

Bill No. CS for CS for SB 760

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Harris moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 59, between lines 16 and 17,		
15			
16	insert:		
17	Section 24. <u>Enterprise Florida, Inc., shall develop a</u>		
18	<u>master plan for integrating public-sector and private-sector</u>		
19	<u>international-trade and reverse-investment resources, in order</u>		
20	<u>that businesses may obtain comprehensive assistance and</u>		
21	<u>information in the most productive and efficient manner. The</u>		
22	<u>scope of this plan shall include, but need not be limited to,</u>		
23	<u>resources related to the provision of trade information, such</u>		
24	<u>as trade leads and reverse investment opportunities; trade</u>		
25	<u>counseling; and trade financing services. In developing the</u>		
26	<u>master plan, Enterprise Florida, Inc., shall solicit the</u>		
27	<u>participation and input of organizations providing these</u>		
28	<u>resources, the consumers of these resources, and others who</u>		
29	<u>have expertise and experience in international trade and</u>		
30	<u>reverse investment. The master plan may include</u>		
31	<u>recommendations for legislative action designed to enhance the</u>		

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1 delivery of international-trade and reverse-investment
2 assistance. The master plan, which Enterprise Florida, Inc.,
3 may include within the annual update or modification to the
4 strategic plan required under section 288.905, Florida
5 Statutes, must be submitted to the Legislature and the
6 Governor before January 1, 1999.

7 Section 25. Enterprise Florida, Inc., in conjunction
8 with the Office of Tourism, Trade, and Economic Development,
9 shall prepare a plan for promoting direct investment in
10 Florida by foreign businesses. This plan must assess and
11 inventory Florida's strengths as a location for foreign direct
12 investment and must include a detailed strategy for
13 capitalizing upon those strengths. In developing the plan,
14 Enterprise Florida, Inc., shall focus on businesses with
15 site-election criteria that are consistent with Florida's
16 business climate, businesses likely to facilitate the
17 transshipment of goods through Florida or to export
18 Florida-produced goods from the state, and businesses that
19 complement or correspond to those industries identified as
20 part of the sector-strategy approach to economic development
21 required under section 288.905, Florida Statutes. The plan
22 must also identify weaknesses in Florida's ability to attract
23 foreign direct investment and must include a detailed strategy
24 for addressing those weaknesses. The plan may include
25 recommendations for legislative action designed to enhance
26 Florida's ability to attract foreign direct investment. In
27 developing the plan, Enterprise Florida, Inc., shall solicit
28 the participation and input of entities that have expertise
29 and experience in foreign direct investment. The plan, which
30 Enterprise Florida, Inc., may include within the annual update
31 or modification to the strategic plan required under section

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1 288.905, Florida Statutes, must be submitted to the
2 Legislature and the Governor before January 1, 1999.

3 Section 26. In anticipation of the day that the people
4 of Cuba are no longer denied the inalienable rights and
5 freedom that all men and women should be guaranteed,
6 Enterprise Florida, Inc., shall prepare a strategic plan
7 designed to allow Florida to capitalize on the economic
8 opportunities associated with a free Cuba. The plan should
9 recognize the historical and cultural ties between this state
10 and Cuba and should focus on building a long-term economic
11 relationship between these communities. The plan should also
12 recognize existing economic infrastructure in Florida that
13 could be applied toward trade and other business activities
14 with Cuba. The plan should identify specific preparatory steps
15 to be taken in advance of a lifting of the trade embargo with
16 Cuba. In developing this plan, Enterprise Florida, Inc., shall
17 solicit the participation and input of individuals who have
18 expertise on Cuba and its economy, including, but not limited
19 to, business leaders in Florida who have had previous business
20 experience in Cuba. The plan may include recommendations for
21 legislative action necessary to implement the strategic plan.
22 The plan must be submitted to the Governor and Legislature
23 before January 1, 1999.

24 Section 27. Subsection (9) is added to section
25 14.2015, Florida Statutes, to read:

26 14.2015 Office of Tourism, Trade, and Economic
27 Development; creation; powers and duties.--

28 (9) The Office of Tourism, Trade, and Economic
29 Development shall ensure the prompt disbursement of funds when
30 responsible for the disbursement of funds. When such funds
31 have not been disbursed on or before legislatively or

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1 contractually prescribed disbursement dates, or within 30 days
2 of the beginning of the state fiscal year, whichever is
3 applicable, the Office of Tourism, Trade, and Economic
4 Development shall notify the President of the Senate and the
5 Speaker of the House of Representatives of the fact that such
6 funds have not been disbursed, along with a brief description
7 of the reasons for the delay in disbursement. At the end of
8 each succeeding 30 day period that such funds remain
9 undisbursed, the Office of Tourism, Trade, and Economic
10 Development shall provide a supplemental report to the
11 President of the Senate and the Speaker of the House of
12 Representatives with a brief description of the reasons for
13 the continued delay in disbursement.

