

1 A bill to be entitled
2 An act relating to the Department of State; creating s.
3 257.015, F.S.; providing definitions; amending s. 257.02,
4 F.S.; increasing membership on the State Library Council;
5 revising criteria for membership; revising provisions with
6 respect to the selection process for members; providing
7 for officers of the council; amending s. 257.031, F.S.;
8 deleting references to the State Library Council and
9 provisions for officers of the council; providing
10 additional responsibilities of the State Librarian;
11 amending s. 257.12, F.S.; designating the Division of
12 Library and Information Services as the state library
13 administrative agency; amending s. 257.192, F.S.;
14 correcting terminology; creating s. 257.43, F.S.;
15 providing for the establishment of a citizen support
16 organization to provide assistance, funding, and
17 promotional support for the library, archives, and records
18 management programs of the Division of Library and
19 Information Services; providing for use of administrative
20 services and property; requiring an annual audit; amending
21 s. 265.284, F.S.; designating the Division of Cultural
22 Affairs as the state arts administrative agency; deleting
23 obsolete language; amending s. 265.2865, F.S.; deleting
24 obsolete language; amending s. 265.606, F.S.; requiring
25 local sponsoring organizations to submit an annual
26 postaudit to the division under certain circumstances;
27 amending s. 265.701, F.S.; providing contract requirements
28 to ensure continued use as a cultural facility for a

29 specified period following a grant award; providing for
30 repayment of grant funds to the department under specified
31 circumstances; amending s. 265.702, F.S.; providing
32 contract requirements to ensure continued use as a
33 regional cultural facility for a specified period
34 following a grant award; providing for repayment of grant
35 funds to the department under specified circumstances;
36 creating s. 265.703, F.S.; providing for the establishment
37 of a citizen support organization to provide assistance,
38 funding, and promotional support for the cultural and arts
39 programs of the Division of Cultural Affairs; providing
40 for use of administrative services and property; requiring
41 an annual audit; amending s. 267.031, F.S.; authorizing
42 the Division of Historical Resources to establish an
43 endowment under the Florida Historical Resources Act;
44 removing a requirement for the establishment of historic
45 preservation regional offices in specific locations;
46 requiring the establishment of at least three historic
47 preservation regional offices; creating citizen advisory
48 boards for regional offices in lieu of citizen support
49 organizations; providing purpose and for appointment of
50 members of the advisory boards; amending s. 267.0612,
51 F.S.; revising provisions with respect to service as a
52 member of the Florida Historical Commission; amending s.
53 267.0617, F.S.; providing for appointment of a grant
54 review panel chair under the Historic Preservation Grant
55 Program; amending s. 267.0619, F.S.; providing for
56 appointment of a grant review panel chair under the

57 | Historical Museum Grants program; amending s. 267.0731,
58 | F.S.; revising provisions with respect to nominations
59 | under the Great Floridians Program; amending s. 267.13,
60 | F.S.; providing for the adoption of rules by the Division
61 | of Historical Resources to implement provisions governing
62 | prohibited practices and penalties therefor; amending s.
63 | 267.16, F.S.; removing a duty of the Division of
64 | Historical Resources with respect to Florida Folklife
65 | Programs; amending s. 267.173, F.S.; conforming a
66 | reference; amending s. 267.174, F.S.; revising dates for
67 | the first meeting of the Discovery of Florida
68 | Quincentennial Commemoration Commission, completion of the
69 | initial draft of the master plan, and submission of the
70 | completed master plan; repealing s. 15.0913, F.S., which
71 | requires the Department of State to file all Uniform
72 | Commercial Code documents within a specified time after
73 | receipt of such documents by the Bureau of Uniform
74 | Commercial Code of the Division of Corporations; repealing
75 | s. 265.51, F.S., relating to the authority of the
76 | Department of State to make agreements to indemnify
77 | specified items against loss or damage; repealing s.
78 | 265.52, F.S., relating to items eligible for indemnity
79 | agreements of the Department of State; repealing s.
80 | 265.53, F.S., relating to application for indemnity
81 | agreement by a nonprofit agency, institution, or
82 | government in the state attempting to obtain
83 | indemnification for eligible items it proposes to borrow
84 | from a person, organization, institution, or government

