

CHAMBER ACTION

1 The State Infrastructure Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5
6 A bill to be entitled

7 An act relating to the Department of State; creating s.
8 257.015, F.S.; providing definitions; amending s. 257.02,
9 F.S.; increasing membership on the State Library Council;
10 revising criteria for membership; revising provisions with
11 respect to the selection process for members; providing
12 for officers of the council; amending s. 257.031, F.S.;
13 deleting references to the State Library Council and
14 provisions for officers of the council; providing
15 additional responsibilities of the State Librarian;
16 amending s. 257.12, F.S.; designating the Division of
17 Library and Information Services as the state library
18 administrative agency; amending s. 257.192, F.S.;
19 correcting terminology; creating s. 257.43, F.S.;
20 providing for the establishment of a citizen support
21 organization to provide assistance, funding, and
22 promotional support for the library, archives, and records
23 management programs of the Division of Library and

24 Information Services; providing for use of administrative
 25 services and property; requiring an annual audit; amending
 26 s. 265.284, F.S.; designating the Division of Cultural
 27 Affairs as the state arts administrative agency; deleting
 28 obsolete language; amending s. 265.2865, F.S.; deleting
 29 obsolete language; amending s. 265.606, F.S.; requiring
 30 local sponsoring organizations to submit an annual
 31 postaudit to the division under certain circumstances;
 32 amending s. 265.701, F.S.; providing contract requirements
 33 to ensure continued use as a cultural facility for a
 34 specified period following a grant award; providing for
 35 repayment of grant funds to the department under specified
 36 circumstances; amending s. 265.702, F.S.; providing
 37 contract requirements to ensure continued use as a
 38 regional cultural facility for a specified period
 39 following a grant award; providing for repayment of grant
 40 funds to the department under specified circumstances;
 41 creating s. 265.703, F.S.; providing for the establishment
 42 of a citizen support organization to provide assistance,
 43 funding, and promotional support for the cultural and arts
 44 programs of the Division of Cultural Affairs; providing
 45 for use of administrative services and property; requiring
 46 an annual audit; amending s. 267.031, F.S.; authorizing
 47 the Division of Historical Resources to establish an
 48 endowment under the Florida Historical Resources Act;
 49 removing a requirement for the establishment of historic
 50 preservation regional offices in specific locations;
 51 requiring the establishment of at least three historic

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52 preservation regional offices; creating citizen advisory
53 boards for regional offices in lieu of citizen support
54 organizations; providing purpose and for appointment of
55 members of the advisory boards; amending s. 267.0612,
56 F.S.; revising provisions with respect to service as a
57 member of the Florida Historical Commission; amending s.
58 267.0617, F.S.; providing for appointment of a grant
59 review panel chair under the Historic Preservation Grant
60 Program; amending s. 267.0619, F.S.; providing for
61 appointment of a grant review panel chair under the
62 Historical Museum Grants program; amending s. 267.0731,
63 F.S.; revising provisions with respect to nominations
64 under the Great Floridians Program; amending s. 267.13,
65 F.S.; providing for the adoption of rules by the Division
66 of Historical Resources to implement provisions governing
67 prohibited practices and penalties therefor; amending s.
68 267.16, F.S.; removing a duty of the Division of
69 Historical Resources with respect to Florida Folklife
70 Programs; amending s. 267.173, F.S.; conforming a
71 reference; amending s. 267.174, F.S.; revising dates for
72 the first meeting of the Discovery of Florida
73 Quincentennial Commemoration Commission, completion of the
74 initial draft of the master plan, and submission of the
75 completed master plan; repealing s. 15.0913, F.S., which
76 requires the Department of State to file all Uniform
77 Commercial Code documents within a specified time after
78 receipt of such documents by the Bureau of Uniform
79 Commercial Code of the Division of Corporations; repealing