14 Section 28. Section 15.18, Florida Statutes, is
15 amended to read:

16 15.18 International and cultural relations.--The
17 Divisions of Cultural Affairs, Historical Resources, and
18 Library and Information Services of the Department of State
19 promote programs having substantial cultural, artistic, and
20 indirect economic significance that emphasize American
21 creativity. The Secretary of State, as the head administrator
22 of these divisions, shall hereafter be known as "Florida's
23 Chief Cultural Officer." As this officer, the Secretary of
24 State is encouraged to initiate and develop relationships
25 between the state and foreign cultural officers, their
26 representatives, and other foreign governmental officials in
27 order to promote Florida as the center of American creativity.
28 The Secretary of State shall coordinate international
29 activities pursuant to this section with Enterprise Florida,
30 Inc., and any other organization the secretary deems
31 appropriate ~~the Florida International Affairs Commission.~~ For

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1 the accomplishment of this purpose, the Secretary of State
2 shall have the power and authority to:

3 (1) Disseminate any information pertaining to the
4 State of Florida which promotes the state's cultural assets.

5 (2) Plan and carry out activities designed to cause
6 improved cultural and governmental programs and exchanges with
7 foreign countries.

8 (3) Plan and implement cultural and social activities
9 for visiting foreign heads of state, diplomats, dignitaries,
10 and exchange groups.

11 (4) Encourage and cooperate with other public and
12 private organizations or groups in their efforts to promote
13 the cultural advantages of Florida.

14 (5) Establish and maintain the list prescribed in s.
15 55.605(2)(g), relating to recognition of foreign money
16 judgments.

17 (6)(5) Serve as the liaison with all foreign consular
18 and ambassadorial corps, as well as international
19 organizations, that are consistent with the purposes of this
20 section.

21 (7)(6) Provide, arrange, and make expenditures for the
22 achievement of any or all of the purposes specified in this
23 section.

24 (8)(7) Notwithstanding the provisions of part I of
25 chapter 287, promulgate rules for entering into contracts
26 which are primarily for promotional services and events, which
27 may include commodities involving a service. Such rules shall
28 include the authority to negotiate costs with the offerors of
29 such services and commodities who have been determined to be
30 qualified on the basis of technical merit, creative ability,
31 and professional competency. The rules shall only apply to the

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1 expenditure of funds donated for promotional services and
2 events. Expenditures of appropriated funds shall be made only
3 in accordance with part I of chapter 287.

4 Section 29. Subsections (1) and (6) of section 55.604,
5 Florida Statutes, are amended to read:

6 55.604 Recognition and enforcement.--Except as
7 provided in s. 55.605, a foreign judgment meeting the
8 requirements of s. 55.603 is conclusive between the parties to
9 the extent that it grants or denies recovery of a sum of
10 money. Procedures for recognition and enforceability of a
11 foreign judgment shall be as follows:

12 (1) The foreign judgment shall be filed with the
13 Department of State and the clerk of the court and recorded in
14 the public records in the county or counties where enforcement
15 is sought. The filing with the Department of State shall not
16 create a lien on any property.

17 (a) At the time of the recording of a foreign
18 judgment, the judgment creditor shall make and record with the
19 clerk of the circuit court an affidavit setting forth the
20 name, social security number, if known, and last known
21 post-office address of the judgment debtor and of the judgment
22 creditor.

23 (b) Promptly upon the recording of the foreign
24 judgment and the affidavit, the clerk shall mail notice of the
25 recording of the foreign judgment, by registered mail with
26 return receipt requested, to the judgment debtor at the
27 address given in the affidavit and shall make a note of the
28 mailing in the docket. The notice shall include the name and
29 address of the judgment creditor and of the judgment
30 creditor's attorney, if any, in this state. In addition, the
31 judgment creditor may mail a notice of the recording of the

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1 judgment to the judgment debtor and may record proof of
2 mailing with the clerk. The failure of the clerk to mail
3 notice of recording will not affect the enforcement
4 proceedings if proof of mailing by the judgment creditor has
5 been recorded.

