

discipline for which the respective panel is to review grants. Members of the panels shall not receive any compensation for their services, but shall be reimbursed for travel and expenses incurred in the performance of their duties, as provided in s. 112.061. The panels shall review grant applications and make recommendations to the council concerning the relative merits of the applicants. The division shall by rule establish criteria for reviewing grant applications to ensure compliance with applicable state laws relating to nondiscrimination and prohibited conflicts of interest.

(5) The division may grant moneys quarterly from the trust fund to science museums in advance of an exhibit or program for which the moneys are granted, pursuant to a grant agreement or a contract. Before the end of the contract period, the grant recipient shall file with the division a complete accounting of all moneys received from the trust fund. The division may adopt rules requiring a postaudit of such accounting to be conducted by an independent certified public accountant.

History.—s. 1, ch. 89-359; ss. 10, 13, ch. 90-267; s. 5, ch. 91-429; s. 7, ch. 96-418.

265.609 Youth and Children's Museum; grants.—

(1) The Division of Cultural Affairs of the Department of State is authorized to grant moneys from the Cultural Institutions Trust Fund, including matching grants, to youth and children's museums recommended by the Florida Arts Council and approved by the Secretary of State. The division shall, by rule, establish criteria for awarding grants, including criteria based upon the quality of the proposed grant recipient, the potential public exposure and public benefit of the exhibits of the proposed grant recipient, and the ability of the proposed grant recipient to properly administer grant funds, and any other criteria the division determines are necessary and appropriate to further the purposes of this section. The division shall grant moneys from the trust fund in accordance with state law.

(2) For purposes of this section, the term "youth and children's museum" means a public or private nonprofit institution located in this state operating on a permanent basis for the primary purpose of sponsoring, producing, and exhibiting multidisciplinary, participatory programs oriented toward visitors ages 6 months through 15 years, and their families, teachers, and caregivers.

(3) A youth and children's museum shall be open to the public, have a full-time staff, be an organization not for profit pursuant to s. 501(c)(3) of the Internal Revenue Code of 1986, and be incorporated pursuant to chapter 617 or administered as a part of local or state government in order to receive a grant from the fund.

(4) The secretary may appoint review panels representing various disciplines to assist the Florida Arts Council in the grant review process. Review panel members shall serve for 1-year terms. Each panel shall include persons actively involved in the specific discipline for which the panel is to review grants. The panels shall review grant applications and make recommendations to the council concerning the relative merits of the applicants. The division shall, by rule, establish criteria for reviewing grant applications to ensure compliance with applicable state laws relating to discrimination and conflicts of interest.

(5) The division may grant moneys quarterly from the trust fund to youth and children's museums in advance of an exhibit or program for which the moneys are granted, pursuant to a grant agreement or a contract. Before the end of the contract period, the grant recipient shall file with the division a complete accounting of all moneys received from the trust fund. The division may adopt rules requiring a postaudit of such accounting to be conducted by an independent certified public accountant.

History.—ss. 16, 17, ch. 90-267; s. 25, ch. 91-201; s. 5, ch. 91-429; s. 31, ch. 95-242; s. 8, ch. 96-418.

CHAPTER 266

HISTORIC PRESERVATION BOARDS

PART II

HISTORIC ST. AUGUSTINE PRESERVATION BOARD OF TRUSTEES

266.0008 Direct-support organization.

266.0008 Direct-support organization.—

(1) The Historic St. Augustine Preservation Board of Trustees may authorize a direct-support organization to assist the board in carrying out its purposes by raising money; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, private foundations, and individuals; receiving, holding, investing, and administering property; and making expenditures to or for the benefit of the board. The sole purpose for the direct-support organization is to support the board. Such a direct-support organization is an organization that is:

(a) Incorporated under the provisions of chapter 617 and approved by the department as a Florida corporation not for profit;

(b) Organized and operated to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the board; and

(c) Approved by the board and the department to be operating for the benefit of the board and in the best interest of the state.

(2) The direct-support organization shall operate under written contract with the board. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the direct-support organization by the board and the department.

(b) Submission of an annual budget for the approval of the board. The budget must comply with rules adopted by the board.

(c) Certification by the board that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the board and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the board.

(d) The reversion to the board, or the state if the board ceases to exist, of moneys and property held in

trust by the direct-support organization if it is no longer approved to operate for the board or the board ceases to exist.

(e) The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

(f) The disclosure of material provisions of the contract and the distinction between the board of trustees and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.

(3) The members of the direct-support organization's board of directors must include members of the board of trustees.

(4) The board may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal services of the board. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(5) The board shall adopt rules prescribing the procedures by which the direct-support organization is governed and any conditions with which a direct-support organization must comply to use property, facilities, or personal services of the board.

