

1 A bill to be entitled

2 An act relating to preserving Florida's history; amending
3 s. 267.031, F.S.; providing additional responsibilities of
4 the Division of Historical Resources of the Department of
5 State relating to preserving archaeological sites and
6 artifacts; authorizing the division to enter into a
7 memorandum of agreement with the University of West
8 Florida for purposes of a network of regional public
9 archaeology centers; amending s. 267.14, F.S.; providing
10 additional legislative intent relating to local
11 archaeology; creating s. 267.145, F.S.; requiring the
12 Department of State to create a network of public
13 archaeology centers for certain purposes; requiring
14 administration of the network through a center at the
15 University of West Florida; providing for establishing
16 additional centers; creating s. 267.174, F.S.; providing a
17 popular name; creating the Discovery of Florida
18 Quincentennial Commemoration Commission within the
19 Department of State for certain purposes; providing for
20 commission membership; providing for terms of members;
21 providing for successor appointment; providing for
22 election of officers; requiring the commission to adopt
23 bylaws; providing for commission meetings; specifying
24 serving without compensation; providing for per diem and
25 travel expenses; requiring the commission to develop a
26 master plan for certain purposes; requiring a timetable
27 and budget for the plan; requiring a report to the
28 Governor and Legislature; providing responsibilities of

29 | the department; authorizing the appointment of
30 | subcommittees; requiring the Secretary of State to appoint
31 | an advisory committee composed of all former living
32 | governors of the state; requiring the commission to
33 | provide advice and assistance to the Department of State
34 | regarding master plan implementation and activities of a
35 | citizen support organization; specifying the appointment
36 | of two subcommittees; providing compensation only for per
37 | diem and travel expenses; requiring the Department of
38 | State to provide administrative support and consulting
39 | services subject to an appropriation; authorizing the
40 | Department of State to enter into contracts or accept
41 | loans or grants for money, property, or personal services
42 | to implement requirements; providing for assumption of
43 | other functions to carry out provisions; providing for the
44 | establishment of a citizen support organization for
45 | certain purposes; authorizing the organization to receive
46 | moneys for certain purposes; authorizing the Secretary of
47 | State to adopt a master plan; providing for legislative
48 | budget requests; providing for a term of existence of the
49 | commission and the citizen support organization; providing
50 | for transfer of documents and remaining assets of the
51 | commission and citizen support organization upon
52 | termination; providing an effective date.

53 |
54 | Be It Enacted by the Legislature of the State of Florida:
55 |

56 Section 1. Paragraph (p) is added to subsection (5) of
57 section 267.031, Florida Statutes, subsections (6) and (7) of
58 said section are renumbered as subsections (7) and (8),
59 respectively, and a new subsection (6) is added to said section,
60 to read:

61 267.031 Division of Historical Resources; powers and
62 duties.--

63 (5) It is the responsibility of the division to:

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

70 (6) The division may enter into a memorandum of agreement
71 with the University of West Florida to coordinate the
72 establishment and operation of a network of regional public
73 archaeology centers to provide public outreach and assistance to
74 local governments in identifying, evaluating, developing, and
75 preserving the archaeology in their local areas and in assisting
76 the division in its archaeological responsibilities as outlined
77 in this chapter and the memorandum of agreement.

78 Section 2. Section 267.14, Florida Statutes, is amended to
79 read:

80 267.14 Legislative intent.--It is hereby declared to be
81 the public policy of the state to preserve archaeological sites
82 and objects of antiquity for the public benefit and to limit
83 exploration, excavation, and collection of such matters to

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

98 | Section 3. Section 267.145, Florida Statutes, is created
 99 | to read:

100 | 267.145 Florida network of public archaeology centers.--

101 | (1) The Department of State shall create, through a
 102 | memorandum of agreement, a Florida network of public archaeology
 103 | centers to help stem the rapid deterioration of this state's
 104 | buried past and to expand public interest in archaeology. The
 105 | network of public archaeology centers shall work in cooperation
 106 | with the State Historic Preservation Officer and the division
 107 | through the cooperative memorandum of agreement.

108 | (2) The network of public archaeology centers shall be
 109 | administered through a public archaeology center at the
 110 | University of West Florida. Additional centers shall be
 111 | established throughout the state with each center located in an

112 existing facility, free of charge, of a state university with a
 113 local archaeological program, a regional historic preservation
 114 office, the facility of a nonprofit organization that is
 115 involved in the archaeology of the region, or other locations as
 116 set forth in the memorandum of agreement.

117 Section 4. Section 267.174, Florida Statutes, is created
 118 to read:

119 267.174 Discovery of Florida Quincentennial Commemoration
 120 Commission.--

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

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

129 (3) MEMBERSHIP.--The commission shall consist of the
 130 following members:

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

136 2. Two members appointed by, and serving at the pleasure
 137 of, the President of the Senate.

