

By the Committee on Governmental Oversight and Productivity;
and Senator Carlton

302-2574-04

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

1 timetable and budget for the plan; requiring a
2 report to the Governor and Legislature;
3 providing responsibilities of the department;
4 authorizing the appointment of subcommittees;
5 requiring the Secretary of State to appoint an
6 advisory committee composed of all former
7 living Governors of the state; requiring the
8 commission to provide advice and assistance to
9 the Department of State regarding master plan
10 implementation and activities of a citizen
11 support organization; specifying the
12 appointment of two subcommittees; providing
13 compensation only for per diem and travel
14 expenses; requiring the Department of State to
15 provide administrative support and consulting
16 services subject to an appropriation;
17 authorizing the Department of State to enter
18 into contracts or accept loans or grants for
19 money, property, or personal services to
20 implement requirements; providing for
21 assumption of other functions to carry out
22 provisions; providing for the establishment of
23 a citizen support organization for certain
24 purposes; authorizing the organization to
25 receive moneys for certain purposes;
26 authorizing the Secretary of State to adopt a
27 master plan; providing for legislative budget
28 requests; providing for a term of existence of
29 the commission and the citizen support
30 organization; providing for transfer of
31 documents and remaining assets of the

1 commission and citizen support organization
2 upon termination; providing an effective date.

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

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6 Section 1. Paragraph (p) is added to subsection (5) of
7 section 267.031, Florida Statutes, present subsections (6) and
8 (7) of that section are renumbered as subsections (7) and (8),
9 respectively, and a new subsection (6) is added to that
10 section, to read:

11 267.031 Division of Historical Resources; powers and
12 duties.--

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

14 (p) Advise and assist, as appropriate, federal and
15 state agencies, local governments, and organizations and
16 individuals in the recognition, protection, and preservation
17 of the archaeological sites and artifacts of this state,
18 directly and through a memorandum of agreement with a network
19 of public archaeology centers as described in s. 267.145.

20 (6) The division may enter into a memorandum of
21 agreement with the University of West Florida to coordinate
22 the establishment and operation of a network of regional
23 public archaeology centers to provide public outreach and
24 assistance to local governments in identifying, evaluating,
25 developing, and preserving the archaeology in their local
26 areas and in assisting the division in its archaeological
27 responsibilities as outlined in this chapter and the
28 memorandum of agreement.

29 Section 2. Section 267.14, Florida Statutes, is
30 amended to read:

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1 267.14 Legislative intent.--It is hereby declared to
2 be the public policy of the state to preserve archaeological
3 sites and objects of antiquity for the public benefit and to
4 limit exploration, excavation, and collection of such matters
5 to qualified persons and educational institutions possessing
6 the requisite skills and purpose to add to the general store
7 of knowledge concerning history, archaeology, and
8 anthropology. It is further declared to be the public policy
9 of the state to provide public outreach and assistance to
10 local governments in identifying, evaluating, developing, and
11 preserving the archaeology in their local areas through the
12 establishment of a network of regional public archaeology
13 centers.It is further declared to be the public policy of the
14 state that field investigation activities on privately owned
15 lands should be discouraged except in accordance with both the
16 provisions and spirit of ss. 267.11-267.145 ~~ss. 267.11-267.14~~;
17 and persons having knowledge of the location of archaeological
18 sites are encouraged to communicate such information to the
19 division.

20 Section 3. Section 267.145, Florida Statutes, is
21 created to read:

22 267.145 Florida network of public archaeology
23 centers.--

24 (1) The Department of State shall create, through a
25 memorandum of agreement, a Florida network of public
26 archaeology centers to help stem the rapid deterioration of
27 this state's buried past and to expand public interest in
28 archaeology. The network of public archaeology centers shall
29 work in cooperation with the State Historic Preservation
30 Officer and the division through the cooperative memorandum of
31 agreement.

1 (2) The network of public archaeology centers shall be
2 administered through a public archaeology center at the
3 University of West Florida. Additional centers shall be
4 established throughout the state with each center located in
5 an existing facility, free of charge, of a state university
6 having a local archaeological program, a regional historic
7 preservation office, the facility of a nonprofit organization
8 that is involved in the archaeology of the region, or other
9 locations as set forth in the memorandum of agreement.

10 Section 4. Section 267.174, Florida Statutes, is
11 created to read:

12 267.174 Discovery of Florida Quincentennial
13 Commemoration Commission.--

14 (1) POPULAR NAME.--This section may be cited as the
15 "Discovery of Florida Quincentennial Commemoration Commission
16 Act."

17 (2) CREATION.--The Discovery of Florida Quincentennial
18 Commemoration Commission is created within the Department of
19 State for the purposes of planning and leading the Discovery
20 of Florida Quincentennial Commemoration, a celebration of the
21 500 year anniversary of Juan Ponce de Leon's discovery of
22 Florida.

23 (3) MEMBERSHIP.--The commission shall consist of the
24 following members:

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

30 2. Two members appointed by, and serving at the
31 pleasure of, the President of the Senate.

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

3
4 Appointees shall be representatives of the general public who
5 have interest or expertise in historic preservation,
6 archaeology, the history of this state, arts education,
7 marketing, the entertainment industry, tourism, or parks and
8 recreation.

9 (b) The Secretary of State or the secretary's
10 designee.

11 (c) The executive director of the Office of Tourism,
12 Trade, and Economic Development.

13 (d) The chair of the Florida Historical Commission.

14 (e) The chair of the Florida Arts Council.

15 (4) TERMS; VACANCIES.--All appointed members shall be
16 appointed to a term of 4 years and shall be eligible for
17 reappointment. If a position becomes vacant, a successor shall
18 be appointed in the manner of the original appointment for
19 such position.