85 not in the state; repealing s. 265.54, F.S., relating to
 86 review by the Department of State of applications for
 87 indemnity agreements and limits of indemnity; repealing s.
 88 265.55, F.S., relating to the processing by the Division
 89 of Risk Management of the Department of Financial Services
 90 of claims for losses covered by an indemnity agreement;
 91 repealing s. 265.56, F.S., relating to an annual report to
 92 the Legislature by the Department of State with respect to
 93 current and pending claims under indemnity agreements and
 94 the value of contracts entered into by the department
 95 which are outstanding at the close of the fiscal year;
 96 providing severability; providing an effective date.

97

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

99

100 Section 1. Section 257.015, Florida Statutes, is created
 101 to read:

102 257.015 Definitions.--As used in this chapter, the term:

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

104 (2) "Division" means the Division of Library and

105 Information Services of the Department of State.

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

107 (4) "State librarian" means the person appointed by the

108 secretary as the director of the Division of Library and

109 Information Services pursuant to s. 257.031.

110 Section 2. Subsections (1) and (3) of section 257.02,
 111 Florida Statutes, are amended, and subsection (4) is added to
 112 said section, to read:

113 257.02 State Library Council.--

114 (1) There shall be a State Library Council to advise and
 115 assist the Division of Library and Information Services on its
 116 programs and activities. The council shall consist of nine ~~seven~~
 117 members who shall be appointed by the Secretary of State. Of the
 118 nine members at least one ~~member of the council~~ must represent a
 119 Florida library professional association, at least one must
 120 represent a Florida archive professional association, at least
 121 one must represent a Florida records management professional
 122 association, be a person who is 60 years of age or older; and at
 123 least one ~~member of the council~~ must be a person who is not, and
 124 has never been, employed in a library or in teaching library
 125 science courses. Members shall be appointed for 4-year terms. A
 126 vacancy on the council shall be filled for the period of the
 127 unexpired term. No person may be appointed to serve more than
 128 two consecutive terms as a member of the council. The Secretary
 129 of State may remove from office any council member for
 130 malfeasance, misfeasance, neglect of duty, incompetence,
 131 permanent inability to perform official duties, or pleading
 132 guilty or nolo contendere to, or being found guilty of, a
 133 felony. ~~In addition to, and at the request of, the members of~~
 134 ~~the council appointed by the Secretary of State, the president-~~
 135 ~~elect of the Florida Library Association may serve as a member~~
 136 ~~of the council in a nonvoting capacity during his or her term as~~
 137 ~~president-elect.~~

138 (3) The Secretary of State may, in making appointments,
 139 consult Florida's library, archival, or records management
 140 community ~~the Florida Library Association~~ and related statewide

141 associations and organizations for suggestions as to persons
 142 having special knowledge and interest concerning libraries.

143 (4) The officers of the State Library Council shall be a
 144 chair, elected from the members thereof, and the State
 145 Librarian, who shall serve without voting rights as secretary of
 146 the council.

147 Section 3. Section 257.031, Florida Statutes, is amended
 148 to read:

149 257.031 State Librarian Organization of council;
 150 appointment and duties ~~of State Librarian.~~--

151 ~~(1) The officers of the State Library Council shall be a~~
 152 ~~chair, elected from the members thereof, and the State~~
 153 ~~Librarian, who shall serve without voting rights as secretary of~~
 154 ~~the council.~~ The State Librarian shall be appointed by the
 155 Secretary of State, shall have completed a library school
 156 program accredited by the American Library Association, and
 157 shall serve as the director of the Division of Library and
 158 Information Services of the Department of State. The Secretary
 159 of State may, in making the appointment of State Librarian,
 160 consult the members of the State Library Council.