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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80 s. 265.51, F.S., relating to the authority of the
 81 Department of State to make agreements to indemnify
 82 specified items against loss or damage; repealing s.
 83 265.52, F.S., relating to items eligible for indemnity
 84 agreements of the Department of State; repealing s.
 85 265.53, F.S., relating to application for indemnity
 86 agreement by a nonprofit agency, institution, or
 87 government in the state attempting to obtain
 88 indemnification for eligible items it proposes to borrow
 89 from a person, organization, institution, or government
 90 not in the state; repealing s. 265.54, F.S., relating to
 91 review by the Department of State of applications for
 92 indemnity agreements and limits of indemnity; repealing s.
 93 265.55, F.S., relating to the processing by the Division
 94 of Risk Management of the Department of Financial Services
 95 of claims for losses covered by an indemnity agreement;
 96 repealing s. 265.56, F.S., relating to an annual report to
 97 the Legislature by the Department of State with respect to
 98 current and pending claims under indemnity agreements and
 99 the value of contracts entered into by the department
 100 which are outstanding at the close of the fiscal year;
 101 providing severability; providing an effective date.

102
 103 Be It Enacted by the Legislature of the State of Florida:

104
 105 Section 1. Section 257.015, Florida Statutes, is created
 106 to read:

107 257.015 Definitions.--As used in this chapter, the term:

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- 108 (1) "Department" means the Department of State.
- 109 (2) "Division" means the Division of Library and
- 110 Information Services of the Department of State.
- 111 (3) "Secretary" means the Secretary of State.
- 112 (4) "State librarian" means the person appointed by the
- 113 secretary as the director of the Division of Library and
- 114 Information Services pursuant to s. 257.031.

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

118 257.02 State Library Council.--

119 (1) There shall be a State Library Council to advise and
120 assist the Division of Library and Information Services on its
121 programs and activities. The council shall consist of nine ~~seven~~
122 members who shall be appointed by the Secretary of State. Of the
123 nine members at least one ~~member of the council~~ must represent a
124 Florida library professional association, at least one must
125 represent a Florida archive professional association, at least
126 one must represent a Florida records management professional
127 association, be a person who is 60 years of age or older; and at
128 least one ~~member of the council~~ must be a person who is not, and
129 has never been, employed in a library or in teaching library
130 science courses. Members shall be appointed for 4-year terms. A
131 vacancy on the council shall be filled for the period of the
132 unexpired term. No person may be appointed to serve more than
133 two consecutive terms as a member of the council. The Secretary
134 of State may remove from office any council member for
135 malfeasance, misfeasance, neglect of duty, incompetence,

136 permanent inability to perform official duties, or pleading
 137 guilty or nolo contendere to, or being found guilty of, a
 138 felony. ~~In addition to, and at the request of, the members of~~
 139 ~~the council appointed by the Secretary of State, the president-~~
 140 ~~elect of the Florida Library Association may serve as a member~~
 141 ~~of the council in a nonvoting capacity during his or her term as~~
 142 ~~president-elect.~~

143 (3) The Secretary of State may, in making appointments,
 144 consult Florida's library, archival, or records management
 145 community ~~the Florida Library Association~~ and related statewide
 146 associations and organizations for suggestions as to persons
 147 having special knowledge and interest concerning libraries.

148 (4) The officers of the State Library Council shall be a
 149 chair, elected from the members thereof, and the State
 150 Librarian, who shall serve without voting rights as secretary of
 151 the council.

152 Section 3. Section 257.031, Florida Statutes, is amended
 153 to read:

154 257.031 State Librarian Organization of council;
 155 ~~appointment and duties of State Librarian.--~~

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

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164 of State may, in making the appointment of State Librarian,
165 consult the members of the State Library Council.

166 (2) The State Librarian shall:

167 (a) Keep a record of the proceedings of the State Library
168 Council;

169 (b) Keep an accurate account of the financial transactions
170 of the division;

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

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

175 (e) Manage operations of the programs assigned by law to
176 the division.

177 Section 4. Section 257.12, Florida Statutes, is amended to
178 read:

179 257.12 Division of Library and Information Services
180 authorized to accept and expend federal funds.--

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

188 (2) The division is authorized to file any accounts
189 required by federal law or regulation with reference to
190 receiving and administering all such moneys, materials, and
191 other aid for said purposes; provided, however, that the

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192 acceptance of such moneys, materials, and other aid shall not
193 deprive the state from complete control and supervision of its
194 library.

