

By the Committee on Governmental Operations; and Senator Lawson

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1 A bill to be entitled

2 An act relating to cultural and historical programs;
3 creating s. 265.7025, F.S.; providing definitions;
4 amending s. 265.703, F.S.; providing for more than one
5 citizen support organization; adding historical and museum
6 programs to those programs that can be assisted by the
7 citizen support organizations of the Division of Cultural
8 Affairs of the Department of State; revising the name of
9 the trust fund into which funds are deposited; providing
10 that information of the citizen support organization for
11 the Museum of Florida History which is confidential and
12 exempt pursuant to s. 267.17, F.S., retains its status;
13 creating s. 265.704, F.S.; providing powers and duties of
14 the Division of Cultural Affairs related to historical
15 museums; creating s. 265.705, F.S.; providing state policy
16 relating to historic properties; creating s. 265.706,
17 F.S.; authorizing the division to acquire, maintain,
18 preserve, interpret, exhibit, and make available for study
19 certain objects having historical or archaeological value;
20 vesting title of such objects in the division; requiring
21 maintenance of records; requiring inventory of objects of
22 specified value; authorizing the division to loan,
23 exchange, sell, or otherwise transfer certain objects;
24 providing exemptions from ch. 273, F.S.; providing for
25 deposit and use of funds; requiring the adoption of rules;
26 providing a penalty for certain violations by a custodian;
27 providing for insuring of certain items; amending and
28 renumbering s. 267.072, F.S., relating to the Museum of
29 Florida History and its programs; transferring the

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30 responsibility for and administration of the Museum of
31 Florida History, its programs, and the citizen support
32 organization for the museum from the Division of
33 Historical Resources to the Division of Cultural Affairs;
34 providing for the operation of additional stores
35 associated with the Museum of Florida History; authorizing
36 the Division of Cultural Affairs to operate other
37 historical museums; conforming provisions to changes made
38 by the act; amending and renumbering s. 267.0619, F.S.,
39 relating to historical museum grants under the Division of
40 Historical Resources of the Department of State;
41 transferring the grant program to the Division of Cultural
42 Affairs; conforming provisions to changes made by the act;
43 providing that a for-profit corporation, partnership, or
44 organization is ineligible for receipt of such grants;
45 creating s. 265.709, F.S.; authorizing the Division of
46 Cultural Affairs to promote and encourage the writing of
47 Florida history through certain activities; authorizing
48 the collecting, editing, and publishing of documents
49 related to Florida history; authorizing the division to
50 establish a reasonable charge for such publications;
51 providing for such proceeds to be deposited in the Grants
52 and Donations Trust Fund or certain separate depository
53 accounts; amending s. 267.0612, F.S.; providing a uniform
54 starting date for all appointments to the Florida
55 Historical Commission; amending s. 267.071, F.S.; removing
56 the Museum of Florida History as one of the historical
57 museums that the Division of Historical Resources is
58 required to encourage, promote, maintain, and operate;

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59 | amending s. 267.0731, F.S.; adding representatives of the
60 | Secretary of State to the list of representatives on the
61 | ad hoc committee responsible for making recommendations
62 | for Great Floridian nominations; deleting references to
63 | the citizen support organization for the Museum of Florida
64 | History; deleting responsibilities of the Museum of
65 | Florida History; requiring the Department of State to be
66 | the repository of certain films or videotapes produced
67 | concerning a Great Floridian as well as certain items
68 | related to such productions; repealing s. 267.174, F.S.,
69 | relating to the Discovery of Florida Quincentennial
70 | Commemoration Commission; amending s. 272.129, F.S.;
71 | authorizing a citizen support organization for the
72 | Legislative Research Center and Museum at the Historic
73 | Capitol, which is known as the "center"; requiring the
74 | citizen support organization to be a corporation not for
75 | profit; authorizing the citizen support organization to
76 | perform certain tasks for the direct and indirect benefit
77 | of the center; authorizing the center to prescribe
78 | conditions with which the citizen support organization
79 | must comply in order to use fixed property or facilities
80 | of the center; prohibiting the center from permitting a
81 | citizen support organization to use the center's
82 | facilities under certain conditions; requiring that the
83 | citizen support organization provide for an annual audit;
84 | providing that records of the organization are public
85 | records; requiring that certain funds be deposited into
86 | the account of the citizen support organization; providing

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87 for reversion of funds to the state under certain
88 circumstances; providing an effective date.

