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1 A bill to be entitled

2 An act relating to governmental reorganization; providing  
3 legislative intent; amending s. 20.04, F.S.; providing an  
4 exception to departmental structure requirements; creating  
5 s. 20.101, F.S.; creating the Department of State and  
6 Community Partnerships; providing that the department  
7 shall be headed by a secretary appointed by, and serving  
8 at the pleasure of, the Governor; providing primary policy  
9 and administrative functional areas of the department;  
10 providing that the Florida Housing Finance Corporation and  
11 the Division of Emergency Management shall be placed in  
12 the department for administrative purposes; amending s.  
13 20.22, F.S.; providing that the secretary of the  
14 Department of Management Services shall serve as the  
15 custodian of records; repealing s. 20.10, F.S., relating  
16 to the Department of State; repealing s. 20.18, F.S.,  
17 relating to the Department of Community Affairs; providing  
18 for the transfer of programs, functions, activities,  
19 powers, duties, rules, records, personnel, property, and  
20 unexpended balances among certain state agencies;  
21 providing that the Secretary of State shall become the  
22 Secretary of State and Community Partnerships without  
23 further appointment or confirmation; providing  
24 transitional provisions; directing the Division of  
25 Statutory Revision to prepare a reviser's bill for the  
26 2004 Regular Session of the Legislature; providing an  
27 effective date.

28  
29 Be It Enacted by the Legislature of the State of Florida:  
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31 Section 1. Declaration of Policy.--

32 (1) The vitality of Florida's communities is critical to  
33 the quality of life of the state's residents.

34 (2) It is the policy of the Legislature:

35 (a) To protect the vital role Florida's communities serve  
36 as locations for work, education, recreation, and social  
37 interaction and build a strong foundation for diversifying the  
38 economy, protecting natural resources, and improving quality of  
39 life through enhanced coordination of community assistance  
40 programs and effective management of growth in Florida.

41 (b) To promote economic development within Florida's  
42 communities while enhancing the quality of life and protection  
43 of natural resources.

44 (c) To provide consistent direction and support regarding  
45 local and state roles in protecting critical state resources and  
46 addressing significant state issues.

47 (d) To ensure the programs of the agency support the goals  
48 of Florida's communities by providing a streamlined, cost-  
49 effective delivery of services that ensures equality of access  
50 by all applicant communities.

51 (e) To promote a positive business climate in Florida by  
52 maintaining an efficient and effective business registration  
53 activity.

54 (f) To ensure a strong and stable democracy through fair,  
55 credible, and accessible elections.

56 (g) To protect residents, visitors, and property by  
57 planning for and mitigating against hazards, and by maintaining  
58 effective and rapid response and recovery capabilities at the  
59 state and local level.



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60       (3) The Department of State and Community Partnerships,  
61 the Department of Environmental Protection, and the Department  
62 of Management Services shall evaluate the programs, functions,  
63 and activities transferred to their respective agencies. The  
64 agencies shall each provide a report to the Governor, the  
65 Speaker of the House of Representatives, and the President of  
66 the Senate by October 15, 2003, recommending statutory and  
67 administrative changes to best effectuate and incorporate the  
68 programs, functions, and activities within each agency. Input  
69 from constituent groups shall be requested and considered by the  
70 agencies. The agency reports must address the policy of the  
71 Legislature as provided in this section.

72       (4) The Department of State and Community Partnerships and  
73 the Department of Environmental Protection shall jointly develop  
74 a report to be submitted to the Governor, the Speaker of the  
75 House of Representatives, and the President of the Senate by  
76 October 15, 2003, recommending statutory and administrative  
77 changes to best ensure historical properties and the state  
78 museum are managed in a manner that best serves the public and  
79 protects the historic resources of the state.

80       Section 2. Subsection (3) of section 20.04, Florida  
81 Statutes, is amended to read:

82       20.04 Structure of executive branch.--The executive branch  
83 of state government is structured as follows:

84       (3) For their internal structure, all departments, except  
85 for the Department of Financial Services, the Department of  
86 Children and Family Services, the Department of Corrections, the  
87 Department of Management Services, the Department of Revenue,  
88 the Department of State and Community Partnerships, and the



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89 Department of Transportation, must adhere to the following  
 90 standard terms:

91 (a) The principal unit of the department is the  
 92 "division." Each division is headed by a "director."

93 (b) The principal unit of the division is the "bureau."  
 94 Each bureau is headed by a "chief."

95 (c) The principal unit of the bureau is the "section."  
 96 Each section is headed by an "administrator."

97 (d) If further subdivision is necessary, sections may be  
 98 divided into "subsections," which are headed by "supervisors."

99 Section 3. Section 20.101, Florida Statutes, is created to  
 100 read:

101 20.101 Department of State and Community

102 Partnerships.--There is created a Department of State and  
 103 Community Partnerships.

104 (1) The head of the Department of State and Community  
 105 Partnerships is the Secretary of State and Community  
 106 Partnerships. The secretary shall be appointed by the Governor  
 107 subject to confirmation by the Senate. The secretary shall serve  
 108 at the pleasure of the Governor.

109 (2) Notwithstanding any provision of law to the contrary,  
 110 it is the intent of the Legislature to provide the secretary  
 111 with the flexibility to organize the department in any manner  
 112 the secretary determines appropriate to promote efficiency and  
 113 accountability and to accomplish the intent of this section.

114 (3) The primary policy and administrative functional areas  
 115 of the agency shall include the following:

116 (a) Community Planning and Growth Management.

117 (b) Elections.

118 (c) Community Assistance Grants.



