Florida Senate - 2006

By Senator Dockery

15-1525A-06

See HB

	15-1525A-00	see	нв
1	A bill to be entitled		
2	An act relating to the Department of State;		
3	amending s. 15.09, F.S.; providing for deposit		
4	of certain reinstatement fees, late fees, and		
5	penalties collected by the Division of		
б	Corporations of the Department of State into		
7	the Florida Fine Arts Trust Fund rather than		
8	the General Revenue Fund; providing for		
9	disbursement of such revenues to fund cultural		
10	and historical preservation grants and		
11	programs; amending s. 265.606, F.S.; deleting a		
12	requirement for local sponsoring organizations		
13	to submit an annual postaudit to the Division		
14	of Cultural Affairs under certain		
15	circumstances; providing for the reversion of		
16	the state's matching share of cultural		
17	endowment to the Florida Fine Arts Trust Fund		
18	rather than the General Revenue Fund under		
19	certain circumstances; providing for		
20	distribution of reverted funds; amending s.		
21	267.174, F.S.; changing the dates for the first		
22	meeting of the Discovery of Florida		
23	Quincentennial Commemoration Commission, the		
24	completion of the initial draft of a specified		
25	master plan, and the submission of the		
26	completed master plan; providing an effective		
27	date.		
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29	Be It Enacted by the Legislature of the State of Florida	1:	
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Florida Senate - 2006 15-1525A-06

1 Section 1. Subsection (4) of section 15.09, Florida 2 Statutes, is amended to read: 3 15.09 Fees.--4 (4)(a) Except as provided in paragraph (b), all funds collected by the Division of Corporations of the department 5 6 shall be deposited in the General Revenue Fund. 7 (b) All reinstatement fees, late fees, and penalties collected pursuant to ss. 607.0122(13), 607.1422(1), 8 607.1502(4), 607.193(2)(b), 608.502(4), 617.0122(13), 9 10 617.1422(1), and 617.1623(1) shall be deposited in the Florida Fine Arts Trust Fund and disbursed each fiscal year as 11 12 follows: 13 1. The sum of \$2 million shall be transferred to the Historical Resources Operating Trust Fund for the purpose of 14 funding historic preservation matching grants pursuant to s. 15 16 267.0617. 17 2. The sum of \$1.75 million shall be transferred to 18 the Historical Resources Operating Trust Fund for the purpose of funding historical museum grants pursuant to s. 267.0619. 19 3. The sum of \$14.3 million shall be used for the 20 21 purpose of funding cultural grants as provided in ss. 265.286, 265.2861, 265.608, and 265.609. 2.2 23 4. Any remaining proceeds shall be used for the purpose of providing state matching funds for the Cultural 2.4 Endowment Program as provided in s. 265.606. 25 26 27 If proceeds fall below the amounts required to be disbursed in 2.8 subparagraphs 1. through 3., the spending authority provided in this paragraph for the Florida Fine Arts Trust Fund and the 29 30 Historical Resources Operating Trust Fund shall be reduced proportionally. 31

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Florida Senate - 2006 15-1525A-06

1 Section 2. Subsections (4) and (5) of section 265.606, 2 Florida Statutes, are amended to read: 3 265.606 Cultural Endowment Program; administration; 4 qualifying criteria; matching fund program levels; distribution. --5 б (4) Once the secretary has determined that the 7 sponsoring organization has complied with the criteria imposed 8 by this section, he or she may authorize the transfer of the appropriate state matching funds to the organization. However, 9 10 the secretary shall ensure that the local group has made prudent arrangements for the trusteeship of the entire 11 12 endowment, and such trusteeship is hereby created. The 13 sponsoring organization may then expend moneys in the endowment program fund, subject to the following requirements: 14 15 (a) The organization may expend funds only for operating costs incurred while engaged in programs directly 16 17 related to cultural activities. (b) The organization shall annually submit a report to 18 19 the division, in such form as the division specifies, 20 explaining how endowment program funds were utilized. 21 (c) Any contract administered under this section shall 22 require the local sponsoring organization to submit to the 23 division an annual postaudit of its financial accounts conducted by an independent certified public accountant. 2.4 25 (5) The \$240,000 state matching fund endowment for each individual endowment shall revert to the Florida Fine 26 27 Arts Trust Fund and shall be awarded to the first organization 28 on the Cultural Endowment Program priority list pursuant to subsection (7), which has not previously received a cultural 29 endowment in the most current fiscal year funding cycle, 30 General Revenue Fund if any of the following events occurs: 31

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1 (a) The recipient sponsoring organization is no longer 2 able to manage an endowment ceases operations. 3 (b) The recipient sponsoring organization files for protection under federal bankruptcy provisions. 4 5 (c) The recipient sponsoring organization willfully б expends a portion of the endowment principal of any individual 7 endowment. Section 3. Paragraph (d) of subsection (5) and 8 paragraph (c) of subsection (7) of section 267.174, Florida 9 Statutes, are amended to read: 10 267.174 Discovery of Florida Quincentennial 11 12 Commemoration Commission. --13 (5) OFFICERS; BYLAWS; MEETINGS.--(d) The initial meeting of the commission shall be 14 held no later than July 31, 2008 January 31, 2007. Subsequent 15 meetings shall be held upon the call of the chair or vice 16 17 chair acting in the absence of the chair, and in accordance 18 with the commission's bylaws. (7) DUTIES; MASTER PLAN.--19 (c) The commission shall establish a timetable and 20 21 budget for completion for all parts of the master plan which 22 shall be made a part of the plan. An initial draft of the plan 23 shall be completed and submitted to the Governor, the President of the Senate, the Speaker of the House of 2.4 Representatives, and the Secretary of State by May 2009 25 January 2008 with the completed master plan submitted to such 26 27 officials by May 2010 January 2009. Section 4. This act shall take effect July 1, 2006. 28 29 30 31

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