89
90 Be It Enacted by the Legislature of the State of Florida:

91
92 Section 1. Section 265.7025, Florida Statutes, is created
93 to read:

94 265.7025 Definitions relating to historic programs.--For
95 the purposes of ss. 265.7025-265.709, the term:

96 (1) "Agency" means any state, county, or municipal officer,
97 department, division, board, bureau, commission, or other
98 separate unit of government created or established by law.

99 (2) "Division" means the Division of Cultural Affairs of
100 the Department of State.

101 (3) "Florida history museum" means a public or private
102 nonprofit institution that is established permanently in this
103 state for the purpose of promoting and encouraging knowledge and
104 appreciation of Florida history through the collection,
105 preservation, exhibition, and interpretation of artifacts and
106 other historical properties related to Florida history and the
107 primary role of which is to collect and care for artifacts and
108 other objects of intrinsic historical or archaeological value and
109 exhibit them regularly through a facility or facilities owned or
110 operated by the institution.

111 (4) "Historic property" or "historic resource" means any
112 prehistoric or historic district, site, building, object, or
113 other real or personal property of historical, architectural, or
114 archaeological value, and folklife resources. These properties or
115 resources may include, but are not limited to, monuments,

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116 memorials, Indian habitations, ceremonial sites, abandoned
117 settlements, sunken or abandoned ships, engineering works,
118 treasure troves, artifacts, or other objects having intrinsic
119 historical or archaeological value, or any part thereof, relating
120 to the history, government, or culture of the state.

121 (5) "Preservation" or "historic preservation" means the
122 identification, evaluation, recordation, documentation, analysis,
123 recovery, interpretation, curation, acquisition, protection,
124 management, rehabilitation, restoration, stabilization,
125 maintenance, or reconstruction of historic properties.

126 Section 2. Section 265.703, Florida Statutes, is amended to
127 read:

128 265.703 Citizen support organizations ~~organization~~; use of
129 state administrative services and property; audit.--

130 (1) CITIZEN SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.--The
131 division may support the establishment of a citizen support
132 organizations ~~organization~~ to provide assistance, funding, and
133 promotional support for the cultural, ~~and~~ arts, historical, and
134 museum programs of the division. For the purposes of this
135 section, a "citizen support organization" means an organization
136 which is:

137 (a) A Florida corporation not for profit incorporated under
138 the provisions of chapter 617 and approved by the Department of
139 State.

140 (b) Organized and operated to conduct programs and
141 activities; raise funds; request and receive grants, gifts, and
142 bequests of money; acquire, receive, hold, invest, and
143 administer, in its own name, securities, funds, objects of value,
144 or other property, real or personal; and make expenditures to or

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145 | for the direct or indirect benefit of the division or individual
146 | program units of the division.

147 | (c) Determined by the division to be consistent with the
148 | goals of the division and in the best interests of the state.

149 | (d) Approved in writing by the division to operate for the
150 | direct or indirect benefit of the division. Such approval shall
151 | be given in a letter of agreement from the division.

152 | (2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.--

153 | (a) The division may fix and collect charges for the rental
154 | of facilities and properties managed by the division and may
155 | permit, without charge, appropriate use of administrative
156 | services, property, and facilities of the division by a citizen
157 | support organization, subject to the provisions of this section.
158 | Such use must be directly in keeping with the approved purposes
159 | of the citizen support organization and may not be made at times
160 | or places that would unreasonably interfere with opportunities
161 | for the general public to use such facilities for established
162 | purposes. Any moneys received from rentals of facilities and
163 | properties managed by the division may be held in the Grants and
164 | Donations Trust Fund ~~operating trust fund~~ of the division or in a
165 | separate depository account in the name of the citizen support
166 | organization and subject to the provisions of the letter of
167 | agreement with the division. The letter of agreement shall
168 | provide that any funds held in the separate depository account in
169 | the name of the citizen support organization shall revert to the
170 | division if the citizen support organization is no longer
171 | approved by the division to operate in the best interests of the
172 | state.

173 | (b) The division may prescribe by rule any condition with

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174 | which a citizen support organization shall comply in order to use
175 | division administrative services, property, or facilities.