6 (6) Once an order recognizing the foreign judgment has
7 been entered by a court of this state, the order and a copy of
8 the judgment shall be filed with the Department of State and
9 may be recorded in any other county of this state without
10 further notice or proceedings, and shall be enforceable in the
11 same manner as the judgment of a court of this state.

12 Section 30. Paragraph (g) of subsection (2) of section
13 55.605, Florida Statutes, is amended to read:

14 55.605 Grounds for nonrecognition.--

15 (2) A foreign judgment need not be recognized if:

16 (g) The foreign jurisdiction where judgment was
17 rendered would not give recognition to a similar judgment
18 rendered in this state. For purposes of this paragraph, the
19 Secretary of State shall establish and maintain a list of
20 foreign jurisdictions where the condition specified in this
21 paragraph has been found to apply.

22 Section 31. Section 5. Section 257.34, Florida
23 Statutes, is created to read:

24 257.34 Florida State International Archive and
25 Repository.--

26 (1) There is created within the Division of Library
27 and Information Services of the Department of State the
28 Florida International Archive and Repository for the
29 preservation of those public records, as defined in s.
30 119.011(1), manuscripts, international judgements involving
31 disputes between domestic and foreign businesses, and all

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- 1 other public matters the department or the Florida Council of
2 International Development deems relevant to international
3 issues. It is the duty and responsibility of the division to:
4 (a) Organize and administer the Florida State
5 International Archive and Repository;
6 (b) Preserve and administer such records as shall be
7 transferred to its custody; accept, arrange, and preserve
8 them, according to approved archival and repository practices;
9 and permit them, at reasonable times and under the supervision
10 of the division, to be inspected, examined, and copied. All
11 public records transferred to the custody of the division
12 shall be subject to the provisions of s. 119.07(1).
13 (c) Assist the records and information management
14 program in the determination of retention values for records;
15 (d) Cooperate with and assist insofar as practicable
16 state institutions, departments, agencies, counties,
17 municipalities, and individuals engaged in international
18 related activities;
19 (e) Provide a public research room where, under rules
20 established by the division, the materials in the
21 international archive and repository may be studied;
22 (f) Conduct, promote, and encourage research in
23 international trade, government, and culture and maintain a
24 program of information, assistance, coordination, and guidance
25 for public officials, educational institutions, libraries, the
26 scholarly community, and the general public engaged in such
27 research;
28 (g) Cooperate with and, insofar as practicable, assist
29 agencies, libraries, institutions, and individuals in projects
30 designed to promote international related issues and preserve
31 original materials relating to international related issues;

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1 and

2 (h) Assist and cooperate with the records and
3 information management program in the training and information
4 program described in s. 257.36(1)(g).

5 (2) Any agency is authorized and empowered to turn
6 over to the division any record no longer in current official
7 use. The division, in its discretion, is authorized to accept
8 such record and, having done so, shall provide for its
9 administration and preservation as herein provided and, upon
10 acceptance, shall be considered the legal custodian of such
11 record. The division is empowered to direct and effect the
12 transfer to the archives of any records that are determined by
13 the division to have such historical or other value to warrant
14 their continued preservation or protection, unless the head of
15 the agency which has custody of the records certifies in
16 writing to the division that the records shall be retained in
17 the agency's custody for use in the conduct of the regular
18 current business of the agency.

19 (3) Title to any record transferred to the Florida
20 State International Archive and Repository, as authorized in
21 this chapter, shall be vested in the division.

22 (4) The division shall make certified copies under
23 seal of any record transferred to it upon the application of
24 any person, and said certificates shall have the same force
25 and effect as if made by the agency from which the record was
26 received. The division may charge a fee for this service based
27 upon the cost of service.

28 (5) The division may establish and maintain a schedule
29 of fees for services which shall include, but not be limited
30 to, restoration of materials, storage of materials, special
31 research services, and publications.

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1 (6) The division shall establish and maintain a
2 mechanism by which the information contained within the
3 Florida State International Archive and Repository may be
4 accessed by computer via the World Wide Web. In doing so, the
5 division shall take whatever measures it deems appropriate to
6 insure the validity, quality and safety of the information
7 being accessed.

8 (7) The division shall promulgate such rules as are
9 necessary to implement the provisions of this section.

10 (8) The Florida council of International Development
11 may select materials for inclusion in the Florida State
12 International Archive and Repository and shall be consulted
13 closely by the division in all matters relating to its
14 establishment and maintenance.