(6) Any moneys, except moneys received from admissions to and rentals of facilities and properties managed by the board, may be held in a separate depository account in the name of the direct-support organization and subject to the provisions of the contract with the board. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(7) The direct-support organization shall provide for an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with rules established by the board. The annual audit report must be submitted to the board for review and approval. Upon approval, the board shall certify the audit report to the Auditor General for review.

(8) The identity of a donor or prospective donor of property to a direct-support organization who desires to remain anonymous, and all information identifying such donor or prospective donor, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; and that anonymity must be maintained in the auditor's report. The Auditor General shall have access to all records of the direct-support organization at any time he or she so requests.

History.—ss. 10, 67, ch. 91-120; s. 5, ch. 91-429; s. 1, ch. 95-125; s. 160, ch. 95-148; s. 119, ch. 96-406.

266.0018 Direct-support organization.

266.0018 Direct-support organization.—

(1) The Historic Pensacola Preservation Board of Trustees may authorize a direct-support organization to assist the board in carrying out its purposes by raising money; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, private foundations, and individuals; receiving, holding, investing, and administering property; and making expenditures to or for the benefit of the board. The sole purpose for the direct-support organization is to support the board. Such a direct-support organization is an organization that is:

(a) Incorporated under the provisions of chapter 617 and approved by the department as a Florida corporation not for profit;

(b) Organized and operated to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the board; and

(c) Approved by the board and the department to be operating for the benefit of the board and in the best interest of the state.

(2) The direct-support organization shall operate under written contract with the board. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the direct-support organization by the board and the department.

(b) Submission of an annual budget for the approval of the board. The budget must comply with rules adopted by the board.

(c) Certification by the board that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the board and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the board.

(d) The reversion to the board, or the state if the board ceases to exist, of moneys and property held in trust by the direct-support organization for the benefit of the board if the direct-support organization is no longer approved to operate for the board, or the board ceases to exist, and if such moneys and property were acquired after October 1, 1986.

(e) The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

(f) The disclosure of material provisions of the contract and the distinction between the board of trustees and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.

(3) The members of the direct-support organization's board of directors must include members of the board of trustees.

(4) The board may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal

PART III

**HISTORIC PENSACOLA
PRESERVATION BOARD OF TRUSTEES**

services of the board. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(5) The board shall adopt rules prescribing the procedures by which the direct-support organization is governed and any conditions with which a direct-support organization must comply to use property, facilities, or personal services of the board.

(6) Any moneys, except moneys received from admissions to and rentals of facilities and properties managed by the board, may be held in a separate depository account in the name of the direct-support organization and subject to the provisions of the contract with the board. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(7) The direct-support organization shall provide for an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with rules established by the board. The annual audit report must be submitted to the board for review and approval. Upon approval, the board shall certify the audit report to the Auditor General for review.

(8) The identity of a donor or prospective donor of property to a direct-support organization who desires to remain anonymous, and all information identifying such donor or prospective donor, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; and that anonymity must be maintained in the auditor's report. The Auditor General shall have access to all records of the direct-support organization at any time he or she so requests.

History.—ss. 19, 67, ch. 91-120; s. 5, ch. 91-429; s. 2, ch. 95-125; s. 164, ch. 95-148; s. 120, ch. 96-406.

PART IV

HISTORIC TALLAHASSEE PRESERVATION BOARD OF TRUSTEES

266.0028 Direct-support organization.

266.0028 Direct-support organization.—

(1) The Historic Tallahassee Preservation Board of Trustees may authorize a direct-support organization to assist the board in carrying out its purposes by raising money; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, private foundations, and individuals; receiving, holding, investing, and administering property; and making expenditures to or for the benefit of the board. The sole purpose for the direct-support organization is to support the board. Such a direct-support organization is an organization that is:

(a) Incorporated under the provisions of chapter 617 and approved by the department as a Florida corporation not for profit;

(b) Organized and operated to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the board; and

(c) Approved by the board and the department to be operating for the benefit of the board and in the best interest of the state.

(2) The direct-support organization shall operate under written contract with the board. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the direct-support organization by the board and the department.

(b) Submission of an annual budget for the approval of the board. The budget must comply with rules adopted by the board.

(c) Certification by the board that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the board and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the board.

(d) The reversion to the board, or the state if the board ceases to exist, of moneys and property held in trust by the direct-support organization for the benefit of the board if the direct-support organization is no longer approved to operate for the board or the board ceases to exist.

(e) The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

(f) The disclosure of material provisions of the contract and the distinction between the board of trustees and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.