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

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

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

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

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

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

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

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

155 (a) The commission shall elect from among its members a
156 chair, a vice chair, and such other officers as the commission
157 deems necessary or expedient in the performance of its duties.
158 Election of officers shall occur at the first meeting of the
159 commission and every 4 years thereafter or sooner if a vacancy
160 occurs.

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

166 (c) The commission shall adopt bylaws for the conduct of
167 its business and shall have the power to amend and rescind its

168 bylaws. The commission shall publish its bylaws in convenient
 169 form and shall file with the Department of State a copy of such
 170 bylaws and a copy of any amendment to such bylaws.

171 (d) The initial meeting of the commission shall be held no
 172 later than January 31, 2006. Subsequent meetings shall be held
 173 upon the call of the chair or vice chair acting in the absence
 174 of the chair, and in accordance with the commission's bylaws.

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

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

181 (7) DUTIES; MASTER PLAN.--

182 (a) The commission shall develop a statewide master plan
 183 for commemorating the quincentennial of Juan Ponce de Leon's
 184 discovery of Florida. The plan shall be developed to encourage
 185 and support participation in the quincentennial by all
 186 interested ethnic groups in geographical areas of the state. The
 187 commission shall work with representatives from the state's
 188 tourism industries, cultural and historical venues,
 189 entertainment industry, parks and recreation, K-20 educational
 190 institutions, local governments, state and federal agencies, and
 191 others as necessary in the preparation and implementation of the
 192 master plan.

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

- 195 1. State and local historic preservation programs and
 196 activities.
- 197 2. State and local archaeological programs and activities.
- 198 3. Publications, films, and other educational materials.
- 199 4. Biographical, bibliographical, and documentary projects
 200 that chronicle the life of Juan Ponce de Leon, his 1513 and 1521
 201 voyages to this state, the creation of the commission, and the
 202 implementation of the master plan.
- 203 5. Conferences, lectures, seminars, and other programs.
- 204 6. Museum, library, cultural center, park improvements,
 205 services, and exhibits, including, but not limited to, a
 206 quintcentennial commemorative painting and mobile exhibits.
- 207 7. Programs that educate the public on Florida's extinct
 208 Native American cultures.
- 209 8. Public art that captures the spirit of exploration.
- 210 9. Tourism attractions, license plate, logo, seal or
 211 trademark design, and retail items.
- 212 10. Ceremonies, celebrations, and commemorations
 213 throughout the state with special emphasis on such in Charlotte,
 214 Lee, Palm Beach, St. Johns, and Monroe Counties, which counties
 215 are associated with Juan Ponce de Leon's 1513 voyage.
- 216 (c) The commission shall establish a timetable and budget
 217 for completion for all parts of the master plan which shall be
 218 made a part of the plan. An initial draft of the plan shall be
 219 completed and submitted to the Governor, the President of the
 220 Senate, the Speaker of the House of Representatives, and the
 221 Secretary of State by January 2007 with the completed master
 222 plan submitted to such officials by January 2008.

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

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

232 (a) Subject to appropriation, the department shall provide
233 administrative support and consulting services to the commission
234 for the commission's activities and duties as provided in this
235 section.

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

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

250 3. The secretary shall appoint an advisory committee to
251 the commission that shall be composed of all former living
252 governors of this state to assist and advise the commission in
253 fulfilling its responsibilities under this section.

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

258 (d)1. The Division of Historical Resources of the
259 Department of State may support the establishment of a citizen
260 support organization pursuant to s. 267.17 to assist the
261 commission in the development and implementation of the master
262 plan relating to the quincentennial commemoration of the
263 discovery of this state. The citizen support organization may
264 receive funds from the general public or other public or private
265 sources for the purpose of funding its activities and
266 implementing the provisions of this section. In addition to
267 funds received from the general public or other public and
268 private sources, the organization may receive funds from state
269 agencies at such times and in such amounts as may be
270 appropriated by the Legislature.

271 2. Costs to underwrite activities related to the
272 commemoration of the quincentennial may be borne from revenues
273 raised by the citizen support organization.

274 (e) The Secretary of State may adopt the plan developed by
275 the commission.

276 (f) The commission shall make recommendations for funding
277 to the Secretary of State and the department shall include

278 | requests for funding for the commission and for the master plan
279 | in the department's legislative budget request, as the secretary
280 | deems appropriate.

281 | (9) TERMINATION OF COMMISSION AND CITIZEN SUPPORT
282 | ORGANIZATION.--The commission and the citizen support
283 | organization created in subsection (7) shall terminate on July
284 | 1, 2014. Prior to termination, all documents of the commission
285 | and of the citizen support organization shall be transferred to
286 | the Department of State and all remaining assets shall be
287 | transferred to the Historical Operating Trust Fund.

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