

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 15, 1998 Revised: _____

Subject: Historical Resources

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	Rhea	Wilson	GO	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill repeals a statute that requires the Division of Historical Resources, Department of State, to maintain the Florida Folklife Archives. The Florida Folklife Archives (currently called the "Florida Folklife Collection), is housed in the Florida State Archives under the Division of Library and Information Services. Further, the bill repeals a statute that created the Florida Folklife Grant Program. As well, the bill amends the definition of "historic resource" so that it includes folklife resources.

This bill amends section 267.021, and repeals sections 267.16(4) and 267.162, Florida Statutes.

II. Present Situation:

This bill is the result of a review performed by the House Committee on Tourism. In that review, two activities required by statute were identified for repeal: (1) maintenance of the Florida Folklife Archives by the Department of State, Division of Historical Resources; and (2) the Florida Folklife Grant Program.

Section 267.16, F.S., assigns the Department of State, Division of Historical Resources (the division), duties related to the Florida Folklife Program. Subsection (4) requires the division to:

[M]aintain the Florida Folklife Archives to preserve and administer any materials, including, but not limited to, documents, recordings, photographs, publications, and notes, pertaining to folklife according to approved archival practices and to permit such materials, at reasonable times and under the supervision of the Florida Folklife Programs, to be inspected, examined, and copied. . . .

The Archives, which was created in 1976, serves as a repository for research collected by the former Bureau of Florida Folklife. While the Archives was originally located in White Springs, Florida, it was relocated to the Florida State Archives in Tallahassee, Florida in 1995. The Division of Library and Information Services, Department of State, administers the Archives.

Section 267.162, F.S., creates the Florida Folklife Grant Program within the division. The program is funded by moneys appropriated by the Legislature; grants from the Florida Arts Council or any other agency; moneys from fees, admissions, and sales of publications or items; and moneys contributed to the program from any other source. The program funds are used by the department for the purpose of financing grants and for the administration of the Florida Folklife Programs.

Prior to the enactment of ch. 96-418, L.O.F., which terminated or modified various trust funds within the legislative and executive branches, this section pertained only to the creation of the Florida Folklife Trust Fund. In this revision of the law, all trust funds in the division were consolidated under the Historical Resources Operating Trust Fund. The consolidation had no effect on the operation or funding of the Florida Folklife Program. The change in s. 267.162, F.S., created a grant program that was not requested by the Florida Folklife Program or the division, and which is unnecessary for operation of the program.

The review also indicated a need for clarification of the definition of “historic property” or “historic resource” in s. 267.021, F.S., regarding the inclusion of “folklife resource.” Currently, the definition of “historic property” or “historic resource” means:

[A]ny prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state.

III. Effect of Proposed Changes:

Section 1. The bill amends the definition of “historic property” or “historic resource” to include folklife resources.

Section 2. The bill repeals subsection (4) of s. 267.16, F.S., which requires the division to maintain the Florida Folklife Archives. The change reflects the fact that the Archives are located at the Florida State Archives and that they are maintained by the Division of Library and Information Services.

The bill also repeals s. 267.162, F.S., which creates the Florida Folklife Grant Program in the division.

Section 3. The act takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.