161 (2) The State Librarian shall:

162 (a) Keep a record of the proceedings of the State Library
 163 Council;

164 (b) Keep an accurate account of the financial transactions
 165 of the division;

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

168 (d) In general, perform such duties as may, from time to

169 | time, be assigned to him or her by the Secretary of State; ~~and-~~
 170 | (e) Manage operations of the programs assigned by law to
 171 | the division.

172 | Section 4. Section 257.12, Florida Statutes, is amended to
 173 | read:

174 | 257.12 Division of Library and Information Services
 175 | authorized to accept and expend federal funds.--

176 | (1) The Division of Library and Information Services of
 177 | the Department of State is designated as the state library
 178 | administrative agency authorized to accept, receive, administer,
 179 | and expend any moneys, materials, or any other aid granted,
 180 | appropriated, or made available by the United States or any of
 181 | its agencies for the purpose of giving aid to libraries and
 182 | providing educational library service in the state.

183 | (2) The division is authorized to file any accounts
 184 | required by federal law or regulation with reference to
 185 | receiving and administering all such moneys, materials, and
 186 | other aid for said purposes; provided, however, that the
 187 | acceptance of such moneys, materials, and other aid shall not
 188 | deprive the state from complete control and supervision of its
 189 | library.

190 | Section 5. Section 257.192, Florida Statutes, is amended
 191 | to read:

192 | 257.192 Program grants.--The Division of Library and
 193 | Information Services is authorized to accept and administer
 194 | appropriations for library program grants and to make such
 195 | grants in accordance with the Florida long-range plan ~~program~~
 196 | for library services.

197 Section 6. Section 257.43, Florida Statutes, is created to
 198 read:

199 257.43 Citizen support organization; use of state
 200 administrative services and property; audit.--

201 (1) CITIZEN SUPPORT ORGANIZATION.--The division may
 202 support the establishment of a citizen support organization to
 203 provide assistance, funding, and promotional support for the
 204 library, archives, and records management programs of the
 205 division. For the purposes of this section, a "citizen support
 206 organization" means an organization which is:

207 (a) A Florida corporation not for profit incorporated
 208 under the provisions of chapter 617 and approved by the
 209 Department of State.

210 (b) Organized and operated to conduct programs and
 211 activities; raise funds; request and receive grants, gifts, and
 212 bequests of money; acquire, receive, hold, invest, and
 213 administer, in its own name, securities, funds, objects of
 214 value, or other property, real or personal; and make
 215 expenditures to or for the direct or indirect benefit of the
 216 division or individual program units of the division.

217 (c) Determined by the division to be consistent with the
 218 goals of the division and in the best interests of the state.

219 (d) Approved in writing by the division to operate for the
 220 direct or indirect benefit of the division. Such approval shall
 221 be given in a letter of agreement from the division.

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

223 (a) The division may fix and collect charges for the
 224 rental of facilities and properties managed by the division and

225 may permit, without charge, appropriate use of administrative
 226 services, property, and facilities of the division by a citizen
 227 support organization, subject to the provisions of this section.
 228 Such use must be directly in keeping with the approved purposes
 229 of the citizen support organization and may not be made at times
 230 or places that would unreasonably interfere with opportunities
 231 for the general public to use such facilities for established
 232 purposes. Any moneys received from rentals of facilities and
 233 properties managed by the division may be held in the operating
 234 trust fund of the division or in a separate depository account
 235 in the name of the citizen support organization and subject to
 236 the provisions of the letter of agreement with the division.

237 (b) The division may prescribe by rule any condition with
 238 which a citizen support organization shall comply in order to
 239 use division administrative services, property, or facilities.

240 (c) The division shall not permit the use of any
 241 administrative services, property, or facilities of the state by
 242 a citizen support organization which does not provide equal
 243 membership and employment opportunities to all persons
 244 regardless of race, color, religion, sex, age, or national
 245 origin.

