

1                   A bill to be entitled  
 2           An act relating to the Florida Agricultural Museum;  
 3           repealing s. 570.901, F.S., relating to the museum;  
 4           amending ss. 570.902 and 570.903, F.S., relating to  
 5           direct-support organizations for the museum and certain  
 6           other programs and definitions applicable to such  
 7           provisions; deleting provisions pertaining to the museum  
 8           to conform to the repeal by the act of provisions  
 9           establishing the museum; providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

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 13           Section 1. Section 570.901, Florida Statutes, is repealed.

14           Section 2. Section 570.902, Florida Statutes, is amended  
 15 to read:

16           570.902 Definitions; ss. 570.902 and 570.903.—For the  
 17 purpose of ss. 570.902 and 570.903:

18           (1) "Designated program" means the specific departmental  
 19 program which a direct-support organization has been created to  
 20 support.

21           (2) "Direct-support organization" or "organization" means  
 22 an organization which is a Florida corporation not for profit  
 23 incorporated under the provisions of chapter 617 and approved by  
 24 the department to operate for the benefit of ~~a museum or~~ a  
 25 specific departmental program.

26           ~~(3) "Museum" means the Florida Agricultural Museum which~~  
 27 ~~is designated as the museum for agriculture and rural history of~~  
 28 ~~the State of Florida.~~

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29 Section 3. Section 570.903, Florida Statutes, is amended  
 30 to read:

31 570.903 Direct-support organization.-

32 (1) When the Legislature authorizes the establishment of a  
 33 direct-support organization to provide assistance for ~~the~~  
 34 ~~museums,~~ the Florida Agriculture in the Classroom Program, the  
 35 Florida State Collection of Arthropods, the Friends of the  
 36 Florida State Forests Program of the Division of Forestry, and  
 37 the Forestry Arson Alert Program, and other programs of the  
 38 department, the following provisions shall govern the creation,  
 39 use, powers, and duties of the direct-support organization.

40 (a) The department shall enter into a memorandum or letter  
 41 of agreement with the direct-support organization, which shall  
 42 specify the approval of the department, the powers and duties of  
 43 the direct-support organization, and rules with which the  
 44 direct-support organization shall comply.

45 (b) The department may permit, without charge, appropriate  
 46 use of property, facilities, and personnel of the department by  
 47 a direct-support organization, subject to ~~the provisions of ss.~~  
 48 570.902 and 570.903. The use shall be directly in keeping with  
 49 the approved purposes of the direct-support organization and  
 50 shall not be made at times or places that would unreasonably  
 51 interfere with opportunities for the general public to use  
 52 department facilities for established purposes.

53 (c) The department shall prescribe by contract or by rule  
 54 conditions with which a direct-support organization shall comply  
 55 in order to use property, facilities, or personnel of the  
 56 department ~~or museum~~. Such rules shall provide for budget and

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57 | audit review and oversight by the department.

58 |       (d) The department may ~~shall~~ not permit the use of  
59 | property, facilities, or personnel of the ~~museum~~, department, or  
60 | designated program by a direct-support organization which does  
61 | not provide equal employment opportunities to all persons  
62 | regardless of race, color, religion, sex, age, or national  
63 | origin.

64 |       (2) (a) The direct-support organization shall be empowered  
65 | to conduct programs and activities; raise funds; request and  
66 | receive grants, gifts, and bequests of money; acquire, receive,  
67 | hold, invest, and administer, in its own name, securities,  
68 | funds, objects of value, or other property, real or personal;  
69 | and make expenditures to or for the direct or indirect benefit  
70 | of the ~~museum or~~ designated program.

71 |       (b) Notwithstanding the provisions of s. 287.057, the  
72 | direct-support organization may enter into contracts or  
73 | agreements with or without competitive bidding for the  
74 | restoration of objects, historical buildings, and other  
75 | historical materials or for the purchase of objects, historical  
76 | buildings, and other historical materials which ~~are to be added~~  
77 | ~~to the collections of the museum, or~~ benefit the designated  
78 | program. However, before the direct-support organization may  
79 | enter into a contract or agreement without competitive bidding,  
80 | the direct-support organization shall file a certification of  
81 | conditions and circumstances with the internal auditor of the  
82 | department justifying each contract or agreement.

83 |       (c) Notwithstanding the provisions of s. 287.025(1) (e),  
84 | the direct-support organization may enter into contracts to

85 | insure property of the ~~museum or~~ designated programs and may  
 86 | insure objects or collections on loan from others in satisfying  
 87 | security terms of the lender.

88 |         (3) The direct-support organization shall provide for an  
 89 | annual financial audit in accordance with s. 215.981.

90 |         (4) Neither a designated program ~~or a museum,~~ nor a  
 91 | nonprofit corporation trustee or employee may:

92 |             (a) Receive a commission, fee, or financial benefit in  
 93 | connection with the sale or exchange of historical objects or  
 94 | properties to the direct-support organization, ~~the museum,~~ or  
 95 | the designated program; or

96 |             (b) Be a business associate of any individual, firm, or  
 97 | organization involved in the sale or exchange of property to the  
 98 | direct-support organization, ~~the museum,~~ or the designated  
 99 | program.

100 |         (5) All moneys received by the direct-support organization  
 101 | shall be deposited into an account of the direct-support  
 102 | organization and shall be used by the organization in a manner  
 103 | consistent with the goals of the ~~museum or~~ designated program.

104 |         (6) The identity of a donor or prospective donor who  
 105 | desires to remain anonymous and all information identifying such  
 106 | donor or prospective donor are confidential and exempt from the  
 107 | provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
 108 | Constitution.

109 |         (7) The Commissioner of Agriculture, or the commissioner's  
 110 | designee, may serve on the board of trustees and the executive  
 111 | committee of any direct-support organization established to  
 112 | benefit ~~the museum or~~ any designated program.

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113       ~~(8) The department shall establish by rule archival~~  
114 ~~procedures relating to museum artifacts and records. The rules~~  
115 ~~shall provide procedures which protect the museum's artifacts~~  
116 ~~and records equivalent to those procedures which have been~~  
117 ~~established by the Department of State under chapters 257 and~~  
118 ~~267.~~

119       Section 4. This act shall take effect July 1, 2010.