

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  
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;  
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  
 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  
 97 officer, department, division, board, bureau, commission, or  
 98 other 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  
 109 and exhibit them regularly through a facility or facilities  
 110 owned or 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  
 115 or resources may include, but are not limited to, monuments,  
 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,  
 120 relating to the history, government, or culture of the state.

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

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

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

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

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

141 (b) Organized and operated to conduct programs and  
 142 activities; raise funds; request and receive grants, gifts, and  
 143 bequests of money; acquire, receive, hold, invest, and  
 144 administer, in its own name, securities, funds, objects of  
 145 value, or other property, real or personal; and make  
 146 expenditures to or for the direct or indirect benefit of the  
 147 division or individual program units of the division.

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

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

153 (2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.--

154 (a) The division may fix and collect charges for the  
 155 rental of facilities and properties managed by the division and  
 156 may permit, without charge, appropriate use of administrative  
 157 services, property, and facilities of the division by a citizen  
 158 support organization, subject to the provisions of this section.  
 159 Such use must be directly in keeping with the approved purposes  
 160 of the citizen support organization and may not be made at times  
 161 or places that would unreasonably interfere with opportunities  
 162 for the general public to use such facilities for established  
 163 purposes. Any moneys received from rentals of facilities and  
 164 properties managed by the division may be held in the Grants and  
 165 Donations Trust Fund ~~operating trust fund~~ of the division or in  
 166 a separate depository account in the name of the citizen support  
 167 organization and subject to the provisions of the letter of  
 168 agreement with the division. The letter of agreement shall

169 provide that any funds held in the separate depository account  
 170 in the name of the citizen support organization shall revert to  
 171 the division if the citizen support organization is no longer  
 172 approved by the division to operate in the best interests of the  
 173 state.

174 (b) The division may prescribe by rule any condition with  
 175 which a citizen support organization shall comply in order to  
 176 use division administrative services, property, or facilities.

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

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

188 Section 3. Section 265.704, Florida Statutes, is created  
 189 to read:

190 265.704 Historical museums; powers and duties of the  
 191 Division of Cultural Affairs.--

192 (1) The division shall adopt rules pursuant to s.  
 193 120.536(1) and s. 120.54 to administer the provisions of ss.  
 194 265.7025-265.709.

195 (2) The division may make and enter into all contracts and  
 196 agreements with other agencies, organizations, associations,

197 corporations, and individuals or with federal agencies as it may  
 198 determine are necessary, expedient, or incidental to the  
 199 performance of its duties or the execution of its powers under  
 200 ss. 265.7025-265.709.

201 (3) The division may accept gifts, grants, bequests,  
 202 loans, and endowments for purposes not inconsistent with its  
 203 responsibilities under this chapter. The division may also  
 204 establish an endowment that is consistent with the  
 205 responsibilities under ss. 265.7025-265.709.

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

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

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

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

223 (d) Establish professional standards for the preservation,  
 224 exclusive of acquisition, of historical resources in state



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225 ownership or control.

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

232 Section 4. Section 265.705, Florida Statutes, is created  
233 to read:

234 265.705 State policy relative to historical  
235 properties.--The rich and unique heritage of historical  
236 properties in this state, representing more than 10,000 years of  
237 human presence, is an important legacy to be valued and  
238 conserved for present and future generations. The destruction of  
239 these nonrenewable historical resources will engender a  
240 significant loss to the state's quality of life, economy, and  
241 cultural environment. It is therefore declared to be state  
242 policy to provide leadership in the preservation of the state's  
243 historical resources and to administer state-owned or state-  
244 controlled historical resources in a spirit of stewardship and  
245 trusteeship.

246 Section 5. Section 265.706, Florida Statutes, is created  
247 to read:

248 265.706 Objects of historical or archaeological  
249 value.--The division shall acquire, maintain, preserve,  
250 interpret, exhibit, and make available for study objects that  
251 have intrinsic historical or archaeological value relating to  
252 the history, government, or culture of the state. Such objects

253 may include tangible personal property of historical or  
254 archaeological value. Objects acquired under this section belong  
255 to the state and title to such objects is vested in the  
256 division.