246 (3) ANNUAL AUDIT.--The citizen support organization shall
 247 provide for an annual financial audit in accordance with s.
 248 215.981.

249 Section 7. Subsection (1) and paragraph (d) of subsection
 250 (3) of section 265.284, Florida Statutes, are amended,
 251 subsection (7) is renumbered as subsection (6), and present
 252 subsection (6) of said section is amended, to read:

253 265.284 Chief cultural officer; director of division;
 254 powers and duties.--

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

258 (3) The Division of Cultural Affairs shall have direct
 259 administrative authority and responsibility for all of the
 260 programs authorized by this act. In furtherance thereof, the
 261 division shall have the authority to:

262 (d) On request, or at its own initiative, consult with and
 263 advise other individuals, groups, organizations, or state
 264 agencies and officials, particularly the Governor and the
 265 Cabinet, concerning the acquisition by gift or purchase of fine
 266 art works, the appropriate use and display of state-owned art
 267 treasures for maximum public benefit, and the suitability of any
 268 structures or fixtures, including framing, primarily intended
 269 for ornamental or decorative purposes in public buildings.

270 ~~(6) Subject to funding by the Legislature, there are~~
 271 ~~created the State Orchestra Program, State Dance Program, and~~
 272 ~~State Opera Program, each to be administered as part of, and~~
 273 ~~under the direct supervision of, the Division of Cultural~~
 274 ~~Affairs.~~

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

277 265.2865 Florida Artists Hall of Fame.--

278 (4) ~~In the first year, the Secretary of State shall name~~
 279 ~~no more than 12 members to the Florida Artists Hall of Fame.~~
 280 ~~Thereafter,~~ The Secretary of State shall name no more than four

281 members to the Florida Artists Hall of Fame in any one ± year.

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

284 265.606 Cultural Endowment Program; administration;
 285 qualifying criteria; matching fund program levels;
 286 distribution.--

287 (4) Once the secretary has determined that the sponsoring
 288 organization has complied with the criteria imposed by this
 289 section, he or she may authorize the transfer of the appropriate
 290 state matching funds to the organization. However, the secretary
 291 shall ensure that the local group has made prudent arrangements
 292 for the trusteeship of the entire endowment, and such
 293 trusteeship is hereby created. The sponsoring organization may
 294 then expend moneys in the endowment program fund, subject to the
 295 following requirements:

296 (c) Any contract administered under this section shall
 297 require the local sponsoring organization to submit to the
 298 division an annual postaudit of its financial accounts conducted
 299 by an independent certified public accountant.

300 Section 10. Subsection (4) of section 265.701, Florida
 301 Statutes, is renumbered as subsection (5), and a new subsection
 302 (4) is added to said section, to read:

303 265.701 Cultural facilities; grants for acquisition,
 304 renovation, or construction; funding; approval; allocation.--

305 (4) Any contract administered under this section shall
 306 require the recordation of a restrictive covenant by the grantee
 307 and property owner or the purchase of a bond as prescribed by
 308 rule to ensure that the facility continues to be used as a

309 cultural facility for a period of 10 years following the grant
 310 award. If the facility ceases to be used as a cultural facility
 311 during the 10 years following the grant award, the grant funds
 312 shall be repaid to the department according to an amortization
 313 schedule set forth in rule.

314 Section 11. Subsection (8) of section 265.702, Florida
 315 Statutes, is renumbered as subsection (9), and a new subsection
 316 (8) is added to said section, to read:

317 265.702 Regional cultural facilities; grants for
 318 acquisition, renovation, or construction; funding; approval;
 319 allocation.--

320 (8) Any contract administered under this section shall
 321 require the recordation of a restrictive covenant by the grantee
 322 and property owner or the purchase of a bond as prescribed by
 323 rule to ensure that the facility continues to be used as a
 324 regional cultural facility for a period of 10 years following
 325 the grant award. If the facility ceases to be used as a regional
 326 cultural facility during the 10 years following the grant award,
 327 the grant funds shall be repaid to the department according to
 328 an amortization schedule set forth in rule.

