

CHAMBER ACTION

1 The Committee on Commerce recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to preserving Florida's history; amending
7 s. 267.031, F.S.; providing additional responsibilities of
8 the Division of Historical Resources of the Department of
9 State relating to preserving archaeological sites and
10 artifacts; authorizing the division to enter into a
11 memorandum of agreement with the University of West
12 Florida for purposes of a network of regional public
13 archaeology centers; amending s. 267.14, F.S.; providing
14 additional legislative intent relating to local
15 archaeology; creating s. 267.145, F.S.; requiring the
16 Department of State to create a network of public
17 archaeology centers for certain purposes; requiring
18 administration of the network through a center at the
19 University of West Florida; providing for establishing
20 additional centers; creating s. 267.174, F.S.; providing a
21 popular name; creating the Discovery of Florida
22 Quincentennial Commemoration Commission within the
23 Department of State for certain purposes; providing for

HB 1127

2004
CS

24 | commission membership; providing for terms of members;
25 | providing for successor appointment; providing for
26 | election of officers; requiring the commission to adopt
27 | bylaws; providing for commission meetings; specifying
28 | serving without compensation; providing for per diem and
29 | travel expenses; requiring the commission to develop a
30 | master plan for certain purposes; requiring a timetable
31 | and budget for the plan; requiring a report to the
32 | Governor and Legislature; providing responsibilities of
33 | the department; authorizing the appointment of
34 | subcommittees; requiring the Secretary of State to appoint
35 | an advisory committee composed of all former living
36 | governors of the state; requiring the commission to
37 | provide advice and assistance to the Department of State
38 | regarding master plan implementation and activities of a
39 | citizen support organization; specifying the appointment
40 | of two subcommittees; providing compensation only for per
41 | diem and travel expenses; requiring the Department of
42 | State to provide administrative support and consulting
43 | services subject to an appropriation; authorizing the
44 | Department of State to enter into contracts or accept
45 | loans or grants for money, property, or personal services
46 | to implement requirements; providing for assumption of
47 | other functions to carry out provisions; providing for the
48 | establishment of a citizen support organization for
49 | certain purposes; authorizing the organization to receive
50 | moneys for certain purposes; authorizing the Secretary of
51 | State to adopt a master plan; providing for legislative

HB 1127

2004
CS

52 | budget requests; providing for a term of existence of the
 53 | commission and the citizen support organization; providing
 54 | for transfer of documents and remaining assets of the
 55 | commission and citizen support organization upon
 56 | termination; providing an effective date.

57 |

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

59 |

60 | Section 1. Paragraph (p) is added to subsection (5) of
 61 | section 267.031, Florida Statutes, subsections (6) and (7) of
 62 | said section are renumbered as subsections (7) and (8),
 63 | respectively, and a new subsection (6) is added to said section,
 64 | to read:

65 | 267.031 Division of Historical Resources; powers and
 66 | duties.--

67 | (5) It is the responsibility of the division to:

68 | (p) Advise and assist, as appropriate, federal and state
 69 | agencies, local governments, and organizations and individuals
 70 | in the recognition, protection, and preservation of the
 71 | archaeological sites and artifacts of this state, directly and
 72 | through a memorandum of agreement with a network of public
 73 | archaeology centers as described in s. 267.145.

74 | (6) The division may enter into a memorandum of agreement
 75 | with the University of West Florida to coordinate the
 76 | establishment and operation of a network of regional public
 77 | archaeology centers to provide public outreach and assistance to
 78 | local governments in identifying, evaluating, developing, and
 79 | preserving the archaeology in their local areas and in assisting

HB 1127

2004
CS

80 the division in its archaeological responsibilities as outlined
 81 in this chapter and the memorandum of agreement.

82 Section 2. Section 267.14, Florida Statutes, is amended to
 83 read:

84 267.14 Legislative intent.--It is hereby declared to be
 85 the public policy of the state to preserve archaeological sites
 86 and objects of antiquity for the public benefit and to limit
 87 exploration, excavation, and collection of such matters to
 88 qualified persons and educational institutions possessing the
 89 requisite skills and purpose to add to the general store of
 90 knowledge concerning history, archaeology, and anthropology. It
 91 is further declared to be the public policy of the state to
 92 provide public outreach and assistance to local governments in
 93 identifying, evaluating, developing, and preserving the
 94 archaeology in their local areas through the establishment of a
 95 network of regional public archaeology centers. It is further
 96 declared to be the public policy of the state that field
 97 investigation activities on privately owned lands should be
 98 discouraged except in accordance with both the provisions and
 99 spirit of ss. 267.11-~~267.145~~ 267.14; and persons having
 100 knowledge of the location of archaeological sites are encouraged
 101 to communicate such information to the division.