15 Section 32. Present subsections (3), (4), and (5) of
16 section 288.012, Florida Statutes, are redesignated as
17 subsections (4), (5), and (6), respectively, and a new
18 subsection (3) is added to that section to read:

19 288.012 State of Florida foreign offices.--The
20 Legislature finds that the expansion of international trade
21 and tourism is vital to the overall health and growth of the
22 economy of this state. This expansion is hampered by the lack
23 of technical and business assistance, financial assistance,
24 and information services for businesses in this state. The
25 Legislature finds that these businesses could be assisted by
26 providing these services at State of Florida foreign offices.
27 The Legislature further finds that the accessibility and
28 provision of services at these offices can be enhanced through
29 cooperative agreements or strategic alliances between state
30 entities, local entities, foreign entities, and private
31 businesses.

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1 (3) By October 1 of each year, each foreign office
2 shall submit to the Office of Tourism, Trade, and Economic
3 Development a complete and detailed report on its activities
4 and accomplishments during the preceding fiscal year. In a
5 format provided by Enterprise Florida, Inc., the report must
6 set forth information on:

7 (a) The number of Florida companies assisted.

8 (b) The number of inquiries received about investment
9 opportunities in this state.

10 (c) The number of trade leads generated.

11 (d) The number of investment projects announced.

12 (e) The estimated U.S. dollar value of sales
13 confirmations.

14 (f) The number of representation agreements.

15 (g) The number of company consultations.

16 (h) Barriers or other issues affecting the effective
17 operation of the office.

18 (i) Changes in office operations which are planned for
19 the current fiscal year.

20 (j) Marketing activities conducted.

21 (k) Strategic alliances formed with organizations in
22 the country in which the office is located.

23 (l) Activities conducted with other Florida foreign
24 offices.

25 (m) Any other information that the office believes
26 would contribute to an understanding of its activities.

27 Section 33. Subsection (9) of section 288.8175,
28 Florida Statutes, is amended to read:

29 288.8175 Linkage institutes between postsecondary
30 institutions in this state and foreign countries.--

31 (9) The Department of Education shall review and make

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1 linkage-institute budget requests to the Governor and the
2 Legislature. State appropriations for institutes created under
3 this section must be made by a single lump-sum line item to
4 the department, which must apportion the funds among the
5 various institutes in accordance with criteria established by
6 the department. The linkage institutes shall be eligible to
7 apply on a competitive basis to the Office of Tourism, Trade,
8 and Economic Development for the Targeted Market Pilot Project
9 Grants Program as defined in ch. 14.2015, designed to improve
10 short and long term international business opportunities for
11 Florida businesses.

12 Section 34. Section 288.9530, Florida Statutes, is
13 created to read:

14 288.9530 The Florida Business Expansion Corporation.--

15 (1) The Florida Business Expansion Corporation is
16 hereby created as a corporation not-for-profit, to be
17 incorporated under the provisions of chapter 617. The
18 corporation is organized on a nonstock basis. The corporation
19 shall provide business expansion assistance to businesses in
20 this state having job growth or emerging technology potential
21 and fewer than 500 employees. The primary purpose of the
22 corporation shall be to assist such Florida businesses to grow
23 through the development of cross-border transactions which
24 lead to increased revenues, cost reductions, sales or
25 investments for Florida businesses. For purposes of this Act,
26 "cross-border transactions" shall be defined as the formation
27 of joint venture, strategic alliance, investment, technology
28 transfer or licensing, co-development, or other commercial
29 relationships between Florida businesses and non-Florida
30 entities. In providing its services, the corporation shall
31 seek to recover its costs and expenditures of state funds via

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1 fee, equity participation, or any other form of revenue
2 generation or recovery, and to achieve the self-sufficiency of
3 its operations. It is the intent of the Legislature that the
4 corporation achieve self-sufficiency within three years of its
5 establishment. For the purposes of this section, the term
6 "self-sufficiency" shall mean that the annual expenses of
7 operation of the corporation shall be less than or equal to
8 the total value of the compensation derived including fee,
9 equity participation, or any other form of revenue generation
10 or recovery from the operations of the corporation by June 30,
11 2001.

12 (2) The corporation is intended to compliment, rather
13 than duplicate, the services and programs of Enterprise
14 Florida, Inc., the Florida Export Finance Corporation, and
15 other existing economic development entities. The corporation
16 programs are to serve small to mid-sized Florida firms in
17 conducting transactions with entities located in other states
18 and nations.

