



1 the Florida Historic Capitol pursuant to  
2 certain historic preservation standards and  
3 guidelines; removing responsibility of the  
4 Department of Management Services for security  
5 of the Historic Capitol and adjacent grounds;  
6 amending s. 272.135, F.S.; requiring the  
7 Capitol Curator to be appointed by the  
8 President of the Senate and the Speaker of the  
9 House of Representatives; deleting rulemaking  
10 authority of the Department of State, to  
11 conform; amending s. 607.193, F.S.; correcting  
12 references to repealed sections of the Florida  
13 Statutes within provisions relating to the  
14 annual supplemental corporate fee imposed on  
15 each business entity authorized to transact  
16 business in this state; amending s. 257.05,  
17 F.S.; requiring that each state official,  
18 agency, board, and court provide to the  
19 Division of Library and Information Services of  
20 the Department of State an annual list of  
21 public documents issued by the official,  
22 agency, board, or court; amending s. 283.31,  
23 F.S.; defining the term "publication" for  
24 purposes of a requirement that an executive  
25 agency maintain records of certain publication  
26 costs; amending s. 283.55, F.S.; revising the  
27 form used by each state agency for the purpose  
28 of purging publication mailing lists; providing  
29 an effective date.

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

1           Section 1. Paragraph (a) of subsection (1) of section  
2 265.285, Florida Statutes, is amended to read:

3           265.285 Florida Arts Council; membership, duties.--

4           (1)(a) The Florida Arts Council is created in the  
5 department as an advisory body, as defined in s. 20.03(7), to  
6 consist of 15 members. Seven members shall be appointed by the  
7 Governor, four members shall be appointed by the President of  
8 the Senate, and four members shall be appointed by the Speaker  
9 of the House of Representatives. The appointments, to be made  
10 in consultation with the Secretary of State, shall recognize  
11 the need for geographical representation. Council members  
12 appointed by the Governor shall be appointed for 4-year terms  
13 beginning on January 1 of the year of appointment. Council  
14 members appointed by the President of the Senate and the  
15 Speaker of the House of Representatives shall be appointed for  
16 2-year terms beginning on January 1 of the year of  
17 appointment. ~~Council members serving on July 1, 2002, may~~  
18 ~~serve the remainder of their respective terms. New~~  
19 ~~appointments to the council shall not be made until the~~  
20 ~~retirement, resignation, removal, or expiration of the terms~~  
21 ~~of the initial members results in fewer than 15 members~~  
22 ~~remaining. As vacancies occur, the first appointment to the~~  
23 ~~council shall be made by the Governor. The President of the~~  
24 ~~Senate, the Speaker of the House of Representatives, and the~~  
25 ~~Governor, respectively, shall then alternate appointments~~  
26 ~~until the council is composed as required herein. A No member~~  
27 of the council who serves two 4-year terms or two 2-year terms  
28 is not will be eligible for reappointment for 1 year ~~during a~~  
29 ~~1-year period~~ following the expiration of the member's second  
30 term. A member whose term has expired shall continue to serve  
31 on the council until such time as a replacement is appointed.

1 Any vacancy on the council shall be filled for the remainder  
2 of the unexpired term in the same manner as for the original  
3 appointment. Members should have a substantial history of  
4 community service in the performing or visual arts, which  
5 includes, but is not limited to, theatre, dance, folk arts,  
6 music, architecture, photography, and literature. In addition,  
7 it is desirable that members have successfully served on  
8 boards of cultural institutions such as museums and performing  
9 arts centers or are recognized as patrons of the arts.

10 Section 2. Subsections (4) and (5) of section 265.606,  
11 Florida Statutes, are amended, present subsections (6) and (7)  
12 of that section are redesignated as subsections (8) and (9),  
13 respectively, and new subsections (6) and (7) are added to  
14 that section, to read:

15 265.606 Cultural Endowment Program; administration;  
16 qualifying criteria; matching fund program levels;  
17 distribution.--

18 (4) Once the secretary has determined that the  
19 sponsoring organization has complied with the criteria imposed  
20 by this section, he or she may authorize the transfer of the  
21 appropriate state matching funds to the organization. However,  
22 the secretary shall ensure that the local group has made  
23 prudent arrangements for the trusteeship of the entire  
24 endowment, and such trusteeship is hereby created. The  
25 sponsoring organization may then expend moneys in the  
26 endowment program fund, subject to the following requirements:

27 (a) The organization may expend funds only for  
28 operating costs incurred while engaged in programs directly  
29 related to cultural activities.

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1 (b) The organization shall annually submit a report to  
2 the division, in such form as the division specifies,  
3 explaining how endowment program funds were utilized.

