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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

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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

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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

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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

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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.

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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

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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,

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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

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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

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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.

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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

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

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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.

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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

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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

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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

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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

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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,

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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

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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.