

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

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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. The
237 letter of agreement shall provide that any funds held in the
238 separate depository account in the name of the citizen support
239 organization shall revert to the division if the citizen support
240 organization is no longer approved by the division to operate in
241 the best interests of the state.

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

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

251 (3) ANNUAL AUDIT.--The citizen support organization shall
 252 provide for an annual financial audit in accordance with s.
 253 215.981.

254 Section 7. Subsection (1) and paragraph (d) of subsection
 255 (3) of section 265.284, Florida Statutes, are amended,
 256 subsection (7) is renumbered as subsection (6), and present
 257 subsection (6) of said section is amended, to read:

258 265.284 Chief cultural officer; director of division;
 259 powers and duties.--

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

263 (3) The Division of Cultural Affairs shall have direct
 264 administrative authority and responsibility for all of the
 265 programs authorized by this act. In furtherance thereof, the
 266 division shall have the authority to:

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

275 ~~(6) Subject to funding by the Legislature, there are~~
 276 ~~created the State Orchestra Program, State Dance Program, and~~
 277 ~~State Opera Program, each to be administered as part of, and~~

278 ~~under the direct supervision of, the Division of Cultural~~
 279 ~~Affairs.~~

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

282 265.2865 Florida Artists Hall of Fame.--

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

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

289 265.606 Cultural Endowment Program; administration;
 290 qualifying criteria; matching fund program levels;
 291 distribution.--

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

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

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

308 265.701 Cultural facilities; grants for acquisition,
 309 renovation, or construction; funding; approval; allocation.--

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

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

322 265.702 Regional cultural facilities; grants for
 323 acquisition, renovation, or construction; funding; approval;
 324 allocation.--

325 (8) Any contract administered under this section shall
 326 require the recordation of a restrictive covenant by the grantee
 327 and property owner or the purchase of a bond as prescribed by
 328 rule to ensure that the facility continues to be used as a
 329 regional cultural facility for a period of 10 years following
 330 the grant award. If the facility ceases to be used as a regional
 331 cultural facility during the 10 years following the grant award,

332 the grant funds shall be repaid to the department according to
333 an amortization schedule set forth in rule.

334 Section 12. Section 265.703, Florida Statutes, is created
335 to read:

336 265.703 Citizen support organization; use of state
337 administrative services and property; audit.--

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

344 (a) A Florida corporation not for profit incorporated
345 under the provisions of chapter 617 and approved by the
346 Department of State.

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

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

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

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

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

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

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

388 (3) ANNUAL AUDIT.--The citizen support organization shall
 389 provide for an annual financial audit in accordance with s.
 390 215.981.

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

393 267.031 Division of Historical Resources; powers and
 394 duties.--

395 (3) The division may accept gifts, grants, bequests,
 396 loans, and endowments for purposes not inconsistent with its
 397 responsibilities under this chapter. The division may also
 398 establish an endowment that is consistent with the
 399 responsibilities of this chapter.

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

401 (m) Establish regional offices for the purpose of
 402 assisting the division in the delivery of historic preservation
 403 services to the counties and municipalities of the state and to
 404 the citizens of the State of Florida. Historic preservation
 405 regional offices shall be established in at least three ~~St.~~
 406 ~~Augustine, Tampa, Palm Beach County, and in other~~ areas of the
 407 state which the division deems appropriate. For each regional
 408 office established, the division shall establish a citizen
 409 advisory board to provide assistance, advice, and
 410 recommendations to the regional office ~~support organization in~~
 411 ~~accordance with s. 267.17.~~ The members ~~board of directors~~ of
 412 each citizen advisory board ~~support organization~~ shall be
 413 appointed by the Secretary of State.

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

416 267.0612 Florida Historical Commission; creation;
417 membership; powers and duties.--In order to enhance public
418 participation and involvement in the preservation and protection
419 of the state's historic and archaeological sites and properties,
420 there is created within the Department of State the "Florida
421 Historical Commission." The commission shall serve in an
422 advisory capacity to the director of the Division of Historical
423 Resources to assist the director in carrying out the purposes,
424 duties, and responsibilities of the division, as specified in
425 this chapter.

426 (1) (a) The commission shall be composed of 11 members.
427 Seven members shall be appointed by the Governor in consultation
428 with the Secretary of State, two members shall be appointed by
429 the President of the Senate, and two members shall be appointed
430 by the Speaker of the House of Representatives. Of the seven
431 members appointed by the Governor, one member must be a licensed
432 architect who has expertise in historic preservation and
433 architectural history; one member must be a professional
434 historian in the field of American history; one member must be a
435 professional architectural historian; one member must be an
436 archaeologist specializing in the field of prehistory; and one
437 member must be an archaeologist specializing in the historic
438 period. The remaining two members appointed by the Governor and
439 the two members appointed by the President of the Senate and the
440 Speaker of the House of Representatives, respectively, must be
441 representatives of the general public with demonstrated interest
442 in the preservation of Florida's historical and archaeological
443 heritage. At least one member of the commission shall be a

444 resident of a county that has a population of 75,000 or fewer
 445 ~~less~~.

