

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

Senate CHAMBER ACTION House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

.
. .
. .
. .
. .
. .

ORIGINAL STAMP BELOW

Representative(s) Starks offered the following:

Amendment to Amendment (553475) (with title amendment)

On page 1, line 18, through page 12, line 9,
remove from the amendment: all of said lines

and insert in lieu thereof:

Section 1. Section 14.2015, Florida Statutes, 1998
Supplement, is amended to read:

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

(1) The Office of Tourism, Trade, and Economic
Development is created within the Executive Office of the
Governor. The director of the Office of Tourism, Trade, and
Economic Development shall be appointed by and serve at the
pleasure of the Governor.

(2) The purpose of the Office of Tourism, Trade, and
Economic Development is to assist the Governor in working with
the Legislature, state agencies, business leaders, and
economic development professionals to formulate and implement
coherent and consistent policies and strategies designed to

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 provide economic opportunities for all Floridians. To
2 accomplish such purposes, the Office of Tourism, Trade, and
3 Economic Development shall:

4 ~~(a) Contract, notwithstanding the provisions of part I~~
5 ~~of chapter 287, with the direct support organization created~~
6 ~~under s. 288.1228, or a designated Florida not-for-profit~~
7 ~~corporation whose board members have had prior experience in~~
8 ~~promoting, throughout the state, the economic development of~~
9 ~~the Florida motion picture, television, radio, video,~~
10 ~~recording, and entertainment industries, to guide, stimulate,~~
11 ~~and promote the entertainment industry in the state.~~

12 (a)(b) Contract, notwithstanding the provisions of
13 part I of chapter 287, with the direct-support organization
14 created under s. 288.1229 to guide, stimulate, and promote the
15 sports industry in the state, to promote the participation of
16 Florida's citizens in amateur athletic competition, and to
17 promote Florida as a host for national and international
18 amateur athletic competitions.

19 (b)(c) Monitor the activities of public-private
20 partnerships and state agencies in order to avoid duplication
21 and promote coordinated and consistent implementation of
22 programs in areas including, but not limited to, tourism;
23 international trade and investment; business recruitment,
24 creation, retention, and expansion; minority and small
25 business development; and rural community development.

26 (c)(d) Facilitate the direct involvement of the
27 Governor and the Lieutenant Governor in economic development
28 projects designed to create, expand, and retain Florida
29 businesses and to recruit worldwide business, as well as in
30 other job-creating efforts.

31 (d)(e) Assist the Governor, in cooperation with

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
 Amendment No. ____ (for drafter's use only)

1 Enterprise Florida, Inc., and the Florida Commission on
 2 Tourism, in preparing an annual report to the Legislature on
 3 the state of the business climate in Florida and on the state
 4 of economic development in Florida which will include the
 5 identification of problems and the recommendation of
 6 solutions. This report shall be submitted to the President of
 7 the Senate, the Speaker of the House of Representatives, the
 8 Senate Minority Leader, and the House Minority Leader by
 9 January 1 of each year, and it shall be in addition to the
 10 Governor's message to the Legislature under the State
 11 Constitution and any other economic reports required by law.

12 (e)~~(f)~~ Plan and conduct at least one meeting ~~three~~
 13 ~~meetings~~ per calendar year of leaders in business, government,
 14 and economic development called by the Governor to address the
 15 business climate in the state, develop a common vision for the
 16 economic future of the state, and identify economic
 17 development efforts to fulfill that vision.