195 Section 5. Section 257.192, Florida Statutes, is amended
196 to read:

197 257.192 Program grants.--The Division of Library and
198 Information Services is authorized to accept and administer
199 appropriations for library program grants and to make such
200 grants in accordance with the Florida long-range plan ~~program~~
201 for library services.

202 Section 6. Section 257.43, Florida Statutes, is created to
203 read:

204 257.43 Citizen support organization; use of state
205 administrative services and property; audit.--

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

212 (a) A Florida corporation not for profit incorporated
213 under the provisions of chapter 617 and approved by the
214 Department of State.

215 (b) Organized and operated to conduct programs and
216 activities; raise funds; request and receive grants, gifts, and
217 bequests of money; acquire, receive, hold, invest, and
218 administer, in its own name, securities, funds, objects of
219 value, or other property, real or personal; and make

220 expenditures to or for the direct or indirect benefit of the
 221 division or individual program units of the division.

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

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

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

228 (a) The division may fix and collect charges for the
 229 rental of facilities and properties managed by the division and
 230 may permit, without charge, appropriate use of administrative
 231 services, property, and facilities of the division by a citizen
 232 support organization, subject to the provisions of this section.
 233 Such use must be directly in keeping with the approved purposes
 234 of the citizen support organization and may not be made at times
 235 or places that would unreasonably interfere with opportunities
 236 for the general public to use such facilities for established
 237 purposes. Any moneys received from rentals of facilities and
 238 properties managed by the division may be held in the operating
 239 trust fund of the division or in a separate depository account
 240 in the name of the citizen support organization and subject to
 241 the provisions of the letter of agreement with the division. The
 242 letter of agreement shall provide that any funds held in the
 243 separate depository account in the name of the citizen support
 244 organization shall revert to the division if the citizen support
 245 organization is no longer approved by the division to operate in
 246 the best interests of the state.

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

250 (c) The division shall not permit the use of any
 251 administrative services, property, or facilities of the state by
 252 a citizen support organization which does not provide equal
 253 membership and employment opportunities to all persons
 254 regardless of race, color, religion, sex, age, or national
 255 origin.

256 (3) ANNUAL AUDIT.--The citizen support organization shall
 257 provide for an annual financial audit in accordance with s.
 258 215.981.

259 Section 7. Subsection (1) and paragraph (d) of subsection
 260 (3) of section 265.284, Florida Statutes, are amended,
 261 subsection (7) is renumbered as subsection (6), and present
 262 subsection (6) of said section is amended, to read:

263 265.284 Chief cultural officer; director of division;
 264 powers and duties.--

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

268 (3) The Division of Cultural Affairs shall have direct
 269 administrative authority and responsibility for all of the
 270 programs authorized by this act. In furtherance thereof, the
 271 division shall have the authority to:

272 (d) On request, or at its own initiative, consult with and
 273 advise other individuals, groups, organizations, or state
 274 agencies and officials, particularly the Governor and the

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275 Cabinet, concerning the acquisition by gift or purchase of fine
 276 art works, the appropriate use and display of state-owned art
 277 treasures for maximum public benefit, and the suitability of any
 278 structures or fixtures, including framing, primarily intended
 279 for ornamental or decorative purposes in public buildings.

280 ~~(6) Subject to funding by the Legislature, there are~~
 281 ~~created the State Orchestra Program, State Dance Program, and~~
 282 ~~State Opera Program, each to be administered as part of, and~~
 283 ~~under the direct supervision of, the Division of Cultural~~
 284 ~~Affairs.~~

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

287 265.2865 Florida Artists Hall of Fame.--

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

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

294 265.606 Cultural Endowment Program; administration;
 295 qualifying criteria; matching fund program levels;
 296 distribution.--

297 (4) Once the secretary has determined that the sponsoring
 298 organization has complied with the criteria imposed by this
 299 section, he or she may authorize the transfer of the appropriate
 300 state matching funds to the organization. However, the secretary
 301 shall ensure that the local group has made prudent arrangements
 302 for the trusteeship of the entire endowment, and such

303 | trusteeship is hereby created. The sponsoring organization may
 304 | then expend moneys in the endowment program fund, subject to the
 305 | following requirements:

306 | (c) Any contract administered under this section shall
 307 | require the local sponsoring organization to submit to the
 308 | division an annual postaudit of its financial accounts conducted
 309 | by an independent certified public accountant.