176 | (c) The division shall not permit the use of any
177 | administrative services, property, or facilities of the state by
178 | a citizen support organization which does not provide equal
179 | membership and employment opportunities to all persons regardless
180 | of race, color, religion, sex, age, or national origin.

181 | (3) ANNUAL AUDIT.--The citizen support organization shall
182 | provide for an annual financial audit in accordance with s.
183 | 215.981. Information of the Museum of Florida History citizen
184 | support organization which is confidential and exempt pursuant to
185 | s. 267.17 shall retain its confidential and exempt status.

186 | Section 3. Section 265.704, Florida Statutes, is created to
187 | read:

188 | 265.704 Historical museums; powers and duties of the
189 | Division of Cultural Affairs.--

190 | (1) The division shall adopt rules pursuant to s.
191 | 120.536(1) and s. 120.54 to administer the provisions of ss.
192 | 265.7025-265.709.

193 | (2) The division may make and enter into all contracts and
194 | agreements with other agencies, organizations, associations,
195 | corporations, and individuals or with federal agencies as it may
196 | determine are necessary, expedient, or incidental to the
197 | performance of its duties or the execution of its powers under
198 | ss. 265.7025-265.709.

199 | (3) The division may accept gifts, grants, bequests, loans,
200 | and endowments for purposes not inconsistent with its
201 | responsibilities under this chapter. The division may also
202 | establish an endowment that is consistent with the

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203 responsibilities under ss. 265.7025-265.709.

204 (4) It is the duty of the division to:

205 (a) Promote and encourage throughout the state knowledge
206 and appreciation of Florida history by encouraging the people of
207 the state to engage in the preservation and care of artifacts,
208 museum items, treasure troves, and other historical properties;
209 the collection, research, fabrication, exhibition, preservation,
210 and interpretation of historical materials; the publicizing of
211 the state's history through public information media; and other
212 activities in historical and allied fields.

213 (b) Encourage, promote, maintain, and operate historical
214 museums, including, but not limited to, mobile museums, junior
215 museums, and the Museum of Florida History in the state capital.

216 (c) Plan and develop, in cooperation with other state
217 agencies and with municipalities, programs to promote and
218 encourage the teaching of Florida's history and heritage in
219 Florida schools and other educational institutions and other such
220 educational programs as may be appropriate.

221 (d) Establish professional standards for the preservation,
222 exclusive of acquisition, of historical resources in state
223 ownership or control.

224 (e) Take such other actions as are necessary or appropriate
225 to locate, acquire, protect, preserve, operate, interpret, and
226 promote the location, acquisition, protection, preservation,
227 operation, and interpretation of historical resources to foster
228 an appreciation of Florida history and culture.

229 Section 4. Section 265.705, Florida Statutes, is created to
230 read:

231 265.705 State policy relative to historical

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232 properties.--The rich and unique heritage of historical
233 properties in this state, representing more than 10,000 years of
234 human presence, is an important legacy to be valued and conserved
235 for present and future generations. The destruction of these
236 nonrenewable historical resources will engender a significant
237 loss to the state's quality of life, economy, and cultural
238 environment. It is therefore declared to be state policy to
239 provide leadership in the preservation of the state's historical
240 resources and to administer state-owned or state-controlled
241 historical resources in a spirit of stewardship and trusteeship.

242 Section 5. Section 265.706, Florida Statutes, is created to
243 read:

244 265.706 Objects of historical or archaeological value.--The
245 division shall acquire, maintain, preserve, interpret, exhibit,
246 and make available for study objects that have intrinsic
247 historical or archaeological value relating to the history,
248 government, or culture of the state. Such objects may include
249 tangible personal property of historical or archaeological value.
250 Objects acquired under this section belong to the state and title
251 to such objects is vested in the division.

252 (1) Notwithstanding s. 273.02, the division shall maintain
253 an adequate record of all objects in its custody which have a
254 historical or archaeological value. Once each year, on July 1 or
255 as soon thereafter as practicable, the division shall take a
256 complete inventory of all such objects in its custody the current
257 value or cost of which is \$1,000 or more and a sample inventory
258 of such objects the current value or cost of which is less than
259 \$1,000. Each inventory shall be compared with the property record
260 and all discrepancies shall be traced and reconciled. Objects of

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261 historical or archaeological value are not required to be
262 identified by marking or other physical alteration of the
263 objects.