(3) The members of the direct-support organization's board of directors must include members of the board of trustees.

(4) The board may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal services of the board. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(5) The board shall adopt rules prescribing the procedures by which the direct-support organization is governed and any conditions with which a direct-support organization must comply to use property, facilities, or personal services of the board.

(6) Any moneys, except moneys received from admissions to and rentals of facilities and properties managed by the board, may be held in a separate depository account in the name of the direct-support organization and subject to the provisions of the contract with the board. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(7) The direct-support organization shall provide for an annual financial and compliance audit of its financial accounts and records by an independent certified pub-

lic accountant in accordance with rules established by the board. The annual audit report must be submitted to the board for review and approval. Upon approval, the board shall certify the audit report to the Auditor General for review.

(8) The identity of a donor or prospective donor of property to a direct-support organization who desires to remain anonymous, and all information identifying such donor or prospective donor, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; and that anonymity must be maintained in the auditor's report. The Auditor General shall have access to all records of the direct-support organization at any time he or she so requests.

History.—ss. 28, 67, ch. 91-120; s. 5, ch. 91-429; s. 3, ch. 95-125; s. 168, ch. 95-148; s. 121, ch. 96-406.

PART V

HISTORIC FLORIDA KEYS PRESERVATION BOARD OF TRUSTEES

266.0038 Direct-support organization.

266.0038 Direct-support organization.—

(1) The Historic Florida Keys Preservation Board of Trustees may authorize a direct-support organization to assist the board in carrying out its purposes by raising money; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, private foundations, and individuals; receiving, holding, investing, and administering property; and making expenditures to or for the benefit of the board. The sole purpose for the direct-support organization is to support the board. Such a direct-support organization is an organization that is:

(a) Incorporated under the provisions of chapter 617 and approved by the department as a Florida corporation not for profit;

(b) Organized and operated to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the board; and

(c) Approved by the board and the department to be operating for the benefit of the board and in the best interest of the state.

(2) The direct-support organization shall operate under written contract with the board. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the direct-support organization by the board and the department.

(b) Submission of an annual budget for the approval of the board. The budget must comply with rules adopted by the board.

(c) Certification by the board that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the board and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the board.

(d) The reversion to the board, or the state if the board ceases to exist, of moneys and property held in trust by the direct-support organization if the direct-support organization is no longer approved to operate for the board or the board ceases to exist.

(e) The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

(f) The disclosure of material provisions of the contract and the distinction between the board of trustees and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.

(3) The members of the direct-support organization's board of directors must include members of the board of trustees.

(4) The board may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal services of the board. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(5) The board shall adopt rules prescribing the procedures by which the direct-support organization is governed and any conditions with which a direct-support organization must comply to use property, facilities, or personal services of the board.

(6) Any moneys, except moneys received from admissions to and rentals of facilities and properties managed by the board, may be held in a separate depository account in the name of the direct-support organization and subject to the provisions of the contract with the board. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(7) The direct-support organization shall provide for an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with rules established by the board. The annual audit report must be submitted to the board for review and approval. Upon approval, the board shall certify the audit report to the Auditor General for review.

(8) The identity of a donor or prospective donor of property to a direct-support organization who desires to remain anonymous, and all information identifying such donor or prospective donor, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; and that anonymity must be maintained in the auditor's report. The Auditor General shall have access to all records of the direct-support organization at any time he or she so requests.

History.—ss. 37, 67, ch. 91-120; s. 5, ch. 91-429; s. 4, ch. 95-125; s. 171, ch. 95-148; s. 122, ch. 96-406.

PART VI

HISTORIC PALM BEACH COUNTY PRESERVATION BOARD OF TRUSTEES

266.0048 Direct-support organization.

266.0048 Direct-support organization.—

(1) The Historic Palm Beach County Preservation Board of Trustees may authorize a direct-support organization to assist the board in carrying out its purposes by raising money; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, private foundations, and individuals; receiving, holding, investing, and administering property; and making expenditures to or for the benefit of the board. The sole purpose for the direct-support organization is to support the board. Such a direct-support organization is an organization that is:

(a) Incorporated under the provisions of chapter 617 and approved by the department as a Florida corporation not for profit;

(b) Organized and operated to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the board; and

(c) Approved by the board and the department to be operating for the benefit of the board and in the best interest of the state.

(2) The direct-support organization shall operate under written contract with the board. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the direct-support organization by the board and the department.

(b) Submission of an annual budget for the approval of the board. The budget must comply with rules adopted by the board.

(c) Certification by the board that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the board and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the board.

(d) The reversion to the board, or the state if the board ceases to exist, of moneys and property held in trust by the direct-support organization for the benefit of the board if the direct-support organization is no longer approved to operate for the board or the board ceases to exist.