329 Section 12. Section 265.703, Florida Statutes, is created
 330 to read:

331 265.703 Citizen support organization; use of state
 332 administrative services and property; audit.--

333 (1) CITIZEN SUPPORT ORGANIZATION.--The division may
 334 support the establishment of a citizen support organization to
 335 provide assistance, funding, and promotional support for the
 336 cultural and arts programs of the division. For the purposes of

337 this section, a "citizen support organization" means an
 338 organization which is:

339 (a) A Florida corporation not for profit incorporated
 340 under the provisions of chapter 617 and approved by the
 341 Department of State.

342 (b) Organized and operated to conduct programs and
 343 activities; raise funds; request and receive grants, gifts, and
 344 bequests of money; acquire, receive, hold, invest, and
 345 administer, in its own name, securities, funds, objects of
 346 value, or other property, real or personal; and make
 347 expenditures to or for the direct or indirect benefit of the
 348 division or individual program units of the division.

349 (c) Determined by the division to be consistent with the
 350 goals of the division and in the best interests of the state.

351 (d) Approved in writing by the division to operate for the
 352 direct or indirect benefit of the division. Such approval shall
 353 be given in a letter of agreement from the division.

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

355 (a) The division may fix and collect charges for the
 356 rental of facilities and properties managed by the division and
 357 may permit, without charge, appropriate use of administrative
 358 services, property, and facilities of the division by a citizen
 359 support organization, subject to the provisions of this section.
 360 Such use must be directly in keeping with the approved purposes
 361 of the citizen support organization and may not be made at times
 362 or places that would unreasonably interfere with opportunities
 363 for the general public to use such facilities for established
 364 purposes. Any moneys received from rentals of facilities and

365 properties managed by the division may be held in the operating
 366 trust fund of the division or in a separate depository account
 367 in the name of the citizen support organization and subject to
 368 the provisions of the letter of agreement with the division.

369 (b) The division may prescribe by rule any condition with
 370 which a citizen support organization shall comply in order to
 371 use division administrative services, property, or facilities.

372 (c) The division shall not permit the use of any
 373 administrative services, property, or facilities of the state by
 374 a citizen support organization which does not provide equal
 375 membership and employment opportunities to all persons
 376 regardless of race, color, religion, sex, age, or national
 377 origin.

378 (3) ANNUAL AUDIT.--The citizen support organization shall
 379 provide for an annual financial audit in accordance with s.
 380 215.981.

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

383 267.031 Division of Historical Resources; powers and
 384 duties.--

385 (3) The division may accept gifts, grants, bequests,
 386 loans, and endowments for purposes not inconsistent with its
 387 responsibilities under this chapter. The division may also
 388 establish an endowment that is consistent with the
 389 responsibilities of this chapter.

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

391 (m) Establish regional offices for the purpose of
 392 assisting the division in the delivery of historic preservation

393 services to the counties and municipalities of the state and to
 394 the citizens of the State of Florida. Historic preservation
 395 regional offices shall be established in at least three St.
 396 ~~Augustine, Tampa, Palm Beach County, and in other~~ areas of the
 397 state which the division deems appropriate. For each regional
 398 office established, the division shall establish a citizen
 399 advisory board to provide assistance, advice, and
 400 recommendations to the regional office ~~support organization in~~
 401 ~~accordance with s. 267.17.~~ The members ~~board of directors~~ of
 402 each citizen advisory board ~~support organization~~ shall be
 403 appointed by the Secretary of State.