264 (2) The division may arrange for the temporary or permanent
265 loan of any object that has historical or archaeological value in
266 its custody. Such loans shall be for the purpose of assisting
267 historical, archaeological, or other studies; providing objects
268 relating to interpretive exhibits and other educational programs
269 that promote knowledge and appreciation of Florida history and
270 the programs of the division; or assisting the division in
271 carrying out its responsibility to ensure proper curation of the
272 objects.

273 (3) The division may determine from time to time that an
274 object in its custody and owned by the state has no further use
275 or value for the research, exhibit, or educational programs of
276 the division, or that such an object will receive more
277 appropriate maintenance and preservation by another agency,
278 institution, or organization, and may loan, exchange, sell, or
279 otherwise transfer ownership and custody of such object to
280 another agency, institution, or organization for the purpose of
281 ensuring the continued maintenance and preservation of such
282 object, or for the purpose of acquiring another object that
283 better serves the interests of the state and is more appropriate
284 for promoting knowledge and appreciation of Florida history and
285 the programs of the division.

286 (4) For the purpose of the exchange, sale, or other
287 transfer of objects of historical or archaeological value, the
288 division is exempt from chapter 273.

289 (5) All moneys received from the sale of an object that has

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290 historical or archaeological value pursuant to subsection (3)
291 shall be deposited in the Grants and Donations Trust Fund and
292 shall be used exclusively for the acquisition of additional
293 historical and archaeological objects or the preservation and
294 maintenance of any such objects in the custody of the division.

295 (6) The division shall adopt rules pursuant to ss.
296 120.536(1) and 120.54 which prescribe criteria for the inventory
297 and for the loan, exchange, sale, transfer, or other disposal of
298 state-owned objects of historical or archaeological value.

299 (7) Any custodian as defined in s. 273.01(1) who violates
300 any provision of this section or any rule adopted pursuant to
301 this section commits a misdemeanor of the second degree,
302 punishable as provided in s. 775.082 or s. 775.083.

303 (8) Notwithstanding any provision of s. 287.022 or s.
304 287.025(1)(e), the division may enter into contracts to insure
305 museum collections, artifacts, exhibitions, relics, and fine arts
306 that are loaned to it or to which it holds title.

307 Section 6. Section 267.072, Florida Statutes, is renumbered
308 as section 265.707, Florida Statutes, and amended to read:

309 265.707 267.072 Museum of Florida History and programs;
310 other historical museums.--

311 (1) The division is authorized to operate the Museum of
312 Florida History and other historical museums.

313 (2)(1) The division shall establish and administer a museum
314 store in the Museum of Florida History to provide information and
315 materials relating to museum exhibits, collections, and programs
316 to the public and may operate additional stores associated with
317 the museum. The store may produce, acquire, and sell craft
318 products, replicas and reproductions of artifacts, documents, and

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319 other merchandise relating to historical and cultural resources
320 and may make a reasonable charge for such merchandise. All
321 proceeds received from sales must be deposited into the Grants
322 and Donations ~~Historical Resources Operating~~ Trust Fund or, funds
323 in excess of the amount required to pay employees involved in the
324 direct management of the museum store, may be deposited into a
325 bank account of the citizen support organization created pursuant
326 to s. 265.703 ~~s. 267.17~~ and may ~~only~~ be used only to support the
327 programs of the Museum of Florida History. The museum store may
328 enter into agreements and accept credit-card payments as
329 compensation for goods and products sold. The division may
330 establish accounts in credit-card banks for the deposit of
331 credit-card sales invoices and to pay discounts and service
332 charges in connection with the use of credit cards.

333 (3)~~(2)~~ The division shall support the establishment and
334 operation of a nonprofit organization or association established
335 pursuant to s. 265.703 ~~s. 267.17~~ to promote and encourage
336 knowledge and appreciation of Florida history and the programs of
337 the Museum of Florida History and to cooperate with historical
338 societies and other organizations to provide funding and
339 promotional support for the programs of the museum. Such
340 organization or association may, with the consent of the
341 division, operate the museum store or conduct special events and
342 programs in the museum. All proceeds must be used to support the
343 programs of the Museum of Florida History.

