

By the Committee on Governmental Oversight and Accountability;
and Senators Detert and Gaetz

585-01657-15

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1 A bill to be entitled
2 An act relating to the Florida Historic Capitol;
3 amending s. 272.129, F.S.; removing references to the
4 Legislative Research Center and Museum at the Historic
5 Capitol; removing provisions authorizing establishment
6 of a citizen support organization to support the
7 Legislative Research Center and Museum; creating s.
8 272.131, F.S.; creating the Florida Historic Capitol
9 Museum Council; providing for the appointment and
10 qualifications of council members; prescribing duties
11 and responsibilities for the council and individual
12 council members; amending s. 272.135, F.S.; renaming
13 the position of Capitol Curator as the Florida
14 Historic Capitol Museum Director; conforming
15 provisions; amending s. 272.136, F.S.; revising the
16 composition of the board of directors governing the
17 Florida Historic Capitol Museum's direct-support
18 organization; providing that per diem and travel
19 expenses must be paid from direct-support organization
20 funds; conforming provisions; amending s. 320.0807,
21 F.S.; redirecting a portion of the proceeds from the
22 fee for special license plates for former federal or
23 state legislators to the Florida Historic Capitol
24 Museum's direct-support organization; providing an
25 effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Section 272.129, Florida Statutes, is amended to

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30 read:

31 272.129 Florida Historic Capitol; space allocation;
32 maintenance, repair, and security.—

33 (1) The Legislature shall ensure that all space in the
34 Florida Historic Capitol is restored in a manner consistent with
35 the 1902 form and made available for allocation. Notwithstanding
36 the provisions of ss. 255.249 and 272.04 that relate to space
37 allocation in state-owned buildings, the President of the Senate
38 and the Speaker of the House of Representatives shall have
39 responsibility and authority for the allocation of all space in
40 the restored Florida Historic Capitol, provided:

41 (a) The rotunda, corridors, Senate chamber, House of
42 Representatives chamber, and Supreme Court chamber may ~~shall~~ not
43 be used as office space.

44 (b) The Legislature shall be allocated sufficient space for
45 program and administrative functions relating to the
46 preservation, museum, and cultural programs of the Legislature.

47 (2) The Florida Historic Capitol shall be maintained in
48 accordance with good historic preservation practices as
49 specified in the National Park Service Preservation Briefs and
50 the Secretary of the Interior's Standards for Rehabilitation and
51 Guidelines for Rehabilitating Historic Buildings.

52 (3) Custodial and preventive maintenance and repair of the
53 entire Florida Historic Capitol and the grounds located adjacent
54 thereto shall be the responsibility of the Department of
55 Management Services, subject to the special requirements of the
56 building as determined by the director of the Florida Historic
57 Capitol Museum ~~Capitol Curator~~.

58 ~~(4) (a) The Legislative Research Center and Museum at the~~

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59 ~~Historic Capitol, hereinafter referred to as "center," may~~
60 ~~support the establishment of a citizen support organization to~~
61 ~~provide assistance, funding, and promotional support for the~~
62 ~~center. For the purposes of this subsection, "citizen support~~
63 ~~organization" means an organization that is:~~

64 ~~1. A Florida corporation not for profit incorporated under~~
65 ~~the provisions of chapter 617 and approved by the Department of~~
66 ~~State.~~

67 ~~2. Organized and operated to conduct programs and~~
68 ~~activities; raise funds; request and receive grants, gifts, and~~
69 ~~bequests of money; acquire, receive, hold, invest, and~~
70 ~~administer in its own name securities, funds, objects of value,~~
71 ~~or other real and personal property; and make expenditures to or~~
72 ~~for the direct or indirect benefit of the center.~~

73 ~~3. Determined by the center to be consistent with the goals~~
74 ~~of the center and in the best interests of the state.~~

75 ~~4. Annually approved in writing by the center to operate~~
76 ~~for the direct or indirect benefit of the center. Such approval~~
77 ~~shall be given in a letter of agreement from the center.~~