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

406 267.0612 Florida Historical Commission; creation;
 407 membership; powers and duties.--In order to enhance public
 408 participation and involvement in the preservation and protection
 409 of the state's historic and archaeological sites and properties,
 410 there is created within the Department of State the "Florida
 411 Historical Commission." The commission shall serve in an
 412 advisory capacity to the director of the Division of Historical
 413 Resources to assist the director in carrying out the purposes,
 414 duties, and responsibilities of the division, as specified in
 415 this chapter.

416 (1)(a) The commission shall be composed of 11 members.
 417 Seven members shall be appointed by the Governor in consultation
 418 with the Secretary of State, two members shall be appointed by
 419 the President of the Senate, and two members shall be appointed
 420 by the Speaker of the House of Representatives. Of the seven

421 members appointed by the Governor, one member must be a licensed
422 architect who has expertise in historic preservation and
423 architectural history; one member must be a professional
424 historian in the field of American history; one member must be a
425 professional architectural historian; one member must be an
426 archaeologist specializing in the field of prehistory; and one
427 member must be an archaeologist specializing in the historic
428 period. The remaining two members appointed by the Governor and
429 the two members appointed by the President of the Senate and the
430 Speaker of the House of Representatives, respectively, must be
431 representatives of the general public with demonstrated interest
432 in the preservation of Florida's historical and archaeological
433 heritage. At least one member of the commission shall be a
434 resident of a county that has a population of 75,000 or fewer
435 less.

436 (2) Commission members appointed by the President of the
437 Senate and the Speaker of the House of Representatives shall be
438 appointed for 2-year terms. Additionally, these commission
439 members shall serve as the legislative historic preservation
440 advisory body to the Speaker of the House of Representatives and
441 the President of the Senate with respect to the collection and
442 preservation of the historic records of both houses of the
443 Legislature. Commission members appointed by the Governor shall
444 be appointed to 4-year terms. A member whose term has expired
445 shall continue to serve on the commission until such time as a
446 replacement is appointed. Vacancies shall be filled for the
447 remainder of the term and by the original appointing authority.

448 Section 15. Subsection (3) of section 267.0617, Florida

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449 Statutes, is amended to read:

450 267.0617 Historic Preservation Grant Program.--

451 (3) All grants of state funds to assist in the
452 preservation of historic properties shall be made from the
453 Historical Resources Operating Trust Fund and may be awarded
454 only pursuant to applications for such assistance made to the
455 Division of Historical Resources. The Florida Historical
456 Commission shall review each application for a special category
457 historic preservation grant-in-aid. Special category historic
458 preservation grants-in-aid are those reviewed and recommended by
459 the Secretary of State for submission for legislative funding
460 consideration. Grant review panels appointed by the Secretary of
461 State and chaired by a member of the Florida Historical
462 Commission or a designee appointed by the commission's presiding
463 officer shall review each application for other historic
464 preservation grants-in-aid. The reviewing body shall submit
465 annually to the Secretary of State for approval lists of all
466 applications that are recommended by the reviewing body for the
467 award of grants, arranged in order of priority.

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

470 267.0619 Historical Museum Grants.--

471 (3) An application for a grant must be made to the
472 division on a form provided by the division. The division shall
473 adopt rules prescribing categories of grants, application
474 requirements, criteria and procedures for the review and
475 evaluation of applications, and other procedures necessary for
476 the administration of the program, subject to the requirements

477 of this section. Grant review panels appointed by the Secretary
 478 of State and chaired by a member of the Florida Historical
 479 Commission or a designee appointed by the commission's presiding
 480 officer shall review each application for a museum grant-in-aid.
 481 The review panel shall submit to the Secretary of State for
 482 approval lists of all applications that are recommended by the
 483 panel for the award of grants, arranged in order of priority.
 484 The division may award a grant to a Florida history museum only
 485 if the award has been approved by the Secretary of State.

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

488 267.0731 Great Floridians Program.--The division shall
 489 establish and administer a program, to be entitled the Great
 490 Floridians Program, which shall be designed to recognize and
 491 record the achievements of Floridians, living and deceased, who
 492 have made major contributions to the progress and welfare of
 493 this state.