102 Section 3. Section 267.145, Florida Statutes, is created
 103 to read:

104 267.145 Florida network of public archaeology centers.--

105 (1) The Department of State shall create, through a
 106 memorandum of agreement, a Florida network of public archaeology
 107 centers to help stem the rapid deterioration of this state's

HB 1127

2004
CS

108 buried past and to expand public interest in archaeology. The
 109 network of public archaeology centers shall work in cooperation
 110 with the State Historic Preservation Officer and the division
 111 through the cooperative memorandum of agreement.

112 (2) The network of public archaeology centers shall be
 113 administered through a public archaeology center at the
 114 University of West Florida. Additional centers shall be
 115 established throughout the state with each center located in an
 116 existing facility, free of charge, of a state university with a
 117 local archaeological program, a regional historic preservation
 118 office, the facility of a nonprofit organization that is
 119 involved in the archaeology of the region, or other locations as
 120 set forth in the memorandum of agreement.

121 Section 4. Section 267.174, Florida Statutes, is created
 122 to read:

123 267.174 Discovery of Florida Quincentennial Commemoration
 124 Commission.--

125 (1) POPULAR NAME.--This section may be popularly referred
 126 to as the "Discovery of Florida Quincentennial Commemoration
 127 Commission Act."

128 (2) CREATION.--The Discovery of Florida Quincentennial
 129 Commemoration Commission is created within the Department of
 130 State for the purposes of planning and leading the Discovery of
 131 Florida Quincentennial Commemoration, a celebration of the 500
 132 year anniversary of Juan Ponce de Leon's discovery of Florida.

133 (3) MEMBERSHIP.--The commission shall consist of the
 134 following members:

135 (a)1. Seven members appointed by, and serving at the
 136 pleasure of, the Governor. Five of these seven members shall be
 137 from Charlotte, Lee, Palm Beach, St. Johns, and Monroe
 138 Counties, respectively, which counties are associated with Juan
 139 Ponce de Leon's 1513 voyage.

140 2. Two members appointed by, and serving at the pleasure
 141 of, the President of the Senate.

142 3. Two members appointed by, and serving at the pleasure
 143 of, the Speaker of the House of Representatives.

144 (b) Appointees shall be representatives of the general
 145 public who have interest or expertise in historic preservation,
 146 archaeology, the history of this state, arts education,
 147 marketing, the entertainment industry, tourism, or parks and
 148 recreation.

149 (c) The Secretary of State or the secretary's designee.

150 (d) The executive director of the Office of Tourism,
 151 Trade, and Economic Development.

152 (e) The chair of the Florida Historical Commission.

153 (f) The chair of the Florida Arts Council.

154 (4) TERMS; VACANCIES.--All appointed members shall serve a
 155 term of 4 years and shall be eligible for reappointment. If a
 156 position becomes vacant, a successor shall be appointed in the
 157 manner of the original appointment for such position.

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

159 (a) The commission shall elect from among its members a
 160 chair, a vice chair, and such other officers as the commission
 161 deems necessary or expedient in the performance of its duties.
 162 Election of officers shall occur at the first meeting of the

HB 1127

2004
CS

163 commission and every 4 years thereafter or sooner if a vacancy
164 occurs.

165 (b) A majority of the total membership shall constitute a
166 quorum. No vacancy in the membership shall impair the right of a
167 quorum to exercise all of the functions and duties of the
168 commission. All action taken by the commission shall be by
169 majority vote of those members present.

170 (c) The commission shall adopt bylaws for the conduct of
171 its business and shall have the power to amend and rescind its
172 bylaws. The commission shall publish its bylaws in convenient
173 form and shall file with the Department of State a copy of such
174 bylaws and a copy of any amendment to such bylaws.

175 (d) The initial meeting of the commission shall be held no
176 later than January 1, 2005. Subsequent meetings shall be held
177 upon the call of the chair or vice chair acting in the absence
178 of the chair, and in accordance with the commission's bylaws.

179 (e) Records and meetings of the commission shall be
180 subject to the provisions of chapters 119 and 286.

181 (6) REIMBURSEMENT FOR EXPENSES.--Members shall serve
182 without compensation, except that members are entitled to per
183 diem and travel expenses, pursuant to s. 112.061, incurred in
184 the performance of their duties.

185 (7) DUTIES; MASTER PLAN.--

186 (a) The commission shall develop a statewide master plan
187 for commemorating the quincentennial of Juan Ponce de Leon's
188 discovery of Florida. The plan shall be developed to encourage
189 and support participation in the quincentennial by all
190 interested ethnic groups in geographical areas of the state. The

HB 1127

2004
CS

191 commission shall work with representatives from the state's
 192 tourism industries, cultural and historical venues,
 193 entertainment industry, parks and recreation, K-20 educational
 194 institutions, local governments, state and federal agencies, and
 195 others as necessary in the preparation and implementation of the
 196 master plan.

