~~ The members ~~board~~
23 ~~of directors~~ of each citizen advisory board ~~support~~
24 ~~organization~~ shall be appointed by the Secretary of State.

25 Section 14. Paragraph (a) of subsection (1) and
26 subsection (2) of section 267.0612, Florida Statutes, are
27 amended to read:

28 267.0612 Florida Historical Commission; creation;
29 membership; powers and duties.--In order to enhance public
30 participation and involvement in the preservation and
31 protection of the state's historic and archaeological sites

1 and properties, there is created within the Department of
2 State the "Florida Historical Commission." The commission
3 shall serve in an advisory capacity to the director of the
4 Division of Historical Resources to assist the director in
5 carrying out the purposes, duties, and responsibilities of the
6 division, as specified in this chapter.

7 (1)(a) The commission shall be composed of 11 members.
8 Seven members shall be appointed by the Governor in
9 consultation with the Secretary of State, two members shall be
10 appointed by the President of the Senate, and two members
11 shall be appointed by the Speaker of the House of
12 Representatives. Of the seven members appointed by the
13 Governor, one member must be a licensed architect who has
14 expertise in historic preservation and architectural history;
15 one member must be a professional historian in the field of
16 American history; one member must be a professional
17 architectural historian; one member must be an archaeologist
18 specializing in the field of prehistory; and one member must
19 be an archaeologist specializing in the historic period. The
20 remaining two members appointed by the Governor and the two
21 members appointed by the President of the Senate and the
22 Speaker of the House of Representatives, respectively, must be
23 representatives of the general public with demonstrated
24 interest in the preservation of Florida's historical and
25 archaeological heritage. At least one member of the commission
26 shall be a resident of a county that has a population of
27 75,000 or fewer~~less~~.

28 (2) Commission members appointed by the President of
29 the Senate and the Speaker of the House of Representatives
30 shall be appointed for 2-year terms. Additionally, these
31 commission members shall serve as the legislative historic

1 | preservation advisory body to the Speaker of the House of
2 | Representatives and the President of the Senate with respect
3 | to the collection and preservation of the historic records of
4 | both houses of the Legislature. Commission members appointed
5 | by the Governor shall be appointed to 4-year terms. A member
6 | whose term has expired shall continue to serve on the
7 | commission until such time as a replacement is appointed.
8 | Vacancies shall be filled for the remainder of the term and by
9 | the original appointing authority.

10 | Section 15. Subsection (3) of section 267.0617,
11 | Florida Statutes, is amended to read:

12 | 267.0617 Historic Preservation Grant Program.--

13 | (3) All grants of state funds to assist in the
14 | preservation of historic properties shall be made from the
15 | Historical Resources Operating Trust Fund and may be awarded
16 | only pursuant to applications for such assistance made to the
17 | Division of Historical Resources. The Florida Historical
18 | Commission shall review each application for a special
19 | category historic preservation grant-in-aid. Special category
20 | historic preservation grants-in-aid are those reviewed and
21 | recommended by the Secretary of State for submission for
22 | legislative funding consideration. Grant review panels
23 | appointed by the Secretary of State and chaired by a member of
24 | the Florida Historical Commission or a designee appointed by
25 | the commission's presiding officer shall review each
26 | application for other historic preservation grants-in-aid. The
27 | reviewing body shall submit annually to the Secretary of State
28 | for approval lists of all applications that are recommended by
29 | the reviewing body for the award of grants, arranged in order
30 | of priority.

31 |

1 Section 16. Subsection (3) of section 267.0619,
2 Florida Statutes, is amended to read:

3 267.0619 Historical Museum Grants.--

4 (3) An application for a grant must be made to the
5 division on a form provided by the division. The division
6 shall adopt rules prescribing categories of grants,
7 application requirements, criteria and procedures for the
8 review and evaluation of applications, and other procedures
9 necessary for the administration of the program, subject to
10 the requirements of this section. Grant review panels
11 appointed by the Secretary of State and chaired by a member of
12 the Florida Historical Commission or a designee appointed by
13 the commission's presiding officer shall review each
14 application for a museum grant-in-aid. The review panel shall
15 submit to the Secretary of State for approval lists of all
16 applications that are recommended by the panel for the award
17 of grants, arranged in order of priority. The division may
18 award a grant to a Florida history museum only if the award
19 has been approved by the Secretary of State.