310 | Section 10. Subsection (4) of section 265.701, Florida
 311 | Statutes, is renumbered as subsection (5), and a new subsection
 312 | (4) is added to said section, to read:

313 | 265.701 Cultural facilities; grants for acquisition,
 314 | renovation, or construction; funding; approval; allocation.--

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

324 | Section 11. Subsection (8) of section 265.702, Florida
 325 | Statutes, is renumbered as subsection (9), and a new subsection
 326 | (8) is added to said section, to read:

327 | 265.702 Regional cultural facilities; grants for
 328 | acquisition, renovation, or construction; funding; approval;
 329 | allocation.--

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330 (8) Any contract administered under this section shall
 331 require the recordation of a restrictive covenant by the grantee
 332 and property owner or the purchase of a bond as prescribed by
 333 rule to ensure that the facility continues to be used as a
 334 regional cultural facility for a period of 10 years following
 335 the grant award. If the facility ceases to be used as a regional
 336 cultural facility during the 10 years following the grant award,
 337 the grant funds shall be repaid to the department according to
 338 an amortization schedule set forth in rule.

339 Section 12. Section 265.703, Florida Statutes, is created
 340 to read:

341 265.703 Citizen support organization; use of state
 342 administrative services and property; audit.--

343 (1) CITIZEN SUPPORT ORGANIZATION.--The division may
 344 support the establishment of a citizen support organization to
 345 provide assistance, funding, and promotional support for the
 346 cultural and arts programs of the division. For the purposes of
 347 this section, a "citizen support organization" means an
 348 organization which is:

349 (a) A Florida corporation not for profit incorporated
 350 under the provisions of chapter 617 and approved by the
 351 Department of State.

352 (b) Organized and operated to conduct programs and
 353 activities; raise funds; request and receive grants, gifts, and
 354 bequests of money; acquire, receive, hold, invest, and
 355 administer, in its own name, securities, funds, objects of
 356 value, or other property, real or personal; and make

357 expenditures to or for the direct or indirect benefit of the
 358 division or individual program units of the division.

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

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

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

365 (a) The division may fix and collect charges for the
 366 rental of facilities and properties managed by the division and
 367 may permit, without charge, appropriate use of administrative
 368 services, property, and facilities of the division by a citizen
 369 support organization, subject to the provisions of this section.
 370 Such use must be directly in keeping with the approved purposes
 371 of the citizen support organization and may not be made at times
 372 or places that would unreasonably interfere with opportunities
 373 for the general public to use such facilities for established
 374 purposes. Any moneys received from rentals of facilities and
 375 properties managed by the division may be held in the operating
 376 trust fund of the division or in a separate depository account
 377 in the name of the citizen support organization and subject to
 378 the provisions of the letter of agreement with the division. The
 379 letter of agreement shall provide that any funds held in the
 380 separate depository account in the name of the citizen support
 381 organization shall revert to the division if the citizen support
 382 organization is no longer approved by the division to operate in
 383 the best interests of the state.

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

387 (c) The division shall not permit the use of any
 388 administrative services, property, or facilities of the state by
 389 a citizen support organization which does not provide equal
 390 membership and employment opportunities to all persons
 391 regardless of race, color, religion, sex, age, or national
 392 origin.

393 (3) ANNUAL AUDIT.--The citizen support organization shall
 394 provide for an annual financial audit in accordance with s.
 395 215.981.

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

398 267.031 Division of Historical Resources; powers and
 399 duties.--

400 (3) The division may accept gifts, grants, bequests,
 401 loans, and endowments for purposes not inconsistent with its
 402 responsibilities under this chapter. The division may also
 403 establish an endowment that is consistent with the
 404 responsibilities of this chapter.

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

406 (m) Establish regional offices for the purpose of
 407 assisting the division in the delivery of historic preservation
 408 services to the counties and municipalities of the state and to
 409 the citizens of the State of Florida. Historic preservation
 410 regional offices shall be established in at least three ~~St.~~
 411 ~~Augustine, Tampa, Palm Beach County, and in other~~ areas of the

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412 state which the division deems appropriate. For each regional
 413 office established, the division shall establish a citizen
 414 advisory board to provide assistance, advice, and
 415 recommendations to the regional office ~~support organization in~~
 416 ~~accordance with s. 267.17.~~ The members ~~board of directors~~ of
 417 each citizen advisory board ~~support organization~~ shall be
 418 appointed by the Secretary of State.