18 (f)~~(g)~~1. Administer the Florida Enterprise Zone Act
 19 under ss. 290.001-290.016, the community contribution tax
 20 credit program under ss. 220.183 and 624.5105, the tax refund
 21 program for qualified target industry businesses under s.
 22 288.106, the tax-refund program for qualified defense
 23 contractors under s. 288.1045, contracts for transportation
 24 projects under s. 288.063, the sports franchise facility
 25 program under s. 288.1162, the professional golf hall of fame
 26 facility program under s. 288.1168, the expedited permitting
 27 process under s. 403.973 ~~Florida Jobs Siting Act under ss.~~
 28 ~~403.950-403.972~~, the Rural Community Development Revolving
 29 Loan Fund under s. 288.065, the Regional Rural Development
 30 Grants Program under s. 288.018, the Certified Capital Company
 31 Act under s. 288.99, the Florida State Rural Development

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 Council, ~~and~~ the Rural Economic Development Initiative, and
2 other programs that are specifically assigned to the office by
3 law, by the appropriations process, or by the Governor.
4 Notwithstanding any other provisions of law, the office may
5 expend interest earned from the investment of program funds
6 deposited in the Economic Development Trust Fund, the Grants
7 and Donations Trust Fund, the Brownfield Property Ownership
8 Clearance Assistance Revolving Loan Trust Fund, and the
9 Economic Development Transportation Trust Fund to contract for
10 the administration of the programs, or portions of the
11 programs, enumerated in this paragraph or assigned to the
12 office by law, by the appropriations process, or by the
13 Governor. Such expenditures shall be subject to review under
14 chapter 216.

15 2. The office may enter into contracts in connection
16 with the fulfillment of its duties concerning the Florida
17 First Business Bond Pool under chapter 159, tax incentives
18 under chapters 212 and 220, tax incentives under the Certified
19 Capital Company Act in chapter 288, foreign offices under
20 chapter 288, the Enterprise Zone program under chapter 290,
21 the Seaport Employment Training program under chapter 311, the
22 Florida Professional Sports Team License Plates under chapter
23 320, Spaceport Florida under chapter 331, ~~Job Siting and~~
24 Expedited Permitting under chapter 403, and in carrying out
25 other functions that are specifically assigned to the office
26 by law, by the appropriations process, or by the Governor.

27 (g)(h) Serve as contract administrator for the state
28 with respect to contracts with Enterprise Florida, Inc., the
29 Florida Commission on Tourism, and all direct-support
30 organizations under this act, excluding those relating to
31 tourism. To accomplish the provisions of this act and

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 applicable provisions of chapter 288, and notwithstanding the
2 provisions of part I of chapter 287, the office shall enter
3 into specific contracts with Enterprise Florida, Inc., the
4 Florida Commission on Tourism, and other appropriate
5 direct-support organizations. Such contracts may be multiyear
6 and shall include specific performance measures for each year.
7 ~~The office shall provide the President of the Senate and the~~
8 ~~Speaker of the House of Representatives with a report by~~
9 ~~February 1 of each year on the status of these contracts,~~
10 ~~including the extent to which specific contract performance~~
11 ~~measures have been met by these contractors.~~

12 (h) Provide administrative oversight for the Office of
13 the Film Commissioner, created under s. 288.1251, to develop,
14 promote, and provide services to the state's entertainment
15 industry and to administratively house the Florida Film
16 Advisory Council created under s. 288.1252.

17 (i) Prepare and submit as a separate budget entity a
18 unified budget request for tourism, trade, and economic
19 development in accordance with chapter 216 for, and in
20 conjunction with, Enterprise Florida, Inc., and its boards,
21 the Florida Commission on Tourism and its direct-support
22 organization, the Florida Black Business Investment Board, the
23 Office of the Film Commissioner, and the direct-support
24 organization organizations created to promote the
25 ~~entertainment and sports~~ industry industries.