4 ~~(c) Any contract administered under this section shall~~  
5 ~~require the local sponsoring organization to submit to the~~  
6 ~~division an annual postaudit of its financial accounts~~  
7 ~~conducted by an independent certified public accountant.~~

8 (5) The \$240,000 state matching fund endowment for  
9 each individual endowment shall be returned to the state,  
10 shall be deposited into ~~revert to~~ the Florida Fine Arts Trust  
11 Fund, and shall be awarded to the first organization on the  
12 Cultural Endowment Program priority list pursuant to  
13 subsection (9) that has not previously received a cultural  
14 endowment in the most current fiscal year funding cycle  
15 ~~General Revenue Fund~~ if any of the following events occurs:

16 (a) The recipient sponsoring organization is no longer  
17 able to manage an endowment ~~ceases operations.~~

18 (b) The recipient sponsoring organization files for  
19 protection under federal bankruptcy provisions.

20 (c) The recipient sponsoring organization willfully  
21 expends a portion of the endowment principal of any individual  
22 endowment.

23 (6) In the event an endowment is returned to the state  
24 under subsection (5), authority to disburse funds shall be  
25 subject to the notice and review procedures set forth in s.  
26 216.177.

27 (7) If there is no other qualified organization on the  
28 Cultural Endowment Program priority list, returned funds shall  
29 revert to the General Revenue Fund at the end of the fiscal  
30 year.

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1           Section 3. Paragraph (d) of subsection (5) and  
2 paragraph (c) of subsection (7) of section 267.174, Florida  
3 Statutes, are amended to read:

4           267.174 Discovery of Florida Quincentennial  
5 Commemoration Commission.--

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

7           (d) The initial meeting of the commission shall be  
8 held no later than July 31, 2008 ~~January 31, 2007~~. Subsequent  
9 meetings shall be held upon the call of the chair or vice  
10 chair acting in the absence of the chair, and in accordance  
11 with the commission's bylaws.

12           (7) DUTIES; MASTER PLAN.--

13           (c) The commission shall establish a timetable and  
14 budget for completion for all parts of the master plan which  
15 shall be made a part of the plan. An initial draft of the plan  
16 shall be completed and submitted to the Governor, the  
17 President of the Senate, the Speaker of the House of  
18 Representatives, and the Secretary of State by May 2009  
19 ~~January 2008~~ with the completed master plan submitted to such  
20 officials by May 2010 ~~January 2009~~.

21           Section 4. Section 272.129, Florida Statutes, is  
22 amended to read:

23           272.129 Florida Historic Capitol; space allocation;  
24 maintenance, repair, and security.--

25           (1) The Legislature ~~Department of State~~ shall ensure  
26 ~~assure~~ that all space in the Florida Historic Capitol is  
27 restored in a manner consistent with the 1902 form and made  
28 available for allocation. Notwithstanding the provisions of  
29 ss. 255.249 and 272.04 that relate to space allocation in  
30 state-owned buildings, the President of the Senate and the  
31 Speaker of the House of Representatives shall have

1 responsibility and authority for the allocation of all space  
2 in the restored Florida Historic Capitol, provided:

3 (a) The rotunda, corridors, Senate chamber, House of  
4 Representatives chamber, and Supreme Court chamber shall not  
5 be used as office space.

6 (b) The Legislature ~~Department of State~~ shall be  
7 allocated sufficient space for program and administrative  
8 functions relating to the preservation, museum, and cultural  
9 programs of the Legislature ~~department~~.

10 (2) The Florida Historic Capitol shall be maintained  
11 in accordance with good historic preservation practices as  
12 specified in the National Park Service Preservation Briefs and  
13 the Secretary of the Interior's Standards for Rehabilitation  
14 and Guidelines for Rehabilitating Historic Buildings.

15 (3)~~(2)~~ Custodial and preventive maintenance and  
16 repair, ~~and security~~ of the entire Historic Capitol and the  
17 grounds located adjacent thereto shall be the responsibility  
18 of the Department of Management Services, subject to the  
19 special requirements of the building as determined by the  
20 Capitol Curator.

21 Section 5. Section 272.135, Florida Statutes, is  
22 amended to read:

23 272.135 Florida Historic Capitol Curator.--

24 (1) The position of Capitol Curator is created within  
25 the Legislature ~~Department of State~~, which shall establish the  
26 qualifications for the position. The curator shall be  
27 appointed by and serve at the pleasure of the President of the  
28 Senate and the Speaker of the House of Representatives  
29 ~~Secretary of State~~.

30 (2) The Capitol Curator shall:  
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1 (a) Promote and encourage throughout the state  
2 knowledge and appreciation of the Florida Historic Capitol.

3 (b) Collect, research, exhibit, interpret, preserve,  
4 and protect the history, artifacts, objects, furnishings, and  
5 other materials related to the Florida Historic Capitol,  
6 except for archaeological research and resources.

7 (c) Develop, direct, supervise, and maintain the  
8 interior design and furnishings of all space within the  
9 Florida Historic Capitol in a manner consistent with the  
10 restoration of the Florida Historic Capitol in its 1902 form.

11 ~~(3) The Department of State shall promulgate rules to~~  
12 ~~implement this section.~~

13 Section 6. Subsections (1) and (2) of section 607.193,  
14 Florida Statutes, are amended to read:

15 607.193 Supplemental corporate fee.--

16 (1) In addition to any other taxes imposed by law, an  
17 annual supplemental corporate fee of \$88.75 is imposed on each  
18 business entity that is authorized to transact business in  
19 this state and is required to file an annual report with the  
20 Department of State under s. 607.1622, s. 608.452, or s.  
21 620.1210 ~~620.177~~.

