



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

June 14, 2006

Ms. Sue M. Cobb
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Dear Secretary Cobb:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I hereby transmit to you, with my signature, House Bill 1271, enacted during the 108th Session of the Legislature of Florida, since statehood in 1845, during the Regular Session of 2006 and entitled:

An act relating to the Division of Alcoholic Beverages and Tobacco...

This bill amends section 20.165(9)(b), Florida Statutes, to require that all Division of Alcoholic Beverages and Tobacco law enforcement officers meet the qualifications for employment established in section 943.13, Florida Statutes, and be certified by the Department of Law Enforcement under Chapter 943, Florida Statutes. The bill also provides that these officers have full law enforcement powers granted to other peace officers in the state.

The bill clarifies that the primary responsibility of each officer is to investigate, enforce, and prosecute violators of state laws that the division or beverage enforcement agents are specifically authorized to enforce. The bill also defines the secondary responsibility of each officer, when the enforcement of other state laws is incidental to the exercise of the officer's primary responsibility.

However, I am concerned the bill removes language that limited enforcement of other state laws to only instances in which the violation could result in an administrative proceeding against a license or permit issued by the Division. The sole responsibility of the Division's law enforcement officers is to enforce the state's alcoholic beverage and tobacco laws, not all state criminal laws. The Secretary of the Department must retain the authority to articulate how the powers granted in this bill will be exercised within the narrow mission of the Division. Therefore, the Secretary, through approval of the Division's policies and procedures, will authorize how these powers may be used to ensure efficient administration of the division's responsibilities.

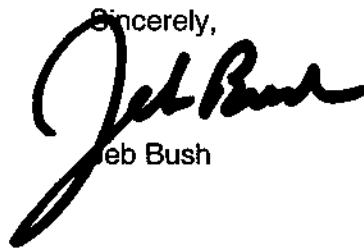


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Ms. Sue Cobb
June 14, 2006
Page Two

I hereby sign into law House Bill 1271 and encourage the Legislature to consider the concern identified herein.

Sincerely,

A handwritten signature in black ink that reads "Jeb Bush". The signature is written in a cursive style with a large, looping initial "J".

Jeb Bush