257 (1) Notwithstanding s. 273.02, the division shall maintain  
258 an adequate record of all objects in its custody which have a  
259 historical or archaeological value. Once each year, on July 1 or  
260 as soon thereafter as practicable, the division shall take a  
261 complete inventory of all such objects in its custody the  
262 current value or cost of which is \$1,000 or more and a sample  
263 inventory of such objects the current value or cost of which is  
264 less than \$1,000. Each inventory shall be compared with the  
265 property record and all discrepancies shall be traced and  
266 reconciled. Objects of historical or archaeological value are  
267 not required to be identified by marking or other physical  
268 alteration of the objects.

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

278 (3) The division may determine from time to time that an  
279 object in its custody and owned by the state has no further use  
280 or value for the research, exhibit, or educational programs of

281 the division, or that such an object will receive more  
282 appropriate maintenance and preservation by another agency,  
283 institution, or organization, and may loan, exchange, sell, or  
284 otherwise transfer ownership and custody of such object to  
285 another agency, institution, or organization for the purpose of  
286 ensuring the continued maintenance and preservation of such  
287 object, or for the purpose of acquiring another object that  
288 better serves the interests of the state and is more appropriate  
289 for promoting knowledge and appreciation of Florida history and  
290 the programs of the division.

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

294 (5) All moneys received from the sale of an object that  
295 has historical or archaeological value pursuant to subsection  
296 (3) shall be deposited in the Grants and Donations Trust Fund  
297 and shall be used exclusively for the acquisition of additional  
298 historical and archaeological objects or the preservation and  
299 maintenance of any such objects in the custody of the division.

300 (6) The division shall adopt rules pursuant to ss.  
301 120.536(1) and 120.54 which prescribe criteria for the inventory  
302 and for the loan, exchange, sale, transfer, or other disposal of  
303 state-owned objects of historical or archaeological value.

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

308           (8) Notwithstanding any provision of s. 287.022 or s.  
 309 287.025(1)(e), the division may enter into contracts to insure  
 310 museum collections, artifacts, exhibitions, relics, and fine  
 311 arts that are loaned to it or to which it holds title.

312           Section 6. Section 267.072, Florida Statutes, is  
 313 renumbered as section 265.707, Florida Statutes, and amended to  
 314 read:

315           265.707 ~~267.072~~ Museum of Florida History and programs;  
 316 other historical museums.--

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

319           (2)~~(1)~~ The division shall establish and administer a  
 320 museum store in the Museum of Florida History to provide  
 321 information and materials relating to museum exhibits,  
 322 collections, and programs to the public and may operate  
 323 additional stores associated with the museum. The store may  
 324 produce, acquire, and sell craft products, replicas and  
 325 reproductions of artifacts, documents, and other merchandise  
 326 relating to historical and cultural resources and may make a  
 327 reasonable charge for such merchandise. All proceeds received  
 328 from sales must be deposited into the Grants and Donations  
 329 ~~Historical Resources Operating~~ Trust Fund or, funds in excess of  
 330 the amount required to pay employees involved in the direct  
 331 management of the museum store, may be deposited into a bank  
 332 account of the citizen support organization created pursuant to  
 333 s. 265.703 ~~s. 267.17~~ and may ~~only~~ be used only to support the  
 334 programs of the Museum of Florida History. The museum store may  
 335 enter into agreements and accept credit-card payments as

336 compensation for goods and products sold. The division may  
 337 establish accounts in credit-card banks for the deposit of  
 338 credit-card sales invoices and to pay discounts and service  
 339 charges in connection with the use of credit cards.

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

351 (4)~~(3)~~ The division shall deposit gifts and donations for  
 352 the purpose of assisting the Museum of Florida History and its  
 353 programs in the Grants and Donations ~~Historical Resources~~  
 354 ~~Operating~~ Trust Fund to be used exclusively for the benefit of  
 355 programs of the museum and in a manner consistent with any terms  
 356 or conditions agreed to by the division in accepting such gifts.