78 ~~(b)1. The Legislative Research Center and Museum at the~~
79 ~~Historic Capitol may permit, without charge, appropriate use of~~
80 ~~fixed property and facilities of the center by the citizen~~
81 ~~support organization, subject to the provisions of this~~
82 ~~subsection. Such use must be directly in keeping with the~~
83 ~~approved purposes of the citizen support organization and may~~
84 ~~not be made at times or places that would unreasonably interfere~~
85 ~~with normal operations of the center.~~

86 ~~2. The center may prescribe by rule any condition with~~
87 ~~which the citizen support organization must comply in order to~~

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88 ~~use fixed property or facilities of the center.~~

89 ~~3. The center may not permit the use of any fixed property~~
90 ~~or facilities by any citizen support organization if such~~
91 ~~organization does not provide equal membership and employment~~
92 ~~opportunities to all persons regardless of race, color,~~
93 ~~religion, gender, age, or national origin.~~

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

96 ~~(d) All records of a citizen support organization~~
97 ~~constitute public records for the purposes of chapter 119.~~

98 ~~(e) The citizen support organization for the Legislative~~
99 ~~Research Center and Museum at the Historic Capitol is authorized~~
100 ~~to collect rental fees, apply for and receive grants, and~~
101 ~~receive gifts and donations for the direct or indirect benefit~~
102 ~~of the center.~~

103 ~~(f) All funds obtained through rental fees, grants, gifts,~~
104 ~~and donations to the citizen support organization shall be~~
105 ~~deposited into the account of the citizen support organization~~
106 ~~and used for the direct or indirect benefit of the Legislative~~
107 ~~Research Center and Museum at the Historic Capitol unless the~~
108 ~~citizen support organization is no longer authorized as required~~
109 ~~by this subsection, fails to comply with the requirements of~~
110 ~~this subsection, fails to maintain its tax-exempt status~~
111 ~~pursuant to s. 501(c)(3) of the Internal Revenue Code, or ceases~~
112 ~~to exist. If the citizen support organization is no longer~~
113 ~~authorized as required by this subsection, fails to comply with~~
114 ~~the requirements of this subsection, fails to maintain its tax-~~
115 ~~exempt status pursuant to s. 501(c)(3) of the Internal Revenue~~
116 ~~Code, or ceases to exist, all funds obtained through rental~~

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117 ~~fees, grants, gifts, and donations in the citizen support~~
118 ~~organization account shall revert to the state and be deposited~~
119 ~~into an account designated by the Legislature.~~

120 Section 2. Section 272.131, Florida Statutes, is created to
121 read:

122 272.131 Florida Historic Capitol Museum Council.—The
123 Florida Historic Capitol Museum Council is created within the
124 legislative branch of state government.

125 (1) The council is composed of 12 members. Council members
126 shall be selected based on their dedication to preserving the
127 Florida Historic Capitol and advancing the mission of the
128 Florida Historic Capitol Museum. Council members must
129 demonstrate an interest in documenting the institutional
130 knowledge and historic traditions of state governance with an
131 emphasis on legislative history, the advancement of civics
132 education, and the encouragement of residents of this state to
133 engage with state government. The Florida Historic Capitol
134 Museum Director shall serve in an advisory capacity to the
135 council. The council shall consist of the following members:

136 (a) The Secretary of the Senate.

137 (b) The Clerk of the House of Representatives.

138 (c) The Sergeants at Arms of both houses of the
139 Legislature.

140 (d) The President of the Senate and the Speaker of the
141 House of Representatives each shall appoint three members. Of
142 the three appointments, one must be a current member of the
143 presiding officer's respective chamber and two must be former
144 legislators or officers of the Legislature.

145 (e) The board of directors of the Florida Historic Capitol

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146 Museum's direct-support organization shall appoint two members
147 from its membership.

148 (2) A council member shall:

149 (a) Serve without compensation, except that he or she is
150 entitled to receive reimbursement for per diem and travel
151 expenses in accordance with s. 112.061. Such expenses must be
152 paid out of funds of the Florida Historic Capitol Museum's
153 direct-support organization.

