

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 for a study for  
27          promotion of historical resources; providing an  
28          effective date.

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30 Be It Enacted by the Legislature of the State of Florida:  
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1           Section 1. Subsection (3) is added to section 20.10,  
2 Florida Statutes, to read:

3           20.10 Department of State.--There is created a  
4 Department of State.

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

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

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

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

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

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

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

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1 Any power delegated by the department pursuant to this section  
2 may be revoked by the department at any time if, in the  
3 department's determination, the board is not exercising a  
4 delegated power in accordance with department rules and  
5 policies or in the best interest of the state.

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

8 267.061 Historic properties; state policy,  
9 responsibilities.--

10 (3) DIVISION RESPONSIBILITY.--It is the responsibility  
11 of the division to:

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

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

30 872.05 Unmarked human burials.--

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

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

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

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

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

26           (d) Recommendations for local and regional  
27 initiatives.

28           (e) Recommendations for statutory changes and budget  
29 considerations.

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

4           Section 6. (1) The Division of Historical Resources  
5 of the Department of State, in conjunction with  
6 representatives from Florida's Big Bend counties, including  
7 Calhoun, Columbia, Dixie, Franklin, Gadsden, Gilcrist, Gulf,  
8 Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon,  
9 Liberty, Levy, Madison, Suwannee, Taylor, Union, Wakulla, and  
10 Washington counties, municipalities, and post-secondary  
11 educational institutions, shall develop a regionally based  
12 study for the protection, preservation, restoration and  
13 promotion of historically significant sites, objects and  
14 landmarks to this area and to the state. The study shall  
15 include, but not be limited to the following:

16           (a) Identification of the needs, including financial,  
17 of the region in protection, preservation, restoration and  
18 promotion of historically significant sites, objects, and  
19 landmarks;

20           (b) Consideration of and recommendations concerning  
21 the long-term management of those historic resources  
22 previously under the Historic Tallahassee Preservation Board  
23 of Trustees;

24           (c) Recommendations for local and regional  
25 initiatives; and

26           (d) Recommendations for statutory changes and budget  
27 considerations.

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

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1           Section 7. (1) The Division of Historical Resources  
2 of the Department of State, in conjunction with  
3 representatives from southwest Florida counties, including  
4 Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands,  
5 Lee, Manatee, Okeechobee and Sarasota, municipalities, and  
6 post-secondary educational institutions, shall develop a  
7 regionally based study for the protection, preservation,  
8 restoration and promotion of historically significant sites,  
9 objects and landmarks to this area and to the state. The  
10 study shall include, but not be limited to, the following:  
11           (a) Identification of the needs, including financial,  
12 of the region in protection, preservation, restoration and  
13 promotion of historically significant sites, objects, and  
14 landmarks;  
15           (b) Recommendations for local and regional  
16 initiatives; and  
17           (c) Recommendations for statutory changes and budget  
18 considerations.  
19           (2) The study shall be submitted to the President of  
20 the Senate and the Speaker of the House of Representatives no  
21 later than January 1, 2001.

22           Section 8. This act shall take effect upon becoming a  
23 law.  
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