19 Section 35. Section 288.9531, Florida Statutes, is
20 created to read:

21 288.9531 Powers and Duties of the Corporation.--

22 (1) In addition to all of the statutory powers of
23 Florida not-for-profit corporations, the corporation shall
24 have the power and duty to:

25 (a) Perform analyses of opportunities to Florida
26 businesses from the formation of stronger and numerous
27 commercial relationships through cross-border transactions;

28 (b) Locate Florida businesses which are strong
29 candidates for business expansion and match such businesses
30 with joint venture or strategic alliance partners, sources of
31 investment capital, or purchasers or licensees of technology;

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1 (c) Prepare selected Florida firms to achieve business
2 expansion through preparation of business plans and marketing
3 materials, arranging participation in major domestic and
4 international events targeted towards industry participants
5 and investors, and placement of articles in business press and
6 trade publications;

7 (d) Counsel Florida businesses in the development and
8 execution of cross-border transactions;

9 (e) Develop, in conjunction with target businesses,
10 criteria for evaluation of potential cross-border transactions
11 or strategic partners;

12 (f) Provide listings of strategic partners which meet
13 agreed-upon criteria;

14 (g) Develop negotiating strategies and marketing
15 materials designed to address the concerns of potential
16 strategic partners;

17 (h) Approach and initiate discussions with potential
18 strategic partners and investors;

19 (i) Present Florida small and medium-sized firms to
20 potential strategic partners and investors;

21 (j) Identify and, in conjunction with associated
22 professionals, provide guidance on critical business and legal
23 issues associated with proposed transactions, including issues
24 relating to transfers of assets, ownership of intellectual
25 property, tax planning, and other relevant matters;

26 (k) Assist in the negotiation of pricing and terms of
27 participation of the parties;

28 (l) Close cross-border transactions on behalf of
29 Florida small and medium-sized firms, and manage outside
30 professionals in the closing of the transaction;

31 (m) Handle issues that arise after closing to ensure

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1 continued success of the transaction; and

2 (n) Charge fees, in amounts to be determined by the
3 board, to defray the operating costs of its programs.

4 (2) On or before December 31, 1998, the corporation
5 shall submit to the Office of Tourism, Trade, and Economic
6 Development a business plan providing further specifics of its
7 operations, including, but not limited to, the following:

8 (a) Specific goals and outcomes to be achieved by the
9 corporation in the accomplishment of its statutory duties;

10 (b) Types of specific assistance to be rendered to
11 Florida businesses, including detailed descriptions of the
12 specific steps required to provide each type of assistance,
13 and the projected costs of such assistance; and

14 (c) Specific provisions for the self-sufficient
15 operation of the corporation prior to July 1, 2001, including
16 specific projections of the compensation anticipated from
17 generation of successful cross-border transactions.

18 (d) A description of the manner in which the
19 corporation will interact with existing state-sponsored
20 economic development entities.

21 (3) The business plan and the data upon which it is
22 based shall constitute a public record and shall be
23 distributed in a manner which will provide maximum benefit to
24 Florida businesses.

25 Section 36. Section 288.9532, Florida Statutes, is
26 created to read:

27 288.9532 Board of directors.--

28 (1) The corporation shall have an initial board of
29 directors consisting of the following persons:

30 (a) The President of Enterprise Florida, Inc., or his
31 designee;

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- 1 (b) The Comptroller or his designee;
2 (c) The Commissioner of Insurance or his designee;
3 (d) The chair of the Florida Black Business Investment
4 Board or his designee;
5 (e) The chair of the Florida Export Finance
6 Corporation or his designee; and
7 (f) The chair of the Florida First Capital Finance
8 corporation or his designee.
- 9 (2) Notwithstanding the provisions of subsection (1),
10 the board of directors may by resolution appoint to the board
11 up to ten at-large members from the private sector, each of
12 whom shall serve a 2-year term. Minority and gender
13 representation shall be considered when making at-large
14 appointments to the board. At-large members shall have the
15 powers and duties of other members of the board. An at-large
16 member is eligible for reappointment, but may not vote on his
17 or her own reappointment.
- 18 (3) The board shall ensure that its composition is
19 reflective of the diversity of Florida's business community,
20 and to the greatest degree possible shall include, but not be
21 limited to, individuals representing small and medium-sized
22 businesses, minority businesses, universities and other
23 institutions of higher education, and international and
24 domestic economic development organizations. A majority of
25 at-large members of the board shall have significant
26 experience in international business, with expertise in the
27 areas of trade, transportation, finance, law, or
28 manufacturing.
- 29 (4) Members of the board of directors shall serve
30 without compensation, but members, the president, and staff
31 may be reimbursed for all reasonable, necessary, and actual

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1 expenses, as determined by the board of directors.

2 (5) A majority of currently serving members of the
3 board shall constitute a quorum for purposes of all business
4 of the board.