154 (b) Attend a majority of council meetings each calendar
155 quarter.

156 (c) Serve as an advocate and ambassador for the museum.

157 (d) Serve as a liaison to the Governor, the President of
158 the Senate, and the Speaker of the House of Representatives.

159 (e) Cultivate relationships with legislative staff to
160 advance the mission and activities of the museum.

161 (f) Lend expertise and use his or her personal and
162 professional contacts for the advancement of the museum.

163 (g) Participate in key museum events.

164 (h) Become a member of the museum.

165 (3) The council shall:

166 (a) Designate a chair.

167 (b) Work with museum staff to prepare and recommend a
168 strategic plan to guide the council's mission. The council shall
169 submit a copy of the strategic plan to the President of the
170 Senate and the Speaker of the House of Representatives by
171 December 31, 2017, and any updates to the strategic plan must be
172 submitted every 2 years thereafter.

173 (c) Periodically review the museum's strategic plan.

174 (d) Ensure that the museum retains an emphasis on

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175 preserving legislative history and traditions by cultivating
176 relationships with current and former legislators, collecting
177 historic materials, and encouraging public participation in the
178 museum's programs.

179 (e) Ensure that the museum operates as a public trust in
180 accordance with the Ethics, Standards, and Best Practices and
181 the Code of Ethics for Museums adopted by the American Alliance
182 of Museums.

183 (f) Meet annually with the board of directors of the
184 Florida Historic Capitol Museum's direct-support organization to
185 jointly evaluate how the direct-support organization's outreach
186 and development plan complements and supports the museum and the
187 council's strategic plan.

188 (g) Assist museum staff in planning any legislative
189 reunions.

190 Section 3. Section 272.135, Florida Statutes, is amended to
191 read:

192 272.135 Florida Historic Capitol Museum Director ~~Curator~~.—

193 (1) The position of the Florida Historic Capitol Museum
194 Director ~~Capitol Curator~~ is created within the Legislature,
195 which shall establish the qualifications for the position. The
196 director ~~curator~~ shall be appointed by and serve at the pleasure
197 of the President of the Senate and the Speaker of the House of
198 Representatives.

199 (2) The director ~~Capitol Curator~~ shall:

200 (a) Promote and encourage throughout the state knowledge
201 and appreciation of the Florida Historic Capitol.

202 (b) Collect, research, exhibit, interpret, preserve, and
203 protect the history, artifacts, objects, furnishings, and other

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204 materials related to the Florida Historic Capitol, except for
205 archaeological research and resources.

206 (c) Develop, direct, supervise, and maintain the interior
207 design and furnishings of all space within the Florida Historic
208 Capitol in a manner consistent with the restoration of the
209 Florida Historic Capitol in its 1902 form.

210 (3) In conjunction with ~~the Legislative Research Center and~~
211 ~~Museum at the~~ Florida Historic Capitol Museum Council, the
212 director ~~Capitol Curator~~ may assist the Florida Historic Capitol
213 Museum in the performance of its mission by:

214 (a) Raising money.~~†~~

215 (b) Submitting requests for and receiving grants.~~†~~

216 (c) Receiving, holding, investing, and administering in the
217 name of the Florida Historic Capitol Museum ~~and the Legislative~~
218 ~~Research Center and Museum~~ securities, funds, objects of value,
219 or other real and personal property.~~†~~

220 (d) Receiving gifts and donations for the direct or
221 indirect benefit of the Florida Historic Capitol.~~†~~ ~~and~~

222 (e) Making expenditures to or for the direct or indirect
223 benefit of the Florida Historic Capitol.

224 Section 4. Section 272.136, Florida Statutes, is amended to
225 read:

226 272.136 Direct-support organization.—The ~~Legislative~~
227 ~~Research Center and Museum at the~~ Florida Historic Capitol
228 Museum Council and the Florida Historic Capitol Museum Director
229 ~~Capitol Curator~~ may establish a direct-support organization to
230 provide assistance and promotional support through fundraising
231 for the Florida Historic Capitol Museum ~~and the Legislative~~
232 ~~Research Center and Museum~~, including, but not limited to, its

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233 ~~their~~ educational programs and initiatives.