26 (j) Adopt Promulgate rules, as necessary, to carry out
27 its functions in connection with the administration of the
28 Qualified Target Industry program, the Qualified Defense
29 Contractor program, the Certified Capital Company Act, the
30 Enterprise Zone program, and the Florida First Business Bond
31 pool.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

- 1 (3) The Chief Inspector General, as defined in s.
2 14.32:
- 3 (a) Shall advise public-private partnerships in their
4 development, utilization, and improvement of internal control
5 measures necessary to ensure fiscal accountability.
- 6 (b) May conduct, direct, and supervise audits relating
7 to the programs and operations of public-private partnerships.
- 8 (c) Shall receive and investigate complaints of fraud,
9 abuses, and deficiencies relating to programs and operations
10 of public-private partnerships.
- 11 (d) May request and have access to any records, data,
12 and other information of public-private partnerships that the
13 Chief Inspector General deems necessary to carry out his or
14 her responsibilities with respect to accountability.
- 15 (e) Shall monitor public-private partnerships for
16 compliance with the terms and conditions of contracts with the
17 Office of Tourism, Trade, and Economic Development and report
18 noncompliance to the Governor.
- 19 (f) Shall advise public-private partnerships in the
20 development, utilization, and improvement of performance
21 measures for the evaluation of their operations.
- 22 (g) Shall review and make recommendations for
23 improvements in the actions taken by public-private
24 partnerships to meet performance standards.
- 25 (4) The director of the Office of Tourism, Trade, and
26 Economic Development shall designate a position within the
27 office to advocate and coordinate the interests of minority
28 businesses. The person in this position shall report to the
29 director and shall be the primary point of contact for the
30 office on issues and projects important to the recruitment,
31 creation, preservation, and growth of minority businesses.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 (5) The director of the Office of Tourism, Trade, and
2 Economic Development shall designate a position within the
3 office to advocate and coordinate the interests of rural
4 communities in the state. The person in this position shall
5 report to the director and shall be the primary point of
6 contact for the office on issues and projects important to the
7 economic capacity of Florida's rural communities.

8 (6)(a) In order to improve the state's regulatory
9 environment, the Office of Tourism, Trade, and Economic
10 Development shall consider the impact of agency rules on
11 businesses, provide one-stop permit information and
12 assistance, and serve as an advocate for businesses,
13 particularly small businesses, in their dealings with state
14 agencies.

15 (b) As used in this subsection, the term "permit"
16 means any approval of an agency required as a condition of
17 operating a business in this state, including, but not limited
18 to, licenses and registrations.

19 (c) The office shall have powers and duties to:

20 1. Review proposed agency actions for impacts on small
21 businesses and offer alternatives to mitigate such impacts, as
22 provided in s. 120.54.

23 2. In consultation with the Governor's rules
24 ombudsman, make recommendations to agencies on any existing
25 and proposed rules for alleviating unnecessary or
26 disproportionate adverse effects to businesses.

27 3. Make recommendations to the Legislature and to
28 agencies for improving permitting procedures affecting
29 business activities in the state. By October 1, 1997, and
30 annually thereafter, the Office of Tourism, Trade, and
31 Economic Development shall submit a report to the Legislature

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 containing the following:

2 a. An identification and description of methods to
3 eliminate, consolidate, simplify, or expedite permits.

4 b. An identification and description of those agency
5 rules repealed or modified during each calendar year to
6 improve the regulatory climate for businesses operating in the
7 state.

8 c. A recommendation for an operating plan and funding
9 level for establishing an automated one-stop permit registry
10 to provide the following services:

11 (I) Access by computer network to all permit
12 applications and approval requirements of each state agency.

13 (II) Assistance in the completion of such
14 applications.

15 (III) Centralized collection of any permit fees and
16 distribution of such fees to agencies.

17 (IV) Submission of application data and circulation of
18 such data among state agencies by computer network.

19

20 If the Legislature establishes such a registry, subsequent
21 annual reports must cover the status and performance of this
22 registry.

23 4. Serve as a clearinghouse for information on which
24 permits are required for a particular business and on the
25 respective application process, including criteria applied in
26 making a determination on a permit application. Each state
27 agency that requires a permit, license, or registration for a
28 business shall submit to the Office of Tourism, Trade, and
29 Economic Development by August 1 of each year a list of the
30 types of businesses and professions that it regulates and of
31 each permit, license, or registration that it requires for a

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 type of business or profession.

