

## CHAPTER 97-68

### Committee Substitute for Senate Bill No. 1160

An act relating to historic preservation boards; repealing parts II, IV, V, VI, VII, and VIII of chapter 266, F.S.; eliminating the Historic St. Augustine Preservation Board of Trustees, the Historic Tallahassee Preservation Board of Trustees, the Historic Florida Keys Preservation Board of Trustees, the Historic Palm Beach County Preservation Board of Trustees, and the Historic Tampa-Hillsborough Preservation Board of Trustees; redesignating part III of chapter 266, F.S., the Historic Pensacola Preservation Board of Trustees as part II of said chapter; amending s. 267.061, F.S., relating to state policy and responsibilities with respect to historic properties; providing that the Division of Historical Resources of the Department of State shall establish regional offices for the purpose of assisting in the delivery of historic preservation services; providing locations at which regional offices are to be established; providing for the establishment of citizen support organizations; requiring the Department of State to contract with the City of St. Augustine for the management of state-owned properties managed by the Historic St. Augustine Preservation Board of Trustees; providing for use of proceeds from management of state-owned properties by the City of St. Augustine; providing for the transfer of specified funds to the City of St. Augustine; providing for transfer of ownership and responsibility of specified items to assist in the transition of the management of state-owned properties; authorizing certain contracts with the City of St. Augustine and the expenditure of funds therefor; requiring the Department of State to contract with specified nonprofit corporations for the purpose of continuing work performed by specified historic preservation boards; providing for use of proceeds from the management of state-owned properties by such corporations; providing for the transfer of specified funds to such corporations; providing specified requirements in the contracts; providing legislative intent with respect to the 1997-1998 General Appropriations Act; amending s. 266.0013, F.S.; removing term limits for members of the Historic Pensacola Preservation Board of Trustees; providing for the transfer of certain remaining fund balances to the Division of Historical Resources Operating Trust Fund; providing an effective date.

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

Section 1. Part II of chapter 266, Florida Statutes, consisting of sections 266.0001, 266.0002, 266.0005, 266.0006, and 266.0007, Florida Statutes, sections 266.003 and 266.004, Florida Statutes, as amended by chapter 95-148, Laws of Florida, and section 266.0008, Florida Statutes, as amended by chapters 95-125, 95-148, and 96-406, Laws of Florida, is repealed.

Section 2. Part IV of chapter 266, Florida Statutes, consisting of sections 266.0021, 266.0022, 266.0023, 266.0024, 266.0025, 266.0026, 266.0027, and

266.00275, Florida Statutes, and section 266.0028, Florida Statutes, as amended by section 12 of chapter 96-406, Laws of Florida, is repealed.

Section 3. Part V of chapter 266, Florida Statutes, consisting of sections 266.0031, 266.0032, 266.0035, 266.00355, 266.0036, and 266.0037, Florida Statutes, sections 266.0033 and 266.0034, Florida Statutes, as amended by chapter 95-148, Laws of Florida, and section 266.0038, Florida Statutes, as amended by chapters 95-125, 95-148, and 96-406, Laws of Florida, is repealed.

Section 4. Part VI of chapter 266, Florida Statutes, consisting of sections 266.0041, 266.0042, 266.0045, 266.0046, 266.0047, and 266.00475, Florida Statutes, sections 266.0043 and 266.0044, Florida Statutes, as amended by chapter 95-148, Laws of Florida, and section 266.0048, Florida Statutes, as amended by chapters 95-125, 95-148, and 96-406, Laws of Florida, is repealed.

Section 5. Part VII of chapter 266, Florida Statutes, consisting of:

(1) Sections 266.0051, 266.0052, 266.0055, 266.0056, 266.0057, and 266.00575, Florida Statutes, sections 266.0053 and 266.0054, Florida Statutes, as amended by chapter 95-148, Laws of Florida, and section 266.0058, Florida Statutes, as amended by chapters 95-125, 95-148, and 96-406, Laws of Florida, is repealed.

(2) Section 266.00572, Florida Statutes, is repealed December 31, 1997 or upon the adoption of a local ordinance that continues the existence of the Barrio Latino Commission and that delineates the boundaries of the Ybor City Historic District.