234 (1) The direct-support organization shall be governed by a
235 board of directors. Board members must demonstrate ~~who have~~
236 ~~demonstrated~~ a capacity for supporting the mission of the
237 Florida Historic Capitol.

238 (a) Initial appointments to the board shall be made by the
239 President of the Senate and the Speaker of the House of
240 Representatives at the recommendation of the council ~~center~~ and
241 the director ~~curator~~. Appointments to the board shall thereafter
242 be made by the board.

243 (b) The initial board shall consist of nine members who
244 shall be appointed to 3-year terms, except that the terms of
245 such ~~the initial~~ appointees shall be designated ~~accomplished~~ so
246 that three members are appointed for 1 year, three members are
247 appointed for 2 years, and three members are appointed for 3
248 years, in order to achieve staggered terms, as determined by the
249 presiding officers.

250 (c) The board may add up to 12 ~~two~~ additional members.

251 (d) ~~The~~ Board members shall serve without compensation, but
252 ~~except that they~~ are entitled to receive reimbursement for per
253 diem and travel expenses in accordance with s. 112.061. Such
254 expenses must be paid out of funds of the direct-support
255 organization.

256 (e) The board may use the fixed property and facilities of
257 the Florida Historic Capitol, subject to the provisions of this
258 subsection. Such use must be directly in keeping with the
259 approved purposes of the direct-support organization and may not
260 be made at times or places that would unreasonably interfere
261 with the normal operations of the Florida Historic Capitol.

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262 (2) The direct-support organization must be a Florida
263 corporation, not for profit, incorporated under chapter 617~~7~~ and
264 approved by the Department of State.

265 (3) The council and director ~~curator and center~~ may
266 prescribe any condition with which the direct-support
267 organization must comply.

268 (4) The council and director ~~curator and the center~~ may not
269 authorize ~~permit~~ the use of any fixed property or facilities by
270 the direct-support organization if the organization does not
271 provide equal membership and employment opportunities to all
272 persons regardless of race, color, religion, gender, age, or
273 national origin.

274 (5) The direct-support organization shall provide for an
275 annual financial audit in accordance with s. 215.981.

276 (6) If the direct-support organization is no longer
277 authorized by this section, fails to comply with the
278 requirements of this section, fails to maintain its tax-exempt
279 status pursuant to s. 501(c)(3) of the Internal Revenue Code, or
280 ceases to exist, all funds obtained through grants, gifts, and
281 donations in the direct-support organization account shall
282 revert to the state and be deposited into an account designated
283 by the Legislature for the support of the Florida Historic
284 Capitol, provided that donations made for specific purposes in
285 an original donor agreement shall be applied only to those
286 purposes.

287 (7) (a) The identity of a donor or prospective donor to the
288 direct-support organization who desires to remain anonymous, and
289 all information identifying such donor or prospective donor, is
290 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I

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291 of the State Constitution. Such anonymity shall be maintained in
292 any auditor's report created pursuant to the annual financial
293 audit required under subsection (5).

294 (b) This subsection is subject to the Open Government
295 Sunset Review Act in accordance with s. 119.15 and shall stand
296 repealed on October 2, 2017, unless reviewed and saved from
297 repeal through reenactment by the Legislature.

298 Section 5. Paragraph (c) of subsection (6) of section
299 320.0807, Florida Statutes, is amended to read:

300 320.0807 Special license plates for Governor and federal
301 and state legislators.-

302 (6)

303 (c) Four hundred fifty dollars of the one-time fee
304 collected under paragraph (a) shall be distributed to the
305 account of the direct-support organization established pursuant
306 to s. 272.136 ~~citizen support organization established pursuant~~
307 ~~to s. 272.129~~ and used for the benefit of the Florida Historic
308 Capitol Museum ~~Legislative Research Center and Museum at the~~
309 ~~Historic Capitol~~, and the remaining \$50 shall be deposited into
310 the Highway Safety Operating Trust Fund.

311 Section 6. This act shall take effect July 1, 2015.