344 (4)~~(3)~~ The division shall deposit gifts and donations for
345 the purpose of assisting the Museum of Florida History and its
346 programs in the Grants and Donations ~~Historical Resources~~
347 ~~Operating~~ Trust Fund to be used exclusively for the benefit of

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348 programs of the museum and in a manner consistent with any terms
349 or conditions agreed to by the division in accepting such gifts.

350 Section 7. Section 267.0619, Florida Statutes, is
351 renumbered as section 265.708, Florida Statutes, and amended to
352 read:

353 265.708 ~~267.0619~~ Historical Museum Grants.--

354 (1) The division may conduct a program to provide:

355 ~~(1)~~ (a) Grants ~~from the Historical Resources Operating Trust~~
356 ~~Fund~~, including matching grants, to a department or agency of the
357 state; a unit of county, municipal, or other local government; or
358 a public or private ~~profit or~~ nonprofit corporation, partnership,
359 or other organization to assist in the development of public
360 educational exhibits relating to the historical resources of
361 Florida; and

362 (b) Grants ~~from the Historical Resources Operating Trust~~
363 ~~Fund~~ to Florida history museums that are not state-operated to
364 assist such museums in paying for operating costs.

365 (2) In order to be eligible to receive a grant ~~from the~~
366 ~~trust fund~~ to assist in paying operating costs, a Florida history
367 museum must fulfill the following criteria:

368 (a) The mission of the museum must relate directly and
369 primarily to the history of Florida. If the museum has more than
370 one mission, the museum is eligible to receive a grant for that
371 portion of the operating costs which is reasonably attributable
372 to its mission relating to the history of Florida;

373 (b) The museum must have been operating and open to the
374 public for at least 180 days each year during the 2-year period
375 immediately preceding the date upon which the museum applies for
376 the grant;

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377 (c) The museum must be open and providing museum services
378 to the public for at least 180 days each year; and

379 (d) The museum must currently employ, and must have
380 employed during the 2-year period immediately preceding the date
381 upon which the museum applies for the grant, at least one full-
382 time staff member or the equivalent thereof whose primary
383 responsibility is to acquire, maintain, and exhibit to the public
384 objects that are owned by, or are on loan to, the museum.

385 (3) ~~An application for a grant must be made to the division~~
386 ~~on a form provided by the division.~~ The division shall adopt
387 rules prescribing categories of grants, application requirements,
388 criteria and procedures for the review and evaluation of
389 applications, and other procedures necessary for the
390 administration of the program, subject to the requirements of
391 this section. Grant review panels appointed by the Secretary of
392 State ~~and chaired by a member of the Florida Historical~~
393 ~~Commission or a designee appointed by the commission's presiding~~
394 ~~officer~~ shall review each application for a museum grant-in-aid.
395 The review panel shall submit to the Secretary of State for
396 approval lists of all applications that are recommended by the
397 panel for the award of grants, arranged in order of priority. The
398 division may award a grant to a Florida history museum only if
399 the award has been approved by the Secretary of State.

400 (4) Grants Money ~~received as an appropriation or~~
401 ~~contribution to the grants program must be deposited into the~~
402 ~~Historical Resources Operating Trust Fund. Money appropriated~~
403 ~~from general revenue to the trust fund for the program may not be~~
404 awarded ~~granted~~ to a private for-profit museum or used. ~~Money~~
405 ~~appropriated from any source to the trust fund for the program~~

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406 ~~may not be granted~~ to pay the cost of locating, identifying,
407 evaluating, acquiring, preserving, protecting, restoring,
408 rehabilitating, stabilizing, or excavating an archaeological or
409 historic site or a historic building or the planning of any of
410 those activities.

411 (5) The division may grant moneys quarterly ~~from the~~
412 ~~Historical Resources Operating Trust Fund~~ to history museums in
413 advance of an exhibit or program for which the moneys are
414 granted.

415 Section 8. Section 265.709, Florida Statutes, is created to
416 read:

417 265.709 Publications.--The division may promote and
418 encourage the writing of Florida history and collect, edit,
419 publish, and print pamphlets, papers, manuscripts, documents,
420 books, monographs, and other materials relating to Florida
421 history. The division may establish a reasonable charge for such
422 publications and shall hold any moneys received from the sale of
423 publications in the Grants and Donations Trust Fund or in a
424 separate depository account in the name of a citizen support
425 organization formed pursuant to s. 265.703 and subject to the
426 provision of a letter of agreement with the division.