Section 6. Part VIII of chapter 266, Florida Statutes, consisting of sections 266.0061, 266.0062, 266.0065, and 266.0066, Florida Statutes, sections 266.0063 and 266.0064, Florida Statutes, as amended by chapter 95-148, Laws of Florida, and section 266.0068, Florida Statutes, as amended by chapters 95-125, 95-148, and 96-406, Laws of Florida, is repealed.

Section 7. Paragraph (o) is added to subsection (3) of section 267.061, Florida Statutes, 1996 Supplement, to read:

267.061 Historic properties; state policy, responsibilities.—

(3) DIVISION RESPONSIBILITY.—It is the responsibility of the division to:

(o) Establish regional offices for the purpose of assisting the division in the delivery of historic preservation services to the counties and municipalities of the state and to the citizens of the State of Florida. Historic preservation regional offices shall be established in St. Augustine, Tampa, Palm Beach County, and in other areas of the state which the division deems appropriate. For each regional office established, the division shall establish a citizen support organization in accordance with s. 267.17. The board of directors of each citizen support organization shall be appointed by the Secretary of State.

Section 8. The Department of State shall contract with the City of St. Augustine for the management of the various state-owned properties presently managed by the Historic St. Augustine Preservation Board of Trustees. The contract shall provide that the City of St. Augustine may use all proceeds derived from the management of state-owned properties for the purpose of maintaining the state-owned buildings and advancing historic preservation in the City of St. Augustine. Additionally, the department may appropriate all remaining funds in the Historic St. Augustine Preservation Board Operating Trust Fund to the City of St. Augustine for maintenance of the state-owned buildings and advancing historic preservation in the City of St. Augustine. The Department of State may transfer ownership and responsibility to any artifacts, documents, equipment, and other forms of tangible personal property to the City of St. Augustine to assist the city in the transition of the management of state-owned properties. The Department of State is authorized to use the unexpended balance of up to \$500,000 in general revenue funds, as provided in the 1997-1998 General Appropriations Act for the St. Augustine Preservation Board, to enter into contracts with the City of St. Augustine to continue the operations and maintenance of historic properties.

Section 9. In order to continue the work performed by the Historic Tallahassee Preservation Board of Trustees and the Historic Florida Keys Preservation Board of Trustees, the Department of State may contract with not-for-profit corporations established for the purpose of advancing historic preservation in these areas to manage the various state-owned properties presently managed by the Historic Tallahassee Preservation Board of Trustees and the Historic Florida Keys Preservation Board of Trustees. The contract, which shall at a minimum contain those requirements provided in section 267.17, Florida Statutes, for citizen support organizations, including the use of public property and the performance of an annual audit, shall provide that the not-for-profit corporations may use all proceeds derived from the management of state-owned buildings and for the purpose of advancing historic preservation in their areas. Additionally, the department may appropriate all remaining funds in the Historic Florida Keys Preservation Board Operating Trust Fund and the Historic Tallahassee Preservation Board Operating Trust Fund to the not-for-profit corporations for their use.

Section 10. Language shall be included in the 1997-1998 General Appropriations Act which will ensure the continuation of sufficient funding to allow the Department of State to complete the transition of the management of state-owned properties specified in this act to the not-for-profit corporations designated for such purpose, as specified in this act. Language shall be included in the 1997-1998 General Appropriations Act which will ensure the continuation of sufficient funding to allow the Department of State to complete the transition of the management of state-owned properties to the City of St. Augustine.

Section 11. All remaining funds in the Historic Tampa/Hillsborough County Preservation Board Operating Trust Fund and the Historic Palm Beach Preservation Board Operating Trust Fund shall be transferred to the Department of State, Division of Historical Resources Operating Trust Fund.

Section 12. Subsection (1) of section 266.0013, Florida Statutes, is amended to read:

266.0013 Board; membership; terms of office; compensation; expenses; bond; removal.—

(1) The board consists of seven members appointed by the Governor and confirmed by the Senate. The Governor shall appoint members to 4-year terms which run from July 1 through June 30. The appointments must be confirmed by the Senate in the following legislative session. ~~A member may only be appointed to two terms.~~

Section 13. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 16, 1997.

Filed in Office Secretary of State May 12, 1997.