20 Section 17. Paragraphs (b) and (c) of subsection (1)
21 of section 267.0731, Florida Statutes, are amended to read:

22 267.0731 Great Floridians Program.--The division shall
23 establish and administer a program, to be entitled the Great
24 Floridians Program, which shall be designed to recognize and
25 record the achievements of Floridians, living and deceased,
26 who have made major contributions to the progress and welfare
27 of this state.

28 (1) The division shall nominate present or former
29 citizens of this state, living or deceased, who during their
30 lives have made major contributions to the progress of the
31 nation or this state and its citizens. Nominations shall be

1 submitted to the Secretary of State who shall select from
2 those nominated not less than two persons each year who shall
3 be honored with the designation "Great Floridian," provided no
4 person whose contributions have been through elected or
5 appointed public service shall be selected while holding any
6 such office.

7 (b) In formulating its nominations, the division shall
8 also seek the assistance of the organization ~~Museum of Florida~~
9 ~~History Foundation, Inc., or its successor,~~ acting in the
10 capacity as a citizen support organization of the division,
11 pursuant to s. 267.17 and approved to act on behalf of the
12 Museum of Florida History.

13 (c) Annually, the division shall convene an ad hoc
14 committee composed of representatives of the Governor, each
15 member of the Florida Cabinet, the President of the Senate,
16 the Speaker of the House of Representatives, and the
17 organization described in paragraph (b) ~~Museum of Florida~~
18 ~~History Foundation, Inc.~~ This committee shall meet at least
19 twice. The committee shall nominate not fewer than two persons
20 whose names shall be submitted to the Secretary of State with
21 the recommendation that they be honored with the designation
22 "Great Floridian."

23 Section 18. Paragraph (e) is added to subsection (2)
24 of section 267.13, Florida Statutes, to read:

25 267.13 Prohibited practices; penalties.--

26 (2)

27 (e) The division shall adopt rules pursuant to ss.
28 120.536(1) and 120.54 to administer this section.

29 Section 19. Subsection (3) of section 267.16, Florida
30 Statutes, is repealed.

31

1 Section 20. Subsection (5) of section 267.173, Florida
2 Statutes, is amended to read:

3 267.173 Historic preservation in West Florida; goals;
4 contracts for historic preservation; powers and duties.--

5 (5) The Division of Historical Resources in the
6 Department of State may contract with the University of West
7 Florida to serve as the regional office for the West Florida
8 region of the state from the Apalachicola River to the western
9 boundaries of the state. In lieu of the establishment of a
10 citizen advisory board ~~support organization~~ as required by s.
11 267.031(5)(m), the University of West Florida may use an
12 existing direct-support organization of the university
13 provided that the membership of the direct-support
14 organization is representative of the area of the state to be
15 served and provides the needed expertise in the area of
16 historic preservation.

17 Section 21. Paragraph (d) of subsection (5) and
18 paragraph (c) of subsection (7) of section 267.174, Florida
19 Statutes, are amended to read:

20 267.174 Discovery of Florida Quincentennial
21 Commemoration Commission.--

22 (5) OFFICERS; BYLAWS; MEETINGS.--

23 (d) The initial meeting of the commission shall be
24 held no later than January 31, 2007 ~~2006~~. Subsequent meetings
25 shall be held upon the call of the chair or vice chair acting
26 in the absence of the chair, and in accordance with the
27 commission's bylaws.

28 (7) DUTIES; MASTER PLAN.--

29 (c) The commission shall establish a timetable and
30 budget for completion for all parts of the master plan which
31 shall be made a part of the plan. An initial draft of the plan

1 shall be completed and submitted to the Governor, the
2 President of the Senate, the Speaker of the House of
3 Representatives, and the Secretary of State by January 2008
4 ~~2007~~ with the completed master plan submitted to such
5 officials by January 2009 ~~2008~~.

6 Section 22. Sections 15.0913, 265.51, 265.52, 265.53,
7 265.54, 265.55, and 265.56, Florida Statutes, are repealed.

8 Section 23. If any provision of this act or the
9 application thereof to any person or circumstance is held
10 invalid, the invalidity does not affect other provisions or
11 applications of the act which can be given effect without the
12 invalid provision or application, and to this end the
13 provisions of this act are declared severable.

14 Section 24. This act shall take effect July 1, 2005.

15
16 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
17 COMMITTEE SUBSTITUTE FOR
18 Senate Bill 2152

19 Requires that letters of agreement between a division and
20 citizen support organization provide for reversion to the
21 division of funds held by the citizen support organization if
the division finds the citizen support organization is no
longer operating in the best interest of the state.