22 (2)(a) The business entity shall remit the  
23 supplemental corporate fee to the Department of State at the  
24 time it files the annual report required by s. 607.1622, s.  
25 608.452, or s. 620.1210 ~~620.177~~.

26 (b) In addition to the fees levied under ss. 607.0122,  
27 608.452, and 620.1109 ~~620.182~~ and the supplemental corporate  
28 fee, a late charge of \$400 shall be imposed if the  
29 supplemental corporate fee is remitted after May 1 except in  
30 circumstances in which a business entity did not receive the  
31 uniform business report prescribed by the department.



1           Section 7. Subsection (2) of section 257.05, Florida  
2 Statutes, is amended to read:

3           257.05 Public documents; delivery to, and distribution  
4 by, division.--

5           (2)(a) Each state official, state department, state  
6 board, state court, or state agency issuing public documents  
7 shall furnish the Division of Library and Information Services  
8 of the Department of State 35 copies of each of those public  
9 documents, as issued, for deposit in and distribution by the  
10 division. However, if the division so requests, as many as 15  
11 additional copies of each public document shall be supplied to  
12 it.

13           (b) If any state official, state department, state  
14 board, state court, or state agency has fewer than 40 copies  
15 of any public document, it shall supply the division with 2  
16 copies of each such public document for deposit in the State  
17 Library.

18           (c) By December 31 of each year, any state official,  
19 state department, state board, state court, or state agency  
20 issuing public documents shall furnish to the division a list  
21 of all public documents, including each publication that is on  
22 the agency's website, issued by the official, department,  
23 board, court, or agency during that calendar year.

24           ~~(d)(e)~~ As issued, daily journals and bound journals of  
25 each house of the Legislature; slip laws and bound session  
26 laws, both general and special; and Florida Statutes and  
27 supplements thereto shall be furnished to the division by the  
28 state official, department, or agency having charge of their  
29 distribution. The number of copies furnished shall be  
30 determined by requests of the division, which number in no  
31 case may exceed 35 copies of the particular publication.

1           Section 8. Section 283.31, Florida Statutes, is  
2 amended to read:

3           283.31 Records of executive agency publications.--Each  
4 agency shall maintain a record of any publication, as defined  
5 in s. 257.05, the printing of which costs in excess of the  
6 threshold amount provided in s. 287.017 for CATEGORY THREE, at  
7 least part of which is paid for by state funds appropriated by  
8 the Legislature. Such record shall also contain the following:  
9 written justification of the need for such publication,  
10 purpose of such publication, legislative or administrative  
11 authority, sources of funding, frequency and number of issues,  
12 and reasons for deciding to have the publication printed  
13 in-house, by another agency or the Legislature, or purchased  
14 on bid. In addition, such record shall contain the  
15 comparative costs of alternative printing methods when such  
16 costs were a factor in deciding upon a method. The record of  
17 the corporation operating the correctional industry printing  
18 program shall include the cost of materials used, the cost of  
19 labor, the cost of overhead, the amount of profit made by the  
20 corporation for such printing, and whether the state agencies  
21 that contract with the corporation for printing are prudently  
22 determining the price paid for such printing.

23           Section 9. Section 283.55, Florida Statutes, is  
24 amended to read:

25           283.55 Purging of publication mailing lists.--

26           (1) By March 1 of each odd-numbered year, every agency  
27 shall survey the addresses on each of its publication mailing  
28 lists by providing each addressee the following form, which  
29 must also disclose whether the publication is available on the  
30 agency's website:  
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1           ...(Name of publication)...

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3           Please choose one of the following options:

4            I would like to receive this publication in hard

5 copy format.

6            I would like to receive this publication in

7 electronic format. My e-mail address is:\_\_\_\_\_.

8            I do not wish to receive this publication.

9           ~~Do you wish to continue receiving this publication?~~

10 ~~Yes..... No.....~~

11           Should your response to this survey not be received by

12 April 30, your name will be automatically purged from our

13 mailing list.

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15 Those addressees who respond shall be maintained or removed

16 from such mailing list in accordance with the responses.

17 Those addressees not responding by April 30 of such

18 odd-numbered year shall be automatically purged from such

19 mailing list. Agencies are prohibited from supplying

20 addressees with postpaid response forms.

21           (2) The provisions of this section apply to any

22 agency, except a state university or an agency the mailing

23 list of which consists only of those persons registered with

24 or licensed by the agency and the registration or license fee

25 of which includes payment by the registrants or licensees as

26 subscribers for the publication of the agency.

27           Section 10. This act shall take effect July 1, 2006.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
CS Senate Bill 2384

The committee substitute for committee substitute for Senate Bill 2384, requires agencies to provide publication recipients with the option of receiving publications electronically in lieu of hard copies. Additionally, agencies are required to submit an annual list of all published documents meeting the definition in s. 257.05, Florida Statutes, to the State Library. It also clarifies what types of documents are subject to the written justification requirement for publications with costs exceeding \$50,000.