357 Section 7. Section 267.0619, Florida Statutes, is  
 358 renumbered as section 265.708, Florida Statutes, and amended to  
 359 read:

360 265.708 ~~267.0619~~ Historical Museum Grants.--

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

362 ~~(1)(a)~~ Grants ~~from the Historical Resources Operating~~  
 363 ~~Trust Fund~~, including matching grants, to a department or agency

364 of the state; a unit of county, municipal, or other local  
 365 government; or a public or private ~~profit or~~ nonprofit  
 366 corporation, partnership, or other organization to assist in the  
 367 development of public educational exhibits relating to the  
 368 historical resources of Florida; and

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

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

375 (a) The mission of the museum must relate directly and  
 376 primarily to the history of Florida. If the museum has more than  
 377 one mission, the museum is eligible to receive a grant for that  
 378 portion of the operating costs which is reasonably attributable  
 379 to its mission relating to the history of Florida;

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

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

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

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

407           (4) Grants ~~Money received as an appropriation or~~  
408 ~~contribution to the grants program must be deposited into the~~  
409 ~~Historical Resources Operating Trust Fund. Money appropriated~~  
410 ~~from general revenue to the trust fund for the program may not~~  
411 ~~be awarded granted to a private for-profit museum or used.~~ Money  
412 ~~appropriated from any source to the trust fund for the program~~  
413 ~~may not be granted~~ to pay the cost of locating, identifying,  
414 evaluating, acquiring, preserving, protecting, restoring,  
415 rehabilitating, stabilizing, or excavating an archaeological or  
416 historic site or a historic building or the planning of any of  
417 those activities.

418           (5) The division may grant moneys quarterly ~~from the~~  
419 ~~Historical Resources Operating Trust Fund~~ to history museums in

420 advance of an exhibit or program for which the moneys are  
 421 granted.

422 Section 8. Section 265.709, Florida Statutes, is created  
 423 to read:

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

434 Section 9. Paragraph (a) of subsection (1) of section  
 435 267.0612, Florida Statutes, is amended to read:

436 267.0612 Florida Historical Commission; creation;  
 437 membership; powers and duties.--In order to enhance public  
 438 participation and involvement in the preservation and protection  
 439 of the state's historic and archaeological sites and properties,  
 440 there is created within the Department of State the "Florida  
 441 Historical Commission." The commission shall serve in an  
 442 advisory capacity to the director of the Division of Historical  
 443 Resources to assist the director in carrying out the purposes,  
 444 duties, and responsibilities of the division, as specified in  
 445 this chapter.

446 (1) (a) 1. The commission shall be composed of 11 members.  
 447 Seven members shall be appointed by the Governor in consultation



448 with the Secretary of State, two members shall be appointed by  
 449 the President of the Senate, and two members shall be appointed  
 450 by the Speaker of the House of Representatives. Of the seven  
 451 members appointed by the Governor, one member must be a licensed  
 452 architect who has expertise in historic preservation and  
 453 architectural history; one member must be a professional  
 454 historian in the field of American history; one member must be a  
 455 professional architectural historian; one member must be an  
 456 archaeologist specializing in the field of prehistory; and one  
 457 member must be an archaeologist specializing in the historic  
 458 period. The remaining two members appointed by the Governor and  
 459 the two members appointed by the President of the Senate and the  
 460 Speaker of the House of Representatives, respectively, must be  
 461 representatives of the general public with demonstrated interest  
 462 in the preservation of Florida's historical and archaeological  
 463 heritage. At least one member of the commission shall be a  
 464 resident of a county that has a population of 75,000 or fewer.

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

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

469 267.071 Historical museums.--It is the duty of the  
 470 division to:

471 (2) Encourage, promote, maintain, and operate historical  
 472 museums, including, but not limited to, mobile museums and,  
 473 ~~junior museums, and the Museum of Florida History in the state~~  
 474 ~~capital.~~

475 Section 11. Paragraphs (b) and (c) of subsection (1) and

476 paragraph (a) of subsection (2) of section 267.0731, Florida  
 477 Statutes, are amended to read:

478       267.0731 Great Floridians Program.--The division shall  
 479 establish and administer a program, to be entitled the Great  
 480 Floridians Program, which shall be designed to recognize and  
 481 record the achievements of Floridians, living and deceased, who  
 482 have made major contributions to the progress and welfare of  
 483 this state.