5 Section 37. Section 288.9533, Florida Statutes is
6 created to read:

7 288.9533 Powers and Duties of the Board of
8 Directors.--

9 The board shall:

10 (1) Prior to the expenditure of funds from the Florida
11 Business Expansion account, adopt bylaws and internal
12 procedures which are necessary to carry out the
13 responsibilities of the corporation. The articles and bylaws
14 of the corporation shall be reviewed and approved by the
15 Office of Tourism, Trade, and Economic Development prior to
16 final adoption by the board;

17 (2) Hold regularly scheduled meetings, at least
18 quarterly, in order to carry out the objectives and duties of
19 the board;

20 (3) Develop a streamlined application and review
21 process;

22 (4) Adopt rules and policies, including application
23 and award criteria, regarding eligibility of businesses to
24 receive assistance from the corporation. Such rules and
25 policies shall include, but not be limited to, the
26 requirements that the target businesses:

27 (a) Shall have substantial operations in Florida;

28 (b) Shall have products, business or technology in
29 existence at the time of application;

30 (c) Shall have proven management;

31 (d) Shall be in a stage of business which is favorable

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- 1 to expansion of the business into international markets;
2 (e) Shall have products or technologies which have a
3 substantial potential for beneficial effect on business
4 expansion, business revenue or employment in Florida; and
5 (f) Shall have products or technologies which are
6 potential technology or market leaders with substantial
7 commercial potential in international markets.
8 (5) Proposed awards of assistance shall be reviewed
9 and approved at meetings of the board. The board shall give
10 the highest priority to activities that offer the greatest
11 opportunity for economic development impact and cost recovery.
12 Section 38. Chapter 288.9534, Florida Statutes is
13 created to read:
14 288.9534 Management of the Corporation.--
15 (1) The activities of the corporation shall be
16 administered under a multiyear contract with a private sector
17 entity selected by the board no later than September 1, 1998.
18 Such company shall have responsibility for performance of all
19 statutory duties of the corporation, under the control and
20 supervision of the board. Potential management companies
21 shall:
22 (a) Have existing operations in Florida, and provide
23 Florida-resident personnel to perform services under the
24 contract;
25 (b) Have an established record of success in the
26 creation of cross-border transactions, and at least ten years
27 of operational experience in such business;
28 (c) Have staff with substantial financial and
29 international affairs experience;
30 (d) Have international offices;
31 (e) Commit to a cash match expenditure of ten percent

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1 of the amount of the state contract issued pursuant to this
2 section, with such cash to be provided from the capital of the
3 contractor and expended directly in the pursuit of the
4 statutory purposes of the corporation; and

5 (f) Have substantial experience in as many of the
6 following areas as possible:

7 1. Arrangement of cross-border transactions;

8 2. Development and implementation of market entry
9 strategies for business expansion;

10 3. Preparation of market analyses and strategic plans;

11 and

12 4. Work with foreign and domestic financial
13 institutions, highly regulated industries and foreign
14 governments.

15 (2) The company selected pursuant to this subsection
16 shall provide personnel to serve as officers of the
17 corporation who shall perform on behalf of the corporation all
18 of the customary functions of the offices they occupy.

19 (3) The board shall provide by contract for division
20 with the management company of total compensation derived from
21 the operations of the corporation. Such division shall be made
22 quarterly, and shall involve the total compensation of the
23 corporation which are in excess of the expenses of the
24 corporation for that quarter.

25 (4) Prior to securing management services for the
26 corporation, staffing of the corporation shall be provided by
27 the Office of Tourism, Trade, and Economic Development, which
28 shall provide to the board by August 7, 1998, a list of
29 candidates qualified and desiring to perform the duties of the
30 management company specified in this section. The Office of
31 Tourism, Trade, and Economic Development shall also have

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1 responsibility for the establishment of performance measures
2 and requirements which provide for the performance of the
3 statutory duties of the corporation, as well as the following:

4 (a) Specific outcomes from the performance of the
5 management company, as well as timetables for the
6 accomplishment of such outcomes;

7 (b) Requirements relating to the handling of state
8 funds and providing for third party audit and financial review
9 of the operations of the corporation;

10 (c) Reversion to the state of all assets of the
11 corporation in the event of cessation of operations of the
12 corporation; and

13 (d) Termination of the management company in the event
14 of its failure to perform the duties or deliver the outcomes
15 provided in the management contract.

16 Section 39. Section 288.9535, Florida Statutes, is
17 created to read:

18 288.9535 Florida Business Expansion Account.--

19 (1) The board shall create the Florida Business
20 Expansion account for the purpose of receiving state, federal,
21 and private financial resources, and the return from
22 employment of those resources, and for the purposes of the
23 corporation. The account shall be under the exclusive control
24 of the board.