494 (1) The division shall nominate present or former citizens
 495 of this state, living or deceased, who during their lives have
 496 made major contributions to the progress of the nation or this
 497 state and its citizens. Nominations shall be submitted to the
 498 Secretary of State who shall select from those nominated not
 499 less than two persons each year who shall be honored with the
 500 designation "Great Floridian," provided no person whose
 501 contributions have been through elected or appointed public
 502 service shall be selected while holding any such office.

503 (b) In formulating its nominations, the division shall
 504 also seek the assistance of the organization ~~Museum of Florida~~

505 ~~History Foundation, Inc., or its successor,~~ acting in the
506 capacity as a citizen support organization of the division,
507 pursuant to s. 267.17 and approved to act on behalf of the
508 Museum of Florida History.

509 (c) Annually, the division shall convene an ad hoc
510 committee composed of representatives of the Governor, each
511 member of the Florida Cabinet, the President of the Senate, the
512 Speaker of the House of Representatives, and the organization
513 described in paragraph (b) ~~Museum of Florida History Foundation,~~
514 ~~Inc.~~ This committee shall meet at least twice. The committee
515 shall nominate not fewer than two persons whose names shall be
516 submitted to the Secretary of State with the recommendation that
517 they be honored with the designation "Great Floridian."

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

520 267.13 Prohibited practices; penalties.--

521 (2)

522 (e) The division shall adopt rules pursuant to ss.
523 120.536(1) and 120.54 to implement the provisions of this
524 section.

525 Section 19. Subsections (4) and (5) of section 267.16,
526 Florida Statutes, are renumbered as subsections (3) and (4),
527 respectively, and subsection (3) of said section is amended to
528 read:

529 267.16 Florida Folklife Programs.--It is the duty and
530 responsibility of the division to:

531 ~~(3) Use the facilities at the Stephen Foster State Folk~~
532 ~~Culture Center as the primary location of the annual Florida~~

533 ~~Folk Festival.~~

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

536 267.173 Historic preservation in West Florida; goals;
 537 contracts for historic preservation; powers and duties.--

538 (5) The Division of Historical Resources in the Department
 539 of State may contract with the University of West Florida to
 540 serve as the regional office for the West Florida region of the
 541 state from the Apalachicola River to the western boundaries of
 542 the state. In lieu of the establishment of a citizen advisory
 543 board ~~support organization~~ as required by s. 267.031(5)(m), the
 544 University of West Florida may use an existing direct-support
 545 organization of the university provided that the membership of
 546 the direct-support organization is representative of the area of
 547 the state to be served and provides the needed expertise in the
 548 area of historic preservation.

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

552 267.174 Discovery of Florida Quincentennial Commemoration
 553 Commission.--

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

555 (d) The initial meeting of the commission shall be held no
 556 later than January 31, 2007 ~~2006~~. Subsequent meetings shall be
 557 held upon the call of the chair or vice chair acting in the
 558 absence of the chair, and in accordance with the commission's
 559 bylaws.

560 (7) DUTIES; MASTER PLAN.--

561 (c) The commission shall establish a timetable and budget
562 for completion for all parts of the master plan which shall be
563 made a part of the plan. An initial draft of the plan shall be
564 completed and submitted to the Governor, the President of the
565 Senate, the Speaker of the House of Representatives, and the
566 Secretary of State by January 2008 ~~2007~~ with the completed
567 master plan submitted to such officials by January 2009 ~~2008~~.

568 Section 22. Sections 15.0913, 265.51, 265.52, 265.53,
569 265.54, 265.55, and 265.56, Florida Statutes, are repealed.

570 Section 23. If any provision of this act or the
571 application thereof to any person or circumstance is held
572 invalid, the invalidity shall not affect other provisions or
573 applications of the act which can be given effect without the
574 invalid provision or application, and to this end the provisions
575 of this act are declared severable.

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