

CHAPTER 2015-47

Committee Substitute for Committee Substitute for Senate Bill No. 396

An act relating to the Florida Historic Capitol; amending s. 272.129, F.S.; removing references to the Legislative Research Center and Museum at the Historic Capitol; removing provisions authorizing establishment of a citizen support organization to support the Legislative Research Center and Museum; creating s. 272.131, F.S.; creating the Florida Historic Capitol Museum Council; providing for the appointment and qualifications of council members; prescribing duties and responsibilities for the council and individual council members; amending s. 272.135, F.S.; renaming the position of Capitol Curator as the Florida Historic Capitol Museum Director; conforming provisions; amending s. 272.136, F.S.; revising the composition of the board of directors governing the Florida Historic Capitol Museum's direct-support organization; providing that per diem and travel expenses must be paid from direct-support organization funds; conforming provisions; amending s. 320.0807, F.S.; redirecting a portion of the proceeds from the fee for special license plates for former federal or state legislators to the Florida Historic Capitol Museum's direct-support organization; providing an effective date.

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

Section 1. Section 272.129, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The council is composed of 13 members. Council members shall be selected based on their dedication to preserving the Florida Historic Capitol and advancing the mission of the Florida Historic Capitol Museum. Council members must demonstrate an interest in documenting the institutional knowledge and historic traditions of state governance with an emphasis on legislative history, the advancement of civics education, and the encouragement of residents of this state to engage with state government. To serve on the council, prospective members should be experts in, or hold credentials in, the fields most directly related to the mission of the Florida Historic Capitol Museum, including, but not limited to, history, education, historic preservation, legal history, or political science, or be leaders in their respective communities or statewide, with demonstrated success in building community support for cultural institutions. The council consists of the following members:

(a) The Secretary of the Senate.

(b) The Clerk of the House of Representatives.

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

(d) The President of the Senate and the Speaker of the House of Representatives shall each appoint three members, two of whom must be

former legislators or officers of the Legislature and one of whom must be a representative of the general public.

(e) The board of directors of the Florida Historic Capitol Museum's direct-support organization shall appoint three members from its membership.

(2) A council member shall:

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

(b) Attend a majority of the council's quarterly meetings.

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

(d) Lend expertise for the advancement of the museum.

(e) Participate in key museum events.

(f) Become a member of the museum.

(3) The council shall:

(a) Designate a chair.

(b) Provide guidance and support to assist the Florida Historic Capitol Museum Director and staff in developing a strategic plan to guide the activities of the museum.

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

(d) Ensure that the museum retains an emphasis on preserving legislative history and traditions by cultivating relationships with current and former legislators, collecting historic materials, and encouraging public participation in the museum's programs.

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

(f) Meet annually with the board of directors of the Florida Historic Capitol Museum's direct-support organization to jointly review the museum's strategic plan before it is presented to the President of the Senate and the Speaker of the House of Representatives and evaluate the direct-support organization's long-term development goals and near-term strategies.

(g) Assist museum staff in planning the Biennial Joint Legislative Reunion.

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

272.135 Florida Historic Capitol Museum Director Curator.—

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

(2) The director Capitol Curator shall:

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

(b) Collect, research, exhibit, interpret, preserve, and protect the history, artifacts, objects, furnishings, and other materials related to the Florida Historic Capitol, except for archaeological research and resources.

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

(d) Propose a strategic plan to the President of the Senate and the Speaker of the House of Representatives by May 1 of each year in which a general election is held and shall propose an annual operating plan.

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

(a) Raising money.;

(b) Submitting requests for and receiving grants.;

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

(d) Receiving gifts and donations for the direct or indirect benefit of the Florida Historic Capitol.;

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

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

272.136 Direct-support organization.—~~The Legislative Research Center and Museum at the Florida Historic Capitol Museum Council and the Florida Historic Capitol Museum Director Capitol Curator~~ may establish a direct-support organization to provide assistance and promotional support

through fundraising for the Florida Historic Capitol Museum and the Legislative Research Center and Museum, including, but not limited to, its their educational programs and initiatives.

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

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

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

(c) Effective July 1, 2015, the board may add up to 12 ~~two~~ additional members to be appointed for 3-year terms.

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

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

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

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

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

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

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

(7)(a) The identity of a donor or prospective donor to the direct-support organization who desires to remain anonymous, and all information identifying such donor or prospective donor, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such anonymity shall be maintained in any auditor's report created pursuant to the annual financial audit required under subsection (5).

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

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

320.0807 Special license plates for Governor and federal and state legislators.—

(6)

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

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

Approved by the Governor May 21, 2015.

Filed in Office Secretary of State May 21, 2015.