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119        (d) Corporations.  
120        (e) Emergency Management.  
121        (f) Office of the Secretary/Administration.  
122        (4) Entities housed in the Department of State and  
123 Community Partnerships for administrative purposes are as  
124 follows:  
125        (a) Florida Housing Finance Corporation.  
126        (b) Division of Emergency Management.  
127        Section 4. Subsection (5) is added to section 20.22,  
128 Florida Statutes, to read:  
129        20.22 Department of Management Services.--There is created  
130 a Department of Management Services.  
131        (5) The secretary of the Department of Management Services  
132 is designated as the official custodian of state records,  
133 including all constitutional and statutory powers, duties, and  
134 functions associated with that responsibility.  
135        Section 5. Sections 20.10 and 20.18, Florida Statutes, are  
136 repealed.  
137        Section 6. Transfers.--  
138        (1) All powers, duties, functions, rules, records,  
139 personnel, property, and unexpended balances of appropriations,  
140 allocations, and other funds of the Department of Community  
141 Affairs are transferred by a type two transfer, as defined in s.  
142 20.06(2), Florida Statutes, from the Department of Community  
143 Affairs to the Department of State and Community Partnerships,  
144 except as otherwise provided in this section.  
145        (2) All powers, duties, functions, rules, records,  
146 personnel, property, and unexpended balances of appropriations,  
147 allocations, and other funds of the Department of State are  
148 transferred by a type two transfer, as defined in s. 20.06(2),



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149 Florida Statutes, from the Department of State to the Department  
 150 of State and Community Partnerships, except as otherwise  
 151 provided in this section.

152 (3) The following programs, functions, and activities,  
 153 including all statutory powers, duties, functions, rules,  
 154 records, personnel, property, and unexpended balances of  
 155 appropriations, allocations, and other funds associated with the  
 156 identified program, function, or activity are hereby transferred  
 157 by a type two transfer, as defined in s. 20.06(2), Florida  
 158 Statutes:

159 (a) From the Department of Community Affairs to the  
 160 Department of Environmental Protection, the state energy program  
 161 as authorized and governed by ss. 377.701 and 377.703, Florida  
 162 Statutes.

163 (b) From the Department of State to the Department of  
 164 Management Services:

165 1. The records management program as authorized and  
 166 governed by s. 257.36, Florida Statutes.

167 2. The Florida Administrative Code and the Florida  
 168 Administrative Weekly as authorized and governed by ss. 120.53,  
 169 120.54, 120.542, and 120.55, Florida Statutes.

170 3. The laws of Florida production activity as authorized  
 171 and governed by ss. 15.01 and 15.155, Florida Statutes, and s.  
 172 8, Art. III of the State Constitution.

173 4. The capital postconviction public records function as  
 174 authorized and governed by s. 119.19, Florida Statutes.

175 5. The management of copyrights, patents, and trademarks  
 176 held in the name of or on behalf of the State of Florida as  
 177 authorized and governed by ss. 286.021 and 286.031, Florida  
 178 Statutes.



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179 (c) From the Department of State to the Executive Office  
 180 of the Governor.

181 1. The advocating international business partnerships  
 182 service as authorized in ss. 288.809 and 288.816, Florida  
 183 Statutes.

184 2. Issuance of apostilles as authorized by s. 15.16(8),  
 185 Florida Statutes.

186 3. The international notaries function as authorized in  
 187 chapter 118, Florida Statutes.

188 (d) From the Department of Environmental Protection to the  
 189 Department of State and Community Partnerships:

190 1. The Florida Recreation Development Assistance Program  
 191 (FRDAP) as authorized by s. 375.075, Florida Statutes, and  
 192 associated revenues described in s. 259.105(3)(d), Florida  
 193 Statutes.

194 2. The federal recreational trails program.

195 (e) From the Department of Community Affairs to the  
 196 Florida Housing Finance Corporation:

197 1. The Affordable Housing Catalyst Program as authorized  
 198 and governed by s. 420.606, Florida Statutes.

199 2. The Affordable Housing Study Commission as authorized  
 200 and governed by s. 420.609, Florida Statutes.

201 (f) From the Executive Office of the Governor to the  
 202 Department of State and Community Partnerships:

203 1. The Regional Rural Development Grants Program as  
 204 authorized and governed by ss. 14.2015 (2)(f) and 288.018,  
 205 Florida Statutes.

206 2. The Rural Community Development Revolving Loan Fund  
 207 Program as authorized and governed by ss. 14.2015 (2)(f) and  
 208 288.065, Florida Statutes.



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209 3. The Office of Urban Opportunity as authorized and  
 210 governed by s. 14.2015(9)(a) and (b), Florida Statutes.

211 (g) From the Department of Community Affairs to the  
 212 Department of Legal Affairs, the civil legal assistance program  
 213 as authorized and governed by ss. 68.094-68.105, Florida  
 214 Statutes.

215 Section 7. The Secretary of State shall continue in office  
 216 as the Secretary of State and Community Partnerships without  
 217 further appointment by the Governor or reconfirmation by the  
 218 Senate.

219 Section 8. Transitional provisions.--Notwithstanding other  
 220 provisions of law relating to the programs within the Department  
 221 of State and Community Partnerships, and for the 2003-2004  
 222 fiscal year only, the secretary of the Department of State and  
 223 Community Partnerships has the authority to implement the intent  
 224 of the Legislature to achieve the greatest possible coordination  
 225 between program activities and the delivery of services to the  
 226 public, and to facilitate the efficient operation of the  
 227 department.

228 Section 9. The Division of Statutory Revision is directed  
 229 to prepare a reviser's bill for introduction at the 2004 Regular  
 230 Session of the Legislature to conform the Florida Statutes to  
 231 the organizational changes made by this act.

232 Section 10. This act shall take effect July 1, 2003.