

By the Committee on Tourism and Representatives Starks,  
Farkas, Lynn, Sobel, Argenziano, R. Diaz de la Portilla, Bush,  
Bloom and Hafner

1                                   A bill to be entitled  
2           An act relating to the Department of State;  
3           amending s. 20.10, F.S.; authorizing the  
4           department to adopt rules to administer laws  
5           conferring duties upon it; amending s.  
6           266.0016, F.S.; providing additional powers of  
7           the Historic Pensacola Preservation Board of  
8           Trustees; amending s. 267.061, F.S.; providing  
9           additional duties of the Division of Historical  
10          Resources with respect to protecting and  
11          administering historical resources; authorizing  
12          the division to issue certain permits;  
13          requiring that the division adopt rules for  
14          issuing permits and administering the transfer  
15          of certain objects; amending s. 872.05, F.S.;  
16          authorizing the department to adopt procedures  
17          for reporting an unmarked human burial and  
18          determining jurisdiction of the burial;  
19          requiring the Division of Historical Resources  
20          and the Historic Pensacola Preservation Board  
21          of Trustees, in conjunction with specified  
22          entities, to develop a regionally based  
23          historic preservation plan for West Florida;  
24          providing elements of the plan; requiring  
25          submission of the plan to the Legislature by a  
26          specified date; providing an effective date.

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

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30           Section 1.   Subsection (3) is added to section 20.10,  
31   Florida Statutes, to read:

1           20.10 Department of State.--There is created a  
2 Department of State.

3           (3) The Department of State may adopt rules pursuant  
4 to ss. 120.536(1) and 120.54 to administer the provisions of  
5 law conferring duties upon the department.

6           Section 2. Present subsections (14) through (18) of  
7 section 266.0016, Florida Statutes, are renumbered as  
8 subsections (15) through (19), respectively, subsection (15)  
9 is amended, and a new subsection (14) is added to said  
10 section, to read:

11           266.0016 Powers of the board.--The department shall  
12 monitor the effectiveness of all programs of the board and  
13 oversee the board to ensure that it complies with state laws  
14 and rules. The board is the governing body and shall exercise  
15 those powers delegated to it by the department. These  
16 delegated powers shall include, but not be limited to, the  
17 power to:

18           (14) Enter into agreements to accept credit card  
19 payments as compensation, and establish accounts in credit  
20 card banks for the deposit of credit card sales invoices.

21           (15)(a)~~(14)~~ Fix and collect charges for admission to  
22 any of the facilities operated and maintained by the board  
23 under the provisions of ss. 266.0011-266.0018.~~and~~

24           (b) Permit the acceptance of tour vouchers issued by  
25 tour organizations or travel agents for payment of admissions.

26           (c) Adopt and enforce reasonable rules to govern the  
27 conduct of the visiting public.

28  
29 Any power delegated by the department pursuant to this section  
30 may be revoked by the department at any time if, in the  
31 department's determination, the board is not exercising a

1 delegated power in accordance with department rules and  
2 policies or in the best interest of the state.

3 Section 3. Paragraph (p) is added to subsection (3) of  
4 section 267.061, Florida Statutes, to read:

5 267.061 Historic properties; state policy,  
6 responsibilities.--

7 (3) DIVISION RESPONSIBILITY.--It is the responsibility  
8 of the division to:

9 (p) Protect and administer historical resources  
10 abandoned on state-owned lands or on state-owned sovereignty  
11 submerged lands. The division may issue permits for survey and  
12 exploration activities to identify historical resources and  
13 may issue permits for excavation and salvage activities to  
14 recover historical resources. The division may issue permits  
15 for archaeological excavation for scientific or educational  
16 purposes on state-owned lands or on state-owned sovereignty  
17 submerged lands. The division may also issue permits for  
18 exploration and salvage of historic shipwreck sites by  
19 commercial salvors on state-owned sovereignty submerged lands.  
20 The division shall adopt rules to administer the issuance of  
21 permits for all such activities. In addition, the division  
22 shall adopt rules to administer the transfer of objects  
23 recovered by commercial salvors under permit in exchange for  
24 recovery services provided to the state.

25 Section 4. Subsection (11) is added to section 872.05,  
26 Florida Statutes, to read:

27 872.05 Unmarked human burials.--

28 (11) RULES.--The Department of State may prescribe by  
29 rule procedures for reporting an unmarked human burial and for  
30 determining jurisdiction over the burial.

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1           Section 5. (1) The Division of Historical Resources  
2 of the Department of State and the Historic Pensacola  
3 Preservation Board of Trustees, in conjunction with  
4 representatives from West Florida counties, municipalities,  
5 and postsecondary educational institutions, shall develop a  
6 regionally based plan for the protection, preservation,  
7 restoration, and promotion of sites, objects, and landmarks of  
8 historical significance to West Florida and to the state. The  
9 plan shall include, but not be limited to, the following:

10           (a) Identification of the needs, including financial  
11 needs, of the region for the protection, preservation,  
12 restoration, and promotion of historically significant sites,  
13 objects, and landmarks.

14           (b) Consideration and evaluation of and  
15 recommendations regarding the long-term management of those  
16 historic resources currently under the Historic Pensacola  
17 Preservation Board of Trustees.

18           (c) Consideration and evaluation of and  
19 recommendations regarding the establishment of a West Florida  
20 Museum of History to serve as the center for historic  
21 protection, preservation, restoration, and promotion in the  
22 region.

23           (d) Recommendations for local and regional  
24 initiatives.

25           (e) Recommendations for statutory changes and budget  
26 considerations.

27           (2) The plan shall be submitted to the President of  
28 the Senate and the Speaker of the House of Representatives no  
29 later than January 1, 2001.

30           Section 6. This act shall take effect upon becoming a  
31 law.

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HOUSE SUMMARY

Authorizes the Department of State to adopt rules to administer laws conferring duties upon it. Requires that the Division of Historical Resources protect and administer historical resources abandoned on state-owned lands or on state-owned sovereignty submerged lands. Authorizes the division to issue permits for archaeological excavation and salvage activities and for exploration and salvage of historic shipwreck sites on such lands. Authorizes the Department of State to prescribe rules for reporting an unmarked human burial and determining jurisdiction over the burial.

Requires the Division of Historical Resources and the Historic Pensacola Preservation Board of Trustees, in conjunction with specified entities, to develop a regionally based historic preservation plan for West Florida. Provides elements of the plan and requires submission of the plan to the Legislature by January 1, 2001.

Authorizes the Historic Pensacola Preservation Board of Trustees to enter into agreements to accept credit card payments as compensation, establish accounts in credit card banks for the deposit of credit card sales invoices, and permit the acceptance of tour vouchers issued by tour organizations or travel agents for payment of admissions.