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

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

460 267.0617 Historic Preservation Grant Program.--

461 (3) All grants of state funds to assist in the
 462 preservation of historic properties shall be made from the
 463 Historical Resources Operating Trust Fund and may be awarded
 464 only pursuant to applications for such assistance made to the
 465 Division of Historical Resources. The Florida Historical
 466 Commission shall review each application for a special category
 467 historic preservation grant-in-aid. Special category historic
 468 preservation grants-in-aid are those reviewed and recommended by
 469 the Secretary of State for submission for legislative funding
 470 consideration. Grant review panels appointed by the Secretary of
 471 State and chaired by a member of the Florida Historical

472 | Commission or a designee appointed by the commission's presiding
473 | officer shall review each application for other historic
474 | preservation grants-in-aid. The reviewing body shall submit
475 | annually to the Secretary of State for approval lists of all
476 | applications that are recommended by the reviewing body for the
477 | award of grants, arranged in order of priority.

478 | Section 16. Subsection (3) of section 267.0619, Florida
479 | Statutes, is amended to read:

480 | 267.0619 Historical Museum Grants.--

481 | (3) An application for a grant must be made to the
482 | division on a form provided by the division. The division shall
483 | adopt rules prescribing categories of grants, application
484 | requirements, criteria and procedures for the review and
485 | evaluation of applications, and other procedures necessary for
486 | the administration of the program, subject to the requirements
487 | of this section. Grant review panels appointed by the Secretary
488 | of State and chaired by a member of the Florida Historical
489 | Commission or a designee appointed by the commission's presiding
490 | officer shall review each application for a museum grant-in-aid.
491 | The review panel shall submit to the Secretary of State for
492 | approval lists of all applications that are recommended by the
493 | panel for the award of grants, arranged in order of priority.
494 | The division may award a grant to a Florida history museum only
495 | if the award has been approved by the Secretary of State.

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

498 | 267.0731 Great Floridians Program.--The division shall
499 | establish and administer a program, to be entitled the Great

500 Floridians Program, which shall be designed to recognize and
501 record the achievements of Floridians, living and deceased, who
502 have made major contributions to the progress and welfare of
503 this state.

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

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

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

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

530 267.13 Prohibited practices; penalties.--

531 (2)

532 (e) The division shall adopt rules pursuant to ss.
 533 120.536(1) and 120.54 to implement the provisions of this
 534 section.

535 Section 19. Subsections (4) and (5) of section 267.16,
 536 Florida Statutes, are renumbered as subsections (3) and (4),
 537 respectively, and subsection (3) of said section is amended to
 538 read:

539 267.16 Florida Folklife Programs.--It is the duty and
 540 responsibility of the division to:

541 ~~(3) Use the facilities at the Stephen Foster State Folk~~
 542 ~~Culture Center as the primary location of the annual Florida~~
 543 ~~Folk Festival.~~

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

546 267.173 Historic preservation in West Florida; goals;
 547 contracts for historic preservation; powers and duties.--

548 (5) The Division of Historical Resources in the Department
 549 of State may contract with the University of West Florida to
 550 serve as the regional office for the West Florida region of the
 551 state from the Apalachicola River to the western boundaries of
 552 the state. In lieu of the establishment of a citizen advisory
 553 board ~~support organization~~ as required by s. 267.031(5) (m), the
 554 University of West Florida may use an existing direct-support
 555 organization of the university provided that the membership of

556 the direct-support organization is representative of the area of
 557 the state to be served and provides the needed expertise in the
 558 area of historic preservation.

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

562 267.174 Discovery of Florida Quincentennial Commemoration
 563 Commission.--

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

565 (d) The initial meeting of the commission shall be held no
 566 later than January 31, 2007 ~~2006~~. Subsequent meetings shall be
 567 held upon the call of the chair or vice chair acting in the
 568 absence of the chair, and in accordance with the commission's
 569 bylaws.

570 (7) DUTIES; MASTER PLAN.--

571 (c) The commission shall establish a timetable and budget
 572 for completion for all parts of the master plan which shall be
 573 made a part of the plan. An initial draft of the plan shall be
 574 completed and submitted to the Governor, the President of the
 575 Senate, the Speaker of the House of Representatives, and the
 576 Secretary of State by January 2008 ~~2007~~ with the completed
 577 master plan submitted to such officials by January 2009 ~~2008~~.

578 Section 22. Sections 15.0913, 265.51, 265.52, 265.53,
 579 265.54, 265.55, and 265.56, Florida Statutes, are repealed.

580 Section 23. If any provision of this act or the
 581 application thereof to any person or circumstance is held
 582 invalid, the invalidity shall not affect other provisions or
 583 applications of the act which can be given effect without the

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584 invalid provision or application, and to this end the provisions
585 of this act are declared severable.

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