2 5. Obtain information and permit applications from
3 agencies and provide such information and permit applications
4 to the public.

5 6. Arrange, upon request, informal conferences between
6 a business and an agency to clarify regulatory requirements or
7 standards or to identify and address problems in the permit
8 review process.

9 7. Determine, upon request, the status of a particular
10 permit application.

11 8. Receive complaints and suggestions concerning
12 permitting policies and activities of governmental agencies
13 which affect businesses.

14 (d) Use of the services authorized in this subsection
15 does not preclude a person or business from dealing directly
16 with an agency.

17 (e) In carrying out its duties under this subsection,
18 the Office of Tourism, Trade, and Economic Development may
19 consult with state agency personnel appointed to serve as
20 economic development liaisons under s. 288.021.

21 (f) The office shall clearly represent that its
22 services are advisory, informational, and facilitative only.
23 Advice, information, and assistance rendered by the office
24 does not relieve any person or business from the obligation to
25 secure a required permit. The office is not liable for any
26 consequences resulting from the failure to issue or to secure
27 a required permit. However, an applicant who uses the services
28 of the office and who receives a written statement identifying
29 required state permits relating to a business activity may not
30 be assessed a penalty for failure to obtain a state permit
31 that was not identified, if the applicant submits an

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 application for each such permit within 60 days after written
2 notification from the agency responsible for issuing the
3 permit.

4 (7) The Office of Tourism, Trade, and Economic
5 Development shall develop performance measures, standards, and
6 sanctions for each program it administers under this act and,
7 in conjunction with the applicable entity, for each program
8 for which it contracts with another entity under this act.
9 The performance measures, standards, and sanctions shall be
10 developed in consultation with the legislative appropriations
11 committees and the appropriate substantive committees, and are
12 subject to the review and approval process provided in s.
13 216.177. The approved performance measures, standards, and
14 sanctions shall be included and made a part of the strategic
15 plan for the Office of the Film Commissioner and each contract
16 entered into for delivery of programs authorized by this act.

17 (8) The Office of Tourism, Trade, and Economic
18 Development shall ensure that the contract between the Florida
19 Commission on Tourism and the commission's direct-support
20 organization contains a provision to provide the data on the
21 visitor counts and visitor profiles used in revenue
22 estimating, employing the same methodology used in fiscal year
23 1995-1996 by the Department of Commerce. The Office of
24 Tourism, Trade, and Economic Development and the Florida
25 Commission on Tourism must reach agreement with the Consensus
26 Estimating Conference principals before making any changes in
27 methodology used or information gathered.

28 (9)(a) The Office of Urban Opportunity is created
29 within the Office of Tourism, Trade, and Economic Development.
30 The director of the Office of Urban Opportunity shall be
31 appointed by and serve at the pleasure of the Governor.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 (b) The purpose of the Office of Urban Opportunity
2 shall be to administer the Front Porch Florida initiative, a
3 comprehensive, community-based urban core redevelopment
4 program that will empower urban core residents to craft
5 solutions to the unique challenges of each designated
6 community.

7 ~~(9)(a) Subject to the cooperative recommendations of~~
8 ~~Enterprise Florida, Inc., and the Florida Commission on~~
9 ~~Tourism and also to the approval of the Governor, the Office~~
10 ~~of Tourism, Trade, and Economic Development is authorized to~~
11 ~~expend appropriated state and federal funds for general~~
12 ~~economic development grants. The office shall establish~~
13 ~~criteria for the award of grants, including criteria relating~~
14 ~~to highest economic return for the state as a whole, or a~~
15 ~~particular region, county, city, or community, ability to~~
16 ~~properly administer grant funds, and such other matters deemed~~
17 ~~necessary and appropriate to further the purposes of this~~
18 ~~subsection. The office shall expend all funds in accordance~~
19 ~~with state law and shall use such appropriations to supplement~~
20 ~~the financial support of:~~