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

421 267.0612 Florida Historical Commission; creation;
 422 membership; powers and duties.--In order to enhance public
 423 participation and involvement in the preservation and protection
 424 of the state's historic and archaeological sites and properties,
 425 there is created within the Department of State the "Florida
 426 Historical Commission." The commission shall serve in an
 427 advisory capacity to the director of the Division of Historical
 428 Resources to assist the director in carrying out the purposes,
 429 duties, and responsibilities of the division, as specified in
 430 this chapter.

431 (1)(a) The commission shall be composed of 11 members.
 432 Seven members shall be appointed by the Governor in consultation
 433 with the Secretary of State, two members shall be appointed by
 434 the President of the Senate, and two members shall be appointed
 435 by the Speaker of the House of Representatives. Of the seven
 436 members appointed by the Governor, one member must be a licensed
 437 architect who has expertise in historic preservation and
 438 architectural history; one member must be a professional
 439 historian in the field of American history; one member must be a

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440 professional architectural historian; one member must be an
 441 archaeologist specializing in the field of prehistory; and one
 442 member must be an archaeologist specializing in the historic
 443 period. The remaining two members appointed by the Governor and
 444 the two members appointed by the President of the Senate and the
 445 Speaker of the House of Representatives, respectively, must be
 446 representatives of the general public with demonstrated interest
 447 in the preservation of Florida's historical and archaeological
 448 heritage. At least one member of the commission shall be a
 449 resident of a county that has a population of 75,000 or fewer
 450 ~~less~~.

451 (2) Commission members appointed by the President of the
 452 Senate and the Speaker of the House of Representatives shall be
 453 appointed for 2-year terms. Additionally, these commission
 454 members shall serve as the legislative historic preservation
 455 advisory body to the Speaker of the House of Representatives and
 456 the President of the Senate with respect to the collection and
 457 preservation of the historic records of both houses of the
 458 Legislature. Commission members appointed by the Governor shall
 459 be appointed to 4-year terms. A member whose term has expired
 460 shall continue to serve on the commission until such time as a
 461 replacement is appointed. Vacancies shall be filled for the
 462 remainder of the term and by the original appointing authority.

463 Section 15. Subsection (3) of section 267.0617, Florida
 464 Statutes, is amended to read:

465 267.0617 Historic Preservation Grant Program.--

466 (3) All grants of state funds to assist in the
 467 preservation of historic properties shall be made from the

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468 Historical Resources Operating Trust Fund and may be awarded
 469 only pursuant to applications for such assistance made to the
 470 Division of Historical Resources. The Florida Historical
 471 Commission shall review each application for a special category
 472 historic preservation grant-in-aid. Special category historic
 473 preservation grants-in-aid are those reviewed and recommended by
 474 the Secretary of State for submission for legislative funding
 475 consideration. Grant review panels appointed by the Secretary of
 476 State and chaired by a member of the Florida Historical
 477 Commission or a designee appointed by the commission's presiding
 478 officer shall review each application for other historic
 479 preservation grants-in-aid. The reviewing body shall submit
 480 annually to the Secretary of State for approval lists of all
 481 applications that are recommended by the reviewing body for the
 482 award of grants, arranged in order of priority.

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

485 267.0619 Historical Museum Grants.--

486 (3) An application for a grant must be made to the
 487 division on a form provided by the division. The division shall
 488 adopt rules prescribing categories of grants, application
 489 requirements, criteria and procedures for the review and
 490 evaluation of applications, and other procedures necessary for
 491 the administration of the program, subject to the requirements
 492 of this section. Grant review panels appointed by the Secretary
 493 of State and chaired by a member of the Florida Historical
 494 Commission or a designee appointed by the commission's presiding
 495 officer shall review each application for a museum grant-in-aid.