427 Section 9. Paragraph (a) of subsection (1) of section
428 267.0612, Florida Statutes, is amended to read:

429 267.0612 Florida Historical Commission; creation;
430 membership; powers and duties.--In order to enhance public
431 participation and involvement in the preservation and protection
432 of the state's historic and archaeological sites and properties,
433 there is created within the Department of State the "Florida
434 Historical Commission." The commission shall serve in an advisory

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435 capacity to the director of the Division of Historical Resources
436 to assist the director in carrying out the purposes, duties, and
437 responsibilities of the division, as specified in this chapter.

438 (1) (a) 1. The commission shall be composed of 11 members.
439 Seven members shall be appointed by the Governor in consultation
440 with the Secretary of State, two members shall be appointed by
441 the President of the Senate, and two members shall be appointed
442 by the Speaker of the House of Representatives. Of the seven
443 members appointed by the Governor, one member must be a licensed
444 architect who has expertise in historic preservation and
445 architectural history; one member must be a professional
446 historian in the field of American history; one member must be a
447 professional architectural historian; one member must be an
448 archaeologist specializing in the field of prehistory; and one
449 member must be an archaeologist specializing in the historic
450 period. The remaining two members appointed by the Governor and
451 the two members appointed by the President of the Senate and the
452 Speaker of the House of Representatives, respectively, must be
453 representatives of the general public with demonstrated interest
454 in the preservation of Florida's historical and archaeological
455 heritage. At least one member of the commission shall be a
456 resident of a county that has a population of 75,000 or fewer.

457 2. After June 30, 2008, terms of appointment shall begin on
458 January 1 of the year of appointment.

459 Section 10. Subsection (2) of section 267.071, Florida
460 Statutes, is amended to read:

461 267.071 Historical museums.--It is the duty of the division
462 to:

463 (2) Encourage, promote, maintain, and operate historical

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464 museums, including, but not limited to, mobile museums and
465 junior museums, ~~and the Museum of Florida History in the state~~
466 ~~capital.~~

467 Section 11. paragraphs (b) and (c) of subsection (1) and
468 paragraph (a) of subsection (2) of section 267.0731, Florida
469 Statutes, are amended to read:

470 267.0731 Great Floridians Program.--The division shall
471 establish and administer a program, to be entitled the Great
472 Floridians Program, which shall be designed to recognize and
473 record the achievements of Floridians, living and deceased, who
474 have made major contributions to the progress and welfare of this
475 state.

476 (1) The division shall nominate present or former citizens
477 of this state, living or deceased, who during their lives have
478 made major contributions to the progress of the nation or this
479 state and its citizens. Nominations shall be submitted to the
480 Secretary of State who shall select from those nominated not less
481 than two persons each year who shall be honored with the
482 designation "Great Floridian," provided no person whose
483 contributions have been through elected or appointed public
484 service shall be selected while holding any such office.

485 ~~(b) In formulating its nominations, the division shall also~~
486 ~~seek the assistance of the organization acting in the capacity as~~
487 ~~a citizen support organization of the division, pursuant to s.~~
488 ~~267.17 and approved to act on behalf of the Museum of Florida~~
489 ~~History.~~

490 (b) ~~(e)~~ Annually, the division shall convene an ad hoc
491 committee composed of representatives of the Governor, each
492 member of the Florida Cabinet, the President of the Senate, the

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493 Speaker of the House of Representatives, and the Secretary of
494 State ~~organization described in paragraph (b)~~. This committee
495 shall meet at least twice. The committee shall nominate not fewer
496 than two persons whose names shall be submitted to the Secretary
497 of State with the recommendation that they be honored with the
498 designation "Great Floridian."

499 (2) Upon designation of a person as a Great Floridian by
500 the Secretary of State, the division shall undertake appropriate
501 activities intended to achieve wide public knowledge of the
502 person designated.

503 (a) The division may seek to initiate production of a film
504 or videotape depicting the life and contributions of the designee
505 to this state and to the nation. If technology surpasses the use
506 of film or videotape, another medium of equal quality may be
507 used.