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

493       ~~(b) In formulating its nominations, the division shall~~  
 494 ~~also seek the assistance of the organization acting in the~~  
 495 ~~capacity as a citizen support organization of the division,~~  
 496 ~~pursuant to s. 267.17 and approved to act on behalf of the~~  
 497 ~~Museum of Florida History.~~

498       (b)(e) Annually, the division shall convene an ad hoc  
 499 committee composed of representatives of the Governor, each  
 500 member of the Florida Cabinet, the President of the Senate, the  
 501 Speaker of the House of Representatives, and the Secretary of  
 502 State ~~organization described in paragraph (b)~~. This committee  
 503 shall meet at least twice. The committee shall nominate not

504 fewer than two persons whose names shall be submitted to the  
505 Secretary of State with the recommendation that they be honored  
506 with the designation "Great Floridian."

507 (2) Upon designation of a person as a Great Floridian by  
508 the Secretary of State, the division shall undertake appropriate  
509 activities intended to achieve wide public knowledge of the  
510 person designated.

511 (a) The division may seek to initiate production of a film  
512 or videotape depicting the life and contributions of the  
513 designee to this state and to the nation. If technology  
514 surpasses the use of film or videotape, another medium of equal  
515 quality may be used.

516 ~~1. In the production of such films, the division shall~~  
517 ~~seek cooperation from local volunteers throughout the state and,~~  
518 ~~in particular, shall seek fundraising and other assistance of~~  
519 ~~the citizen support organization created pursuant to s. 267.17~~  
520 ~~to support the programs of the Museum of Florida History.~~

521 1.2. The Department of State ~~Museum of Florida History~~  
522 shall be the repository of the original negative, the original  
523 master tape, and all cuttings, of any film or videotape produced  
524 under the authority of this paragraph. The division also may  
525 exercise the right of trademark over the terms "Great Floridian"  
526 or "Great Floridians" pursuant to s. 286.031.

527 ~~2.3.~~ The division shall arrange for the distribution of  
528 copies of all films to the general public, public television  
529 stations, educational institutions, and others and may establish  
530 a reasonable charge to recover costs associated with production  
531 and to provide a source of revenue to assist with reproduction,

532 marketing, and distribution of Great Floridians films. Proceeds  
 533 from such charges shall be deposited into the Historical  
 534 Resources Operating Trust Fund.

535 Section 12. Section 267.174, Florida Statutes, is  
 536 repealed.

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

539 272.129 Florida Historic Capitol; space allocation;  
 540 maintenance, repair, and security.--

541 (4) (a) The Legislative Research Center and Museum at the  
 542 Historic Capitol, hereinafter referred to as "center," may  
 543 support the establishment of a citizen support organization to  
 544 provide assistance, funding, and promotional support for the  
 545 center. For the purposes of this subsection, "citizen support  
 546 organization" means an organization that is:

547 1. A Florida corporation not for profit incorporated under  
 548 the provisions of chapter 617 and approved by the Department of  
 549 State.

550 2. Organized and operated to conduct programs and  
 551 activities; raise funds; request and receive grants, gifts, and  
 552 bequests of money; acquire, receive, hold, invest, and  
 553 administer in its own name securities, funds, objects of value,  
 554 or other real and personal property; and make expenditures to or  
 555 for the direct or indirect benefit of the center.

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

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

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

561 (b)1. The Legislative Research Center and Museum at the  
562 Historic Capitol may permit, without charge, appropriate use of  
563 fixed property and facilities of the center by the citizen  
564 support organization, subject to the provisions of this  
565 subsection. Such use must be directly in keeping with the  
566 approved purposes of the citizen support organization and may  
567 not be made at times or places that would unreasonably interfere  
568 with normal operations of the center.

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

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

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

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

581 (e) The citizen support organization for the Legislative  
582 Research Center and Museum at the Historic Capitol is authorized  
583 to collect rental fees, apply for and receive grants, and  
584 receive gifts and donations for the direct or indirect benefit  
585 of the center.

586 (f) All funds obtained through rental fees, grants, gifts,  
587 and donations to the citizen support organization shall be

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

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