25 (2) Resources in the account shall be allocated for
26 operating expenses of the corporation and for other
27 statutorily authorized purposes, including costs of research,
28 provision of business assistance to targeted businesses, and
29 other costs.

30 (3) Appropriations for the corporation shall be
31 deposited into the account.

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1 (4) The board may establish the account and any
2 sub-accounts necessary and convenient for the operation of the
3 corporation with state or federally chartered financial
4 institutions in this state and may invest the assets of the
5 account in permissible securities.

6 (5) At all times, the board shall attempt to maximize
7 the returns on funds in the account.

8 (6) All revenues received from the operations of the
9 corporation shall be redeposited in the account to be used to
10 promote the statutory purposes of the corporation.

11 (7) Under no circumstances shall the credit of the
12 state be pledged by or on behalf of the corporation, other
13 than funds appropriated by law to the account, nor shall the
14 state be liable or obligated in any way for claims on the
15 account or against the corporation.

16 (8) Pursuant to s. 216.351, the amount of any moneys
17 appropriated to the account which are unused at the end of the
18 fiscal year shall not be subject to reversion under s.
19 216.301. All moneys in the account are continuously
20 appropriated to the account and may be used for the purposes
21 specified in this section. The Office of Tourism, Trade, and
22 Economic Development shall ensure that all funds in the
23 account shall revert to the state in the event that the
24 corporation is dissolved, ceases operations, or upon the
25 evaluation of the board that such services cannot be provided
26 on a cost-recovery basis. Such a determination shall be made
27 only after an initial period of program setup and market
28 research of at least one year.

29 Section 40. Section 288.9536, Florida Statutes, is
30 created to read:

31 288.9536 Reporting and Review.--

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1 (1) By September 1, 1999, the corporation in
2 cooperation with the Office of Program Policy Analysis and
3 Government Accountability shall develop a research design,
4 including goals and measurable objectives for the corporation,
5 which will provide the Legislature with a quantitative
6 evaluation of the corporation. The corporation shall utilize
7 the monitoring mechanisms and reports developed in the designs
8 and provide these reports to the Governor, the President of
9 the Senate, the Speaker of the House of Representatives, and
10 the Office of Program Policy Analysis and Government
11 Accountability.

12 (2) On January 31, 2000, and on January 31 of each
13 succeeding year, the corporation shall prepare a report on the
14 financial status of the corporation and the account and shall
15 submit a copy of the report to the Governor, the President of
16 the Senate, the Speaker of the House of Representatives, and
17 the President of Enterprise Florida, Inc. The report shall
18 specify the assets and liabilities of the account within the
19 current fiscal year and shall include a list of the businesses
20 assisted, the benefits obtained by each business assisted,
21 including, but not limited to, increased revenues, cost
22 reductions, sales or investment which have been realized by
23 such businesses.

24 (3) Prior to the 2001 regular session of the
25 Legislature, the Office of Program Policy Analysis and
26 Government Accountability shall perform a review and
27 evaluation of the corporation using the research design
28 promulgated pursuant to this section. The report shall review
29 and comment on the operations and accomplishments of the
30 corporation. A report of the findings and recommendations of
31 the Office of Program Policy Analysis and Government

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1 Accountability shall be submitted to the President of the
2 Senate and the Speaker of the House of Representatives prior
3 to the 2001 regular session.

4 Section 41. Part IV of chapter 721, Florida
5 Statutes, consisting of sections 721.96, 721.97, and 721.98,
6 is created to read:

7 721.96 Purpose.--The purpose of this part is to
8 provide for the appointment of commissioners of deeds to take
9 acknowledgments, proofs of execution and oaths outside the
10 United States in connection with the execution of any deed,
11 mortgage, deed of trust, contract, power of attorney, or any
12 other agreement, instrument or writing concerning, relating
13 to, or to be used or recorded in connection with a timeshare
14 estate, timeshare license, any property subject to a timeshare
15 plan, or the operation of a timeshare plan located within this
16 state.