21 ~~1. Programs that have a substantial economic~~
22 ~~significance, giving emphasis to programs that benefit the~~
23 ~~state as a whole.~~

24 ~~2. Programs with a high potential for match funding~~
25 ~~from nonstate sources.~~

26 ~~3. Economic development programs for which no other~~
27 ~~state grants are available.~~

28 ~~4. Rural areas and distressed urban areas.~~

29 ~~(b) Grants shall be made by contract with any~~
30 ~~nonprofit corporation or local or state governmental entity.~~

31 ~~Of the total amount of funds available from all sources for~~

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 ~~grants, 70 percent of such funds shall be awarded on a~~
2 ~~50-percent matching basis. Up to 30 percent of such funds~~
3 ~~available may be awarded on a nonmatching basis.~~

4 ~~(c) In administering grants, contracts, and funds~~
5 ~~appropriated for economic development programs, the office may~~
6 ~~release moneys in advance on a quarterly basis. By the end of~~
7 ~~the contract period, the grantee or contractee shall furnish~~
8 ~~to the office a complete and accurate accounting of how all~~
9 ~~grant funds were expended. Postaudits to be conducted by an~~
10 ~~independent certified public accountant may be required in~~
11 ~~accordance with criteria adopted by the office.~~

12 ~~(d) The office shall not award any new grant which~~
13 ~~will, in whole or in part, inure to the personal benefit of~~
14 ~~any board member of Enterprise Florida, Inc., or the Florida~~
15 ~~Commission on Tourism during that member's term of office, if~~
16 ~~the board member participated in the vote of the board or~~
17 ~~panel thereof recommending the award. However, this subsection~~
18 ~~does not prohibit the office from awarding a grant to an~~
19 ~~entity with which a board member is associated.~~

20 ~~(e) This subsection is repealed on July 1, 1999.~~

21 Section 2. Section 288.125, Florida Statutes, is
22 created to read:

23 288.125 Definitions.--For the purposes of sections
24 288.1251 through 288.1258, "entertainment industry" means
25 those persons or entities engaged in the operation of motion
26 picture or television studios or recording studios, or those
27 persons or entities engaged in the preproduction, production,
28 or postproduction of motion pictures, made-for-TV motion
29 pictures, television series, commercial advertising, music
30 videos, or sound recordings.

31 Section 3. Section 288.1251, Florida Statutes, is

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 created to read:

2 288.1251 Promotion and development of entertainment
3 industry; Office of the Film Commissioner; creation; purpose;
4 powers and duties.--

5 (1) CREATION.--

6 (a) There is hereby created within the Office of
7 Tourism, Trade, and Economic Development the Office of the
8 Film Commissioner for the purpose of developing, marketing,
9 promoting, and providing services to the state's entertainment
10 industry.

11 (b) The Office of Tourism, Trade, and Economic
12 Development shall conduct a national search for a qualified
13 person to fill the position of Film Commissioner, and the
14 Executive Director of the Office of Tourism, Trade, and
15 Economic Development shall hire the Film Commissioner.
16 Guidelines for selection of the Film Commissioner shall
17 include, but not be limited to, the Film Commissioner having
18 the following:

19 1. A working knowledge of the equipment, personnel,
20 financial, and day-to-day production operations of the
21 industries to be served by the office;

22 2. Marketing and promotion experience related to the
23 industries to be served by the office;

24 3. Experience working with a variety of individuals
25 representing large and small entertainment-related businesses,
26 industry associations, local community entertainment industry
27 liaisons, and labor organizations; and

28 4. Experience working with a variety of state and
29 local governmental agencies.