508 ~~1. In the production of such films, the division shall seek~~
509 ~~cooperation from local volunteers throughout the state and, in~~
510 ~~particular, shall seek fundraising and other assistance of the~~
511 ~~citizen support organization created pursuant to s. 267.17 to~~
512 ~~support the programs of the Museum of Florida History.~~

513 1.2. The Department of State ~~Museum of Florida History~~
514 shall be the repository of the original negative, the original
515 master tape, and all cuttings, of any film or videotape produced
516 under the authority of this paragraph. The division also may
517 exercise the right of trademark over the terms "Great Floridian"
518 or "Great Floridians" pursuant to s. 286.031.

519 ~~2.3.~~ The division shall arrange for the distribution of
520 copies of all films to the general public, public television
521 stations, educational institutions, and others and may establish

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522 a reasonable charge to recover costs associated with production
523 and to provide a source of revenue to assist with reproduction,
524 marketing, and distribution of Great Floridians films. Proceeds
525 from such charges shall be deposited into the Historical
526 Resources Operating Trust Fund.

527 Section 12. Section 267.174, Florida Statutes, is repealed.

528 Section 13. Subsection (4) is added to section 272.129,
529 Florida Statutes, to read:

530 272.129 Florida Historic Capitol; space allocation;
531 maintenance, repair, and security.--

532 (4) (a) The Legislative Research Center and Museum at the
533 Historic Capitol, hereinafter referred to as "center," may
534 support the establishment of a citizen support organization to
535 provide assistance, funding, and promotional support for the
536 center. For the purposes of this subsection, "citizen support
537 organization" means an organization that is:

538 1. A Florida corporation not for profit incorporated under
539 the provisions of chapter 617 and approved by the Department of
540 State.

541 2. Organized and operated to conduct programs and
542 activities, raise funds, request and receive grants, gifts, and
543 bequests of money, acquire, receive, hold, invest, and administer
544 in its own name securities, funds, objects of value, or other
545 real and personal property, and make expenditures to or for the
546 direct or indirect benefit of the center.

547 3. Determined by the center to be consistent with the goals
548 of the center and in the best interests of the state.

549 4. Annually approved in writing by the center to operate
550 for the direct or indirect benefit of the center. Such approval

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551 shall be given in a letter of agreement from the center.

552 (b)1. The Legislative Research Center and Museum at the
553 Historic Capitol may permit, without charge, appropriate use of
554 fixed property and facilities of the center by the citizen
555 support organization, subject to the provisions of this
556 subsection. Such use must be directly in keeping with the
557 approved purposes of the citizen support organization and may not
558 be made at times or places that would unreasonably interfere with
559 normal operations of the center.

560 2. The center may prescribe by rule any condition with
561 which the citizen support organization must comply in order to
562 use fixed property or facilities of the center.

563 3. The center may not permit the use of any fixed property
564 or facilities by any citizen support organization if such
565 organization does not provide equal membership and employment
566 opportunities to all persons regardless of race, color, religion,
567 gender, age, or national origin.

568 (c) A citizen support organization shall provide for an
569 annual financial audit in accordance with s. 215.981.

570 (d) All records of a citizen support organization
571 constitute public records for the purposes of chapter 119.

572 (e) The citizen support organization for the Legislative
573 Research Center and Museum at the Historic Capitol is authorized
574 to collect rental fees, apply for and receive grants, and receive
575 gifts and donations for the direct or indirect benefit of the
576 center.

577 (f) All funds obtained through rental fees, grants, gifts,
578 and donations to the citizen support organization shall be
579 deposited into the account of the citizen support organization

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580 and used for the direct or indirect benefit of the Legislative
581 Research Center and Museum at the Historic Capitol unless the
582 citizen support organization is no longer authorized as required
583 by this subsection, fails to comply with the requirements of this
584 subsection, fails to maintain its tax-exempt status pursuant to
585 s. 501(c)(3) of the Internal Revenue Code, or ceases to exist. If
586 the citizen support organization is no longer authorized as
587 required by this subsection, fails to comply with the
588 requirements of this subsection, fails to maintain its tax-exempt
589 status pursuant to s. 501(c)(3) of the Internal Revenue Code, or
590 ceases to exist, all funds obtained through rental fees, grants,
591 gifts, and donations in the citizen support organization account
592 shall revert to the state and be deposited into an account
593 designated by the Legislature.

594 Section 14. This act shall take effect July 1, 2008.