17 721.97 Timeshare Commissioner of Deeds.--

18 (1) The Governor may appoint commissioners of deeds to
19 take acknowledgments, proofs of execution or oaths in any
20 foreign country. The term of office shall be for four years.
21 Commissioners of deeds shall have authority to take
22 acknowledgments, proofs of execution and oaths in connection
23 with the execution of any deed, mortgage, deed of trust,
24 contract, power of attorney, or any other writing to be used
25 or recorded in connection with a timeshare estate, timeshare
26 license, any property subject to a timeshare plan, or the
27 operation of a timeshare plan located within this state;
28 provided such instrument or writing is executed outside the
29 United States. Such acknowledgments, proofs of execution and
30 oaths must be taken or made in the manner directed by the laws
31 of this state, including, but not limited to, s. 117.05(4),

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1 (5)(a) and (6), and certified by a commissioner of deeds. The
2 certification shall be endorsed on or annexed to the
3 instrument or writing aforesaid and has the same effect as if
4 made or taken by a notary public licensed in this state.

5 (2) Any person seeking to be appointed a commission of
6 deeds shall take and subscribe an oath, before a notary public
7 in this state or any other state, or a person authorized to
8 take oaths in another country, to well and faithfully execute
9 and perform the duties of such commissioner of deeds. The oath
10 shall be filed with the Department of State prior to the
11 person being commissioned.

12 (3) Official acts performed by any previously
13 appointed commissioners of deeds between May 30, 1997, and the
14 effective date of this part, are declared valid as though such
15 official acts were performed in accordance with and under the
16 authority of this part.

17 721.98 Powers of the division.--The division has no
18 duty or authority to regulate, enforce, or ensure compliance
19 with any provision of this part.

20
21 (Redesignate subsequent sections.)

22
23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 4, between lines 24 and 25,

27
28 insert:

29 An act relating to international economic
30 development; requiring Enterprise Florida,
31 Inc., to develop a master plan for integrating

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1 international trade and reverse investment
2 resources; prescribing procedures, content, and
3 a submission deadline related to such plan;
4 requiring Enterprise Florida, Inc., in
5 conjunction with the Office of Tourism, Trade,
6 and Economic Development, to prepare a plan to
7 promote foreign direct investment in Florida;
8 prescribing procedures, content, and a
9 submission deadline related to such plan;
10 requiring Enterprise Florida, Inc., to develop
11 a strategic plan that will allow Florida to
12 capitalize on the economic opportunities
13 associated with a post-embargo Cuba; amending
14 s. 14.2015, F.S.; relating to the disbursement
15 of certain funds by the Office of Tourism,
16 Trade, and Economic Development; requiring
17 reports; amending s. 15.18, F.S.; providing for
18 coordination of international activities of the
19 Department of State; amending s. 55.604, F.S.;
20 requiring foreign judgments to be filed with
21 the Secretary of State; amending s. 55.605,
22 F.S.; requiring the Secretary of State to
23 create and maintain a specified list relative
24 to foreign money judgments; amending s. 15.18,
25 F.S.; requiring the Secretary of State to
26 maintain lists relating to foreign money
27 judgments; creating s. 257.34, F.S.; creating
28 the Florida State International Archive;
29 Providing requirements for the archive;
30 providing for access to the archive; amending
31 s. 288.8175, F.S.; authorizing linkage

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1 institutes to competitively apply for Targeted
2 Market Pilot Projects Grants; creating s.
3 288.9530, F.S.; providing for the creation of
4 the Florida Business Expansion Corporation to
5 provide business expansion assistance to
6 businesses in the state having job growth or
7 emerging technology potential; creating s.
8 288.9531, F.S.; providing for powers and duties
9 of the corporation; creating s. 288.9532, F.S.,
10 and s. 288.9533, F.S.; creating the corporation
11 board of directors and providing for their
12 powers and duties; creating s. 288.9534, F.S.;
13 providing that the corporation contracts with
14 an experienced management company to administer
15 and perform the duties of the corporation;
16 creating s. 288.9535, F.S.; creating the
17 Florida Business Expansion Account to receive
18 state, federal, and private financial resources
19 for the purpose of funding the objectives of
20 the corporation; creating s. 288.9536, F.S.;
21 providing for the reporting and review
22 requirements of the corporation; creating Part
23 IV of ch. 721; creating s. 721.96, F.S.;
24 providing a purpose for the commissioners of
25 deeds; creating s. 721.97, F.S.; authorizing
26 the appointment of commissioners of deed;
27 providing authority; ratifying certain actions
28 of commissioners of deeds; creating s. 721.98,
29 F.S.; limiting powers of the Division of
30 Florida Land Sales, Condominiums, and Mobile
31 Homes; amending s. 288.012, F.S., relating to

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1 State of Florida foreign offices; directing
2 each office to report annually to the Office of
3 Tourism, Trade, and Economic Development on
4 activities and accomplishments; prescribing the
5 contents of such reports;
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