30 (2) POWERS AND DUTIES.--

31 (a) The Office of the Film Commissioner, in

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

- 1 performance of its duties, shall:
- 2 1. In consultation with the Florida Film Advisory
- 3 Council, develop and implement a 5-year strategic plan to
- 4 guide the activities of the Office of the Film Commissioner in
- 5 the areas of entertainment industry development, marketing,
- 6 promotion, liaison services, field office administration, and
- 7 information. The plan, to be developed by no later than June
- 8 30, 2000, shall:
- 9 a. Be annual in construction and ongoing in nature.
- 10 b. Include recommendations relating to the
- 11 organizational structure of the office.
- 12 c. Include an annual budget projection for the office
- 13 for each year of the plan.
- 14 d. Include an operational model for the office to use
- 15 in implementing programs for rural and urban areas designed
- 16 to:
- 17 (I) Develop and promote the state's entertainment
- 18 industry.
- 19 (II) Have the office serve as a liaison between the
- 20 entertainment industry and other state and local governmental
- 21 agencies, local film commissions, and labor organizations.
- 22 (III) Gather statistical information related to the
- 23 state's entertainment industry.
- 24 (IV) Provide information and service to businesses,
- 25 communities, organizations, and individuals engaged in
- 26 entertainment industry activities.
- 27 (V) Administer field offices outside the state and
- 28 coordinate with regional offices maintained by counties and
- 29 regions of the state, as described in sub-sub-subparagraph
- 30 (II), as necessary.
- 31 e. Include performance standards and measurable

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

- 1 outcomes for the programs to be implemented by the office.
2 f. Include an assessment of, and make recommendations
3 on, the feasibility of creating an alternative public-private
4 partnership for the purpose of contracting with such a
5 partnership for the administration of the state's
6 entertainment industry promotion, development, marketing, and
7 service programs.
- 8 2. Develop, market, and facilitate a smooth working
9 relationship between state agencies and local governments in
10 cooperation with local film commission offices for
11 out-of-state and indigenous entertainment industry production
12 entities.
- 13 3. Implement a structured methodology prescribed for
14 coordinating activities of local offices with each other and
15 the commissioner's office.
- 16 4. Represent the state's indigenous entertainment
17 industry to key decisionmakers within the national and
18 international entertainment industry, and to state and local
19 officials.
- 20 5. Prepare an inventory and analysis of the state's
21 entertainment industry, including, but not limited to,
22 information on crew, related businesses, support services, job
23 creation, talent, and economic impact and coordinate with
24 local offices to develop an information tool for common use.
- 25 6. Represent key decisionmakers within the national
26 and international entertainment industry to the indigenous
27 entertainment industry and to state and local officials.
- 28 7. Serve as liaison between entertainment industry
29 producers and labor organizations.
- 30 8. Identify, solicit, and recruit entertainment
31 production opportunities for the state.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 9. Assist rural communities and other small
2 communities in the state in developing the expertise and
3 capacity necessary for such communities to develop, market,
4 promote, and provide services to the state's entertainment
5 industry.

6 (b) The Office of the Film Commissioner, in the
7 performance of its duties, may:

8 1. Conduct or contract for specific promotion and
9 marketing functions, including, but not limited to, production
10 of a statewide directory, production and maintenance of an
11 Internet web site, establishment and maintenance of a
12 toll-free number, organization of trade show participation,
13 and appropriate cooperative marketing opportunities.

14 2. Conduct its affairs, carry on its operations,
15 establish offices, and exercise the powers granted by this act
16 in any state, territory, district, or possession of the United
17 States.

18 3. Carry out any program of information, special
19 events, or publicity designed to attract entertainment
20 industry to Florida.

21 4. Develop relationships and leverage resources with
22 other public and private organizations or groups in their
23 efforts to publicize to the entertainment industry in this
24 state, other states, and other countries the depth of
25 Florida's entertainment industry talent, crew, production
26 companies, production equipment resources, related businesses,
27 and support services, including the establishment of and
28 expenditure for a program of cooperative advertising with
29 these public and private organizations and groups in
30 accordance with the provisions of chapter 120.

31 5. Provide and arrange for reasonable and necessary

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 promotional items and services for such persons as the office
2 deems proper in connection with the performance of the
3 promotional and other duties of the office.