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

21 (a) The commission shall elect from among its members
22 a chair, a vice chair, and such other officers as the
23 commission deems necessary or expedient in the performance of
24 its duties. Election of officers shall occur at the first
25 meeting of the commission and every 4 years thereafter or
26 sooner if a vacancy occurs.

27 (b) A majority of the total membership shall
28 constitute a quorum. No vacancy in the membership shall impair
29 the right of a quorum to exercise all of the functions and
30 duties of the commission. All action taken by the commission
31 shall be by majority vote of those members present.

1 (c) The commission shall adopt bylaws for the conduct
2 of its business and shall have the power to amend and rescind
3 its bylaws. The commission shall publish its bylaws in
4 convenient form and shall file with the Department of State a
5 copy of such bylaws and a copy of any amendment to such
6 bylaws.

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

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

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

18 (7) DUTIES; MASTER PLAN.--

19 (a) The commission shall develop a statewide master
20 plan for commemorating the quincentennial of Juan Ponce de
21 Leon's discovery of Florida. The plan shall be developed to
22 encourage and support participation in the quincentennial by
23 all interested ethnic groups in geographical areas of the
24 state. The commission shall work with representatives from the
25 state's tourism industries, cultural and historical venues,
26 entertainment industry, parks and recreation programs, K-20
27 educational institutions, local governments, state and federal
28 agencies, and others as necessary in the preparation and
29 implementation of the master plan.

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

1 1. State and local historic preservation programs and
2 activities.

3 2. State and local archaeological programs and
4 activities.

5 3. Publications, films, and other educational
6 materials.

7 4. Biographical, bibliographical, and documentary
8 projects that chronicle the life of Juan Ponce de Leon, his
9 1513 and 1521 voyages to this state, the creation of the
10 commission, and the implementation of the master plan.

11 5. Conferences, lectures, seminars, and other
12 programs.

13 6. Museum, library, cultural center, park
14 improvements, services, and exhibits, including, but not
15 limited to, a quincentennial commemorative painting and mobile
16 exhibits.

17 7. Programs that educate the public on Florida's
18 extinct Native American cultures.

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

20 9. Tourism attractions, license plate, logo, seal or
21 trademark design, and retail items.

22 10. Ceremonies, celebrations, and commemorations
23 throughout the state with special emphasis on such in
24 Charlotte, Lee, Palm Beach, St. Johns, and Monroe Counties,
25 which counties are associated with Juan Ponce de Leon's 1513
26 voyage.

27 (c) The commission shall establish a timetable and
28 budget for completion for all parts of the master plan which
29 shall be made a part of the plan. An initial draft of the plan
30 shall be completed and submitted to the Governor, the
31 President of the Senate, the Speaker of the House of

1 Representatives, and the Secretary of State by January 2007
2 with the completed master plan submitted to such officials by
3 January 2008.

4 (d) The commission shall be responsible for providing
5 such other assistance and advice to the department as may be
6 required from time to time in matters pertaining to the
7 implementation of the master plan, including, but not limited
8 to, activities of the citizen support organization created by
9 this section for the purpose of raising funds and assisting in
10 the development and implementation of the master plan relating
11 to the quincentennial commemoration of the discovery of this
12 state.

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

14 (a) Subject to appropriation, the department shall
15 provide administrative support and consulting services to the
16 commission for the commission's activities and duties as
17 provided in this section.

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

23 2. In addition to subcommittees requested by the
24 commission, there shall be a subcommittee composed of
25 representatives of local governments which shall include, but
26 not be limited to, a representative from each of the counties
27 of this state with a documented association with Juan Ponce de
28 Leon's 1513 and 1521 voyages to assist the commission in
29 fulfilling its responsibilities under this section and in
30 assisting implementation of the master plan in local
31 communities throughout the state.

1 3. The secretary shall appoint an advisory committee
2 to the commission which shall be composed of all former living
3 governors of this state to assist and advise the commission in
4 fulfilling its responsibilities under this section.

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

9 (d)1. The Division of Historical Resources of the
10 Department of State may support the establishment of a citizen
11 support organization pursuant to s. 267.17 to assist the
12 commission in the development and implementation of the master
13 plan relating to the quincentennial commemoration of the
14 discovery of this state. The citizen support organization may
15 receive funds from the general public or other public or
16 private sources for the purpose of funding its activities and
17 implementing the provisions of this section. In addition to
18 funds received from the general public or other public and
19 private sources, the organization may receive funds from state
20 agencies at such times and in such amounts as may be
21 appropriated by the Legislature.

22 2. Costs to underwrite activities related to the
23 commemoration of the quincentennial may be borne from revenues
24 raised by the citizen support organization.

25 (e) The Secretary of State may adopt the plan
26 developed by the commission.

27 (f) The commission shall make recommendations for
28 funding to the Secretary of State and the department shall
29 include requests for funding for the commission and for the
30 master plan in the department's legislative budget request, as
31 the secretary deems appropriate.

1 (9) TERMINATION OF COMMISSION AND CITIZEN SUPPORT
2 ORGANIZATION.--The commission and the citizen support
3 organization created in this section shall terminate on July
4 1, 2014. Prior to termination, all documents of the commission
5 and of the citizen support organization shall be transferred
6 to the Department of State and all remaining assets shall be
7 transferred to the Historical Operating Trust Fund.

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

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 2246

- 14 Authorizes the establishment of a network of regional public
archaeology centers throughout the state.
- 15 Modifies the composition of the Discovery of Florida
16 Quincentennial Commemoration Commission.
- 17 Establishes duties of the commission.
- 18 Authorizes the establishment of a citizen support organization
to support the activities of the commission.
- 19 Provides that documents and assets of the commission and the
20 citizen support organization revert to the state upon
21 termination.