(e) The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

(f) The disclosure of material provisions of the contract and the distinction between the board of trustees and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.

(3) The members of the direct-support organization's board of directors must include members of the board of trustees.

(4) The board may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal services of the board. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(5) The board shall adopt rules prescribing the procedures by which the direct-support organization is to be governed and any conditions with which a direct-support organization must comply to use property, facilities, or personal services of the board.

(6) Any moneys, except as enumerated in s. 266.0046, may be held in a separate depository account in the name of the direct-support organization and subject to the provisions of the contract with the board of trustees. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(7) The direct-support organization shall provide for an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with rules established by the board. The annual audit report must be submitted to the board for review and approval. Upon approval, the board shall certify the audit report to the Auditor General for review.

(8) The identity of a donor or prospective donor of property to a direct-support organization who desires to remain anonymous, and all information identifying such a donor or prospective donor, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; and that anonymity must be maintained in the auditor's report. The Auditor General shall have access to all records of the direct-support organization at any time he or she so requests.

History.—ss. 46, 67, ch. 91-120; s. 5, ch. 91-429; s. 5, ch. 95-125; s. 174, ch. 95-148; s. 123, ch. 96-406.

PART VII

**HISTORIC TAMPA-HILLSBOROUGH COUNTY
PRESERVATION BOARD OF TRUSTEES;
YBOR CITY HISTORIC DISTRICT
BARRIO LATINO COMMISSION**

266.0058 Direct-support organization.

266.0058 Direct-support organization.—

(1) The Historic Tampa-Hillsborough County Preservation Board of Trustees may authorize a direct-support organization to assist the board in carrying out its purposes by raising money; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, private foundations, and individuals; receiving, holding, investing, and administering property; and making expenditures to or for the benefit of the board. The sole purpose for the direct-support organization is to support the board. Such a direct-support organization is an organization that is:

(a) Incorporated under the provisions of chapter 617 and approved by the department as a Florida corporation not for profit.

(b) Organized and operated to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the board.

(c) Approved by the board and the department to be operating for the benefit of the board and in the best interest of the state.

(2) The direct-support organization shall operate under written contract with the board. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the direct-support organization by the board and the department.

(b) Submission of an annual budget for the approval of the board. The budget must comply with rules adopted by the board.

(c) Certification by the board that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the board and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the board.

(d) The reversion to the board, or the state if the board ceases to exist, of moneys and property held in trust by the direct-support organization if the direct-support organization is no longer approved to operate for the board or the board ceases to exist.

(e) The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

(f) The disclosure of material provisions of the contract and the distinction between the board of trustees and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.

(3) The members of the direct-support organization's board of directors must include members of the board of trustees.

(4) The board may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal services of the board. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(5) The board shall adopt rules prescribing the procedures by which the direct-support organization is to be governed and any conditions with which a direct-support organization must comply to use property, facilities, or personal services of the board.

(6) Any moneys, except as enumerated in s. 266.0055, may be held in a separate depository account in the name of the direct-support organization and shall be subject to the provisions of the contract with the board of trustees. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(7) The direct-support organization shall provide for an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with rules established by the board. The annual audit report must be submitted to the board for review and approval. Upon approval, the board shall certify the audit report to the Auditor General for review.

(8) The identity of a donor or prospective donor who desires to remain anonymous, and all information identifying such donor or such prospective donor, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; and that anonymity must be maintained in the auditor's report. The Auditor General shall have access to all records of the direct-support organization at any time he or she so requests.

History.—ss. 57, 67, ch. 91-120; s. 5, ch. 91-429; s. 6, ch. 95-125; s. 177, ch. 95-148; s. 124, ch. 96-406.

PART VIII

HISTORIC BROWARD COUNTY PRESERVATION BOARD OF TRUSTEES

266.0068 Direct-support organization.

266.0068 Direct-support organization.—

(1) The Historic Broward County Preservation Board of Trustees may authorize a direct-support organization to assist the board in carrying out its purposes by raising money; submitting requests for and receiving grants from the Federal Government, the state or its political subdivisions, private foundations, and individuals; receiving, holding, investing, and administering property; and making expenditures to or for the benefit of the board. The sole purpose for the direct-support organization is to support the board. Such a direct-support organization is an organization that is:

(a) Incorporated under the provisions of chapter 617 and approved by the department as a Florida corporation not for profit.

(b) Organized and operated to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the board.

(c) Approved by the board and the department to be operating for the benefit of the board and in the best interest of the state.