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496 The review panel shall submit to the Secretary of State for
 497 approval lists of all applications that are recommended by the
 498 panel for the award of grants, arranged in order of priority.
 499 The division may award a grant to a Florida history museum only
 500 if the award has been approved by the Secretary of State.

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

503 267.0731 Great Floridians Program.--The division shall
 504 establish and administer a program, to be entitled the Great
 505 Floridians Program, which shall be designed to recognize and
 506 record the achievements of Floridians, living and deceased, who
 507 have made major contributions to the progress and welfare of
 508 this state.

509 (1) The division shall nominate present or former citizens
 510 of this state, living or deceased, who during their lives have
 511 made major contributions to the progress of the nation or this
 512 state and its citizens. Nominations shall be submitted to the
 513 Secretary of State who shall select from those nominated not
 514 less than two persons each year who shall be honored with the
 515 designation "Great Floridian," provided no person whose
 516 contributions have been through elected or appointed public
 517 service shall be selected while holding any such office.

518 (b) In formulating its nominations, the division shall
 519 also seek the assistance of the organization ~~Museum of Florida~~
 520 ~~History Foundation, Inc., or its successor,~~ acting in the
 521 capacity as a citizen support organization of the division,
 522 pursuant to s. 267.17 and approved to act on behalf of the
 523 Museum of Florida History.

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524 (c) Annually, the division shall convene an ad hoc
 525 committee composed of representatives of the Governor, each
 526 member of the Florida Cabinet, the President of the Senate, the
 527 Speaker of the House of Representatives, and the organization
 528 described in paragraph (b) ~~Museum of Florida History Foundation,~~
 529 ~~Inc.~~ This committee shall meet at least twice. The committee
 530 shall nominate not fewer than two persons whose names shall be
 531 submitted to the Secretary of State with the recommendation that
 532 they be honored with the designation "Great Floridian."

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

535 267.13 Prohibited practices; penalties.--

536 (2)

537 (e) The division shall adopt rules pursuant to ss.
 538 120.536(1) and 120.54 to implement the provisions of this
 539 section.

540 Section 19. Subsections (4) and (5) of section 267.16,
 541 Florida Statutes, are renumbered as subsections (3) and (4),
 542 respectively, and subsection (3) of said section is amended to
 543 read:

544 267.16 Florida Folklife Programs.--It is the duty and
 545 responsibility of the division to:

546 ~~(3) Use the facilities at the Stephen Foster State Folk~~
 547 ~~Culture Center as the primary location of the annual Florida~~
 548 ~~Folk Festival.~~

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

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551 267.173 Historic preservation in West Florida; goals;
552 contracts for historic preservation; powers and duties.--

553 (5) The Division of Historical Resources in the Department
554 of State may contract with the University of West Florida to
555 serve as the regional office for the West Florida region of the
556 state from the Apalachicola River to the western boundaries of
557 the state. In lieu of the establishment of a citizen advisory
558 board ~~support organization~~ as required by s. 267.031(5)(m), the
559 University of West Florida may use an existing direct-support
560 organization of the university provided that the membership of
561 the direct-support organization is representative of the area of
562 the state to be served and provides the needed expertise in the
563 area of historic preservation.

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

567 267.174 Discovery of Florida Quincentennial Commemoration
568 Commission.--

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

570 (d) The initial meeting of the commission shall be held no
571 later than January 31, 2007 ~~2006~~. Subsequent meetings shall be
572 held upon the call of the chair or vice chair acting in the
573 absence of the chair, and in accordance with the commission's
574 bylaws.

575 (7) DUTIES; MASTER PLAN.--

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

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579 | completed and submitted to the Governor, the President of the
580 | Senate, the Speaker of the House of Representatives, and the
581 | Secretary of State by January 2008 ~~2007~~ with the completed
582 | master plan submitted to such officials by January 2009 ~~2008~~.

583 | Section 22. Sections 15.0913, 265.51, 265.52, 265.53,
584 | 265.54, 265.55, and 265.56, Florida Statutes, are repealed.

585 | Section 23. If any provision of this act or the
586 | application thereof to any person or circumstance is held
587 | invalid, the invalidity shall not affect other provisions or
588 | applications of the act which can be given effect without the
589 | invalid provision or application, and to this end the provisions
590 | of this act are declared severable.

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