197 (b) The master plan may include, but is not limited to,
 198 the following projects and activities:

199 1. State and local historic preservation programs and
 200 activities.

201 2. State and local archaeological programs and activities.

202 3. Publications, films, and other educational materials.

203 4. Biographical, bibliographical, and documentary projects
 204 that chronicle the life of Juan Ponce de Leon, his 1513 and 1521
 205 voyages to this state, the creation of the commission, and the
 206 implementation of the master plan.

207 5. Conferences, lectures, seminars, and other programs.

208 6. Museum, library, cultural center, park improvements,
 209 services, and exhibits, including, but not limited to, a
 210 quincentennial commemorative painting and mobile exhibits.

211 7. Programs that educate the public on Florida's extinct
 212 Native American cultures.

213 8. Public art that captures the spirit of exploration.

214 9. Tourism attractions, license plate, logo, seal or
 215 trademark design, and retail items.

216 10. Ceremonies, celebrations, and commemorations
 217 throughout the state with special emphasis on such in Charlotte,

218 Lee, Palm Beach, St. Johns, and Monroe Counties, which counties
 219 are associated with Juan Ponce de Leon's 1513 voyage.

220 (c) The commission shall establish a timetable and budget
 221 for completion for all parts of the master plan which shall be
 222 made a part of the plan. An initial draft of the plan shall be
 223 completed and submitted to the Governor, the President of the
 224 Senate, the Speaker of the House of Representatives, and the
 225 Secretary of State by January 2007 with the completed master
 226 plan submitted to such officials by January 2008.

227 (d) The commission shall be responsible for providing such
 228 other assistance and advice to the department as may be required
 229 from time to time in matters pertaining to the implementation of
 230 the master plan, including, but not limited to, activities of
 231 the citizen support organization created by this section for the
 232 purpose of raising funds and assisting in the development and
 233 implementation of the master plan relating to the quincentennial
 234 commemoration of the discovery of this state.

235 (8) RESPONSIBILITIES OF THE DEPARTMENT OF STATE.--

236 (a) Subject to appropriation, the department shall provide
 237 administrative support and consulting services to the commission
 238 for the commission's activities and duties as provided in this
 239 section.

240 (b)1. The Secretary of State may appoint subcommittees as
 241 requested by the commission, which may include persons who are
 242 not members of the commission. Such persons shall not be
 243 entitled to compensation but shall be reimbursed for necessary
 244 expenses incurred in the performance of their duties.

245 2. In addition to subcommittees requested by the
 246 commission, there shall be a subcommittee composed of
 247 representatives of local governments which shall include, but
 248 not be limited to, a representative from each of the counties of
 249 this state with a documented association with Juan Ponce de
 250 Leon's 1513 and 1521 voyages to assist the commission in
 251 fulfilling its responsibilities under this section and in
 252 assisting implementation of the master plan in local communities
 253 throughout the state.

254 3. The secretary shall appoint an advisory committee to
 255 the commission that shall be composed of all former living
 256 governors of this state to assist and advise the commission in
 257 fulfilling its responsibilities under this section.

258 (c) The Department of State may enter into contracts with,
 259 or accept loans or grants of money, property, or personal
 260 services from, any agency, corporation, or person to carry out
 261 the requirements of this section.

262 (d)1. The Division of Historical Resources of the
 263 Department of State may support the establishment of a citizen
 264 support organization pursuant to s. 267.17 to assist the
 265 commission in the development and implementation of the master
 266 plan relating to the quincennial commemoration of the
 267 discovery of this state. The citizen support organization may
 268 receive funds from the general public or other public or private
 269 sources for the purpose of funding its activities and
 270 implementing the provisions of this section. In addition to
 271 funds received from the general public or other public and
 272 private sources, the organization may receive funds from state

273 agencies at such times and in such amounts as may be
 274 appropriated by the Legislature.

275 2. Costs to underwrite activities related to the
 276 commemoration of the quinentennial may be borne from revenues
 277 raised by the citizen support organization.

278 (e) The Secretary of State may adopt the plan developed by
 279 the commission.

280 (f) The commission shall make recommendations for funding
 281 to the Secretary of State and the department shall include
 282 requests for funding for the commission and for the master plan
 283 in the department's legislative budget request, as the secretary
 284 deems appropriate.

285 (9) TERMINATION OF COMMISSION AND CITIZEN SUPPORT
 286 ORGANIZATION.--The commission and the citizen support
 287 organization created in subsection (7) shall terminate on July
 288 1, 2014. Prior to termination, all documents of the commission
 289 and of the citizen support organization shall be transferred to
 290 the Department of State and all remaining assets shall be
 291 transferred to the Historical Operating Trust Fund.

292 Section 5. This act shall take effect upon becoming a law.