(2) The direct-support organization shall operate under written contract with the board. The contract must provide for:

(a) Approval of the articles of incorporation and bylaws of the direct-support organization by the board and the department.

(b) Submission of an annual budget for the approval of the board. The budget must comply with rules adopted by the board.

(c) Certification by the board that the direct-support organization is complying with the terms of the contract and in a manner consistent with the goals and purposes of the board and in the best interest of the state. Such certification must be made annually and reported in the official minutes of a meeting of the board.

(d) The reversion to the board, or the state if the board ceases to exist, of moneys and property held in trust by the direct-support organization if the direct-support organization is no longer approved to operate for the board or the board ceases to exist.

(e) The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.

(f) The disclosure of material provisions of the contract and the distinction between the board of trustees

and the direct-support organization to donors of gifts, contributions, or bequests, as well as on all promotional and fundraising publications.

(3) The members of the direct-support organization's board of directors must include members of the board of trustees.

(4) The board may authorize a direct-support organization to use its property (except money), facilities, and personal services, subject to the provisions of this section. A direct-support organization that does not provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin may not use the property, facilities, or personal services of the board. For the purposes of this subsection, the term "personal services" includes full-time personnel and part-time personnel as well as payroll processing.

(5) The board shall adopt rules prescribing the procedures by which the direct-support organization is governed and any conditions with which a direct-support organization must comply to use property, facilities, or personal services of the board.

(6) Any moneys, except moneys received from admissions to and rentals of facilities and properties managed by the board, may be held in a separate depository account in the name of the direct-support organization and are subject to the provisions of the contract with the board of trustees. Such moneys may include membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the direct-support organization.

(7) The direct-support organization shall provide for an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with rules established by the board. The annual audit report must be submitted to the board for review and approval. Upon approval, the board shall certify the audit report to the Auditor General for review.

(8) The identity of a donor or prospective donor of property to a direct-support organization who desires to remain anonymous, and all information identifying such donor or prospective donor, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; and that anonymity shall be maintained in the auditor's report. The Auditor General shall have access to all records of the direct-support organization at any time he or she so requests.

History.—ss. 65, 67, ch. 91-120; s. 5, ch. 91-429; s. 7, ch. 95-125; s. 180, ch. 95-148; s. 125, ch. 96-406.

CHAPTER 267

HISTORICAL RESOURCES

267.061	Historic properties; state policy, responsibilities.
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267.061 Historic properties; state policy, responsibilities.—

(1) STATE POLICY RELATIVE TO HISTORIC PROPERTIES.—

(a) The rich and unique heritage of historic properties in this state, representing more than 10,000 years of human presence, is an important legacy to be valued and conserved for present and future generations. The destruction of these nonrenewable historical resources will engender a significant loss to the state's quality of life, economy, and cultural environment. It is therefore declared to be state policy to:

1. Provide leadership in the preservation of the state's historic resources;
2. Administer state-owned or state-controlled historic resources in a spirit of stewardship and trusteeship;
3. Contribute to the preservation of non-state-owned historic resources and to give encouragement to organizations and individuals undertaking preservation by private means;
4. Foster conditions, using measures that include financial and technical assistance, for a harmonious coexistence of society and state historic resources;
5. Encourage the public and private preservation and utilization of elements of the state's historically built environment; and
6. Assist local governments to expand and accelerate their historic preservation programs and activities.

(b) It is further declared to be the public policy of the state that all treasure trove, artifacts, and such objects having intrinsic or historical and archaeological value which have been abandoned on state-owned lands or state-owned sovereignty submerged lands shall belong to the state with the title thereto vested in the Division of Historical Resources of the Department of State for the purposes of administration and protection.

(2) RESPONSIBILITIES OF STATE AGENCIES OF THE EXECUTIVE BRANCH.—

(a) Each state agency of the executive branch having direct or indirect jurisdiction over a proposed state or state-assisted undertaking shall, in accordance with state policy and prior to the approval of expenditure of any state funds on the undertaking, consider the effect of the undertaking on any historic property that is included in, or eligible for inclusion in, the National Register of Historic Places. Each such agency shall afford the division a reasonable opportunity to comment with regard to such an undertaking.

(b) Each state agency of the executive branch shall initiate measures in consultation with the division to assure that where, as a result of state action or assistance carried out by such agency, a historic property is to be demolished or substantially altered in a way which adversely affects the character, form, integrity, or other qualities which contribute to historical, architectural, or archaeological value of the property, timely steps are taken to determine that no feasible and prudent alternative to the proposed demolition or alteration exists, and, where no such alternative is determined to exist, to assure that timely steps are taken either to avoid or mitigate the adverse effects, or to undertake an appropriate archaeological salvage excavation or other recovery