

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2524

SPONSOR: Governmental Oversight and Productivity Committee and Senator Silver

SUBJECT: Official Florida Treasures Program

DATE: April 17, 2000 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rhea	Wilson	GO	Favorable/CS
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

The committee substitute creates the Official Florida Treasures Program within the Department of State. The department is delegated authority to designate museums that maintain, preserve and display objects of significant cultural, historical or social value to the state, and which research and disseminate information related to the culture and history of one or more of the various groups of people that have settled in Florida. The committee substitute provides specific criteria for the designation, authorizes the department to adopt rules, and provides for a selection process.

This committee substitute creates section 265.2867 of the Florida Statutes.

## II. Present Situation:

The Department of State (DOS) is created in s. 20.10, F.S. The DOS has approximately 758 FTEs and an annual budget of just under \$148 million.<sup>1</sup> Section 20.10(2), F.S., establishes seven divisions within the department:

- (1) Office of the Secretary/Division of Administration
- (2) Division of Elections
- (3) Division of Historical Resources
- (4) Division of Corporations
- (5) Division of Library and Information Services
- (6) Division of Licensing
- (7) Division of Cultural Affairs

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<sup>1</sup>For FY 1999-2000 budget, General Revenue Funds for the Department of State were \$87,192,694 and Trust Funds were \$60,798,058.

**Division of Historical Resources** - The Division of Historical Resources is responsible for the development, implementation, and coordination of programs relating to the identification, protection, preservation, interpretation of Florida history, folk heritage, and historical and archaeological sites throughout the state. The division includes: The Bureau of Archeological Research; Bureau of Historic Preservation; Museum of Florida History; and the Historic Pensacola Preservation Board of Trustees. There are 99 FTEs in the division.

The only permitting authority of the division relates to objects of historical or archaeological value which have been abandoned on state-owned lands or state-owned sovereignty submerged lands. Title to such objects is vested in the division. Chapter 267, F.S., the Florida Historical Resources Act, is the principal authority for the division. Chapter 266, F.S., authorizes the Historic Pensacola Preservation Board of Trustees. A number of specific duties are authorized in other sections of statute. For example, the division director is a member of the Land Acquisition and Management Advisory Council pursuant to s. 259.035, F.S., and a member of the Florida Greenways and Trails Council pursuant to s. 260.0142, F.S. Funding for FY 1999-2000 included General Revenue of \$21,036,688 and \$9,210,777 in Trust Funds for a total of \$30,247,465.

**Division of Cultural Affairs** - The Division of Cultural Affairs is made up of the Office of the Director and the Bureau of Grants Services. The division awards, administers, monitors, and evaluates cultural grant programs of the DOS, as well as plans and implements programs designed to gain national and international recognition on behalf of Florida artists and arts organizations. The division also disseminates arts-related information and fosters the development of a receptive climate for the arts in Florida. There are 19 FTEs in the division. Funding for FY 1999-2000 was \$12,819,980 in General Revenue and \$15,959,986 in Trust Funds, for a total of \$28,779,966.

Chapter 15, F.S., contains various designations of official state flora, fauna, objects, organizations, and other entities. For example, s. 15.043, F.S., names the pageant "Indian River," a Florida historical pageant presented annually by the citizens of Brevard County, as an official state pageant of Florida. The Greater Miami Opera Association; the Orlando Opera Company, Incorporated; and the Florida State University School of Music, representing the professional and academic communities in the field of opera, are designated as the official Florida State Opera Program.<sup>2</sup> Another example is the Official State Railroad Museum designation that has been bestowed upon the Orange Blossom Special Railroad Museum in West Palm Beach, the Gold Coast Railroad Museum, Inc., and Gold Coast Railroad, Inc., and the Florida Gulf Coast Railroad Museum, Inc., in Tampa. In the case of the Official State Railroad Museums, s. 15.045, F.S., establishes standards that a museum must have before receiving the designation.

### III. Effect of Proposed Changes:

The committee substitute creates the Official Florida Treasures Program. The committee substitute provides that it is the intent of the Legislature to honor the cultural, historical, and social treasures of Florida by encouraging the preservation and public display of objects of significant cultural, historical and social importance to the state. Further, the committee substitute provides that it is the intent of the Legislature to encourage research of the cultures and histories

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<sup>2</sup>Section 15.044, F.S.

of the various groups of people that have settled in Florida and to encourage the dissemination of the information on these diverse cultures and histories throughout the state. In furtherance of this goal, the committee substitute provides that it is the intent of the Legislature to recognize and honor the museums that display objects and disseminate important cultural, historical, and social information.

The program creates the “Official Florida Treasures Program” within the Department of State. The department is delegated the authority to designate a museum as an Official Florida Treasure if the museum:

- is devoted to the maintenance, preservation, and public display of objects of significant cultural, historical, or social value to the state;
- is dedicated to preserving the history of any racial, ethnic or cultural group that has settled in Florida and which provides information, and actively researches or support research related to the history in Florida of that racial, ethnic or cultural group;
- provides for statewide outreach programs and traveling exhibits;
- is open to the public and, if memberships to the museum or its support organization are offered, those memberships are offered to the public regardless of race, ethnicity, color, creed, gender or national origin;
- has strong local and statewide support as evidenced by, but not limited to, participation in the State’s Cultural Endowment Program, and by having members from throughout the state;
- is fiscally responsible and financially stable; and
- is a recipient of a s. 501(c)3 Internal Revenue Service designation.

Rulemaking authority is delegated to the department to implement the section, including the process by which applications for the designation of “Official Florida Treasure” are made, reviewed, and approved. The approval process is permitted to include a committee review process with the Secretary of State making the final determination.

The act takes effect upon becoming law.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

Private organizations that receive the designation may financially benefit from the designation through increased visits to their institutions, though in an indeterminate amount.

**C. Government Sector Impact:**

There may be some costs associated with rulemaking, as well as with the application review and selection process, though these costs should be minimal.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.