4 6. Prepare an annual economic impact analysis on
5 entertainment industry-related activities in the state.

6 Section 4. Section 288.1252, Florida Statutes, is
7 created to read:

8 288.1252 Florida Film Advisory Council; creation;
9 purpose; membership; powers and duties.--

10 (1) CREATION.--There is hereby created within the
11 Office of Tourism, Trade, and Economic Development of the
12 Executive Office of the Governor, for administrative purposes
13 only, the Florida Film Advisory Council.

14 (2) PURPOSE.--The purpose of the council shall be to
15 serve as an advisory body to the Office of Tourism, Trade, and
16 Economic Development and to the Office of the Film
17 Commissioner to provide these offices with industry insight
18 and expertise related to developing, marketing, promoting, and
19 providing service to the state's entertainment industry.

20 (3) MEMBERSHIP.--

21 (a) The council shall consist of 17 members, seven to
22 be appointed by the Governor, five to be appointed by the
23 President of the Senate, and five to be appointed by the
24 Speaker of the House of Representatives, with the initial
25 appointments being made no later than August 1, 1999.

26 (b) When making appointments to the council, the
27 Governor, the President of the Senate, and the Speaker of the
28 House of Representatives shall appoint persons who are
29 residents of the state and who are highly knowledgeable of,
30 active in, and recognized leaders in Florida's motion picture,
31 television, video, sound recording, or other entertainment

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 industries. These persons shall include, but not be limited
2 to, representatives of local film commissions, representatives
3 of entertainment associations, a representative of the
4 broadcast industry, representatives of labor organizations in
5 the entertainment industry, and board chairs, presidents,
6 chief executive officers, chief operating officers, or persons
7 of comparable executive position or stature of leading or
8 otherwise important entertainment industry businesses and
9 offices. Council members shall be appointed in such a manner
10 as to equitably represent the broadest spectrum of the
11 entertainment industry and geographic areas of the state.

12 (c) Council members shall serve for 4-year terms,
13 except that the initial terms shall be staggered:

14 1. The Governor shall appoint one member for a 1-year
15 term, two members for 2-year terms, two members for 3-year
16 terms, and two members for 4-year terms.

17 2. The President of the Senate shall appoint one
18 member for a 1-year term, one member for a 2-year term, two
19 members for 3-year terms, and one member for a 4-year term.

20 3. The Speaker of the House of Representatives shall
21 appoint one member for a 1-year term, one member for a 2-year
22 term, two members for 3-year terms, and one member for a
23 4-year term.

24 (d) Subsequent appointments shall be made by the
25 official who appointed the council member whose expired term
26 is to be filled.

27 (e) The Film Commissioner, a representative of
28 Enterprise Florida, Inc., and a representative of the Florida
29 Tourism Industry Marketing Corporation shall serve as ex
30 officio, nonvoting members of the council, and shall be in
31 addition to the 17 appointed members of the council.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 (f) Absence from three consecutive meetings shall
2 result in automatic removal from the council.

3 (g) A vacancy on the council shall be filled for the
4 remainder of the unexpired term by the official who appointed
5 the vacating member.

6 (h) No more than one member of the council may be an
7 employee of any one company, organization, or association.

8 (i) Any member shall be eligible for reappointment but
9 may not serve more than two consecutive terms.

10 (4) MEETINGS; ORGANIZATION.--

11 (a) The council shall meet no less frequently than
12 once each quarter of the calendar year, but may meet more
13 often as set by the council.

14 (b) The council shall annually elect one member to
15 serve as chair of the council and one member to serve as vice
16 chair. The Office of the Film Commissioner shall provide
17 staff assistance to the council, which shall include, but not
18 be limited to, keeping records of the proceedings of the
19 council, and serving as custodian of all books, documents, and
20 papers filed with the council.

21 (c) A majority of the members of the council shall
22 constitute a quorum.

23 (d) Members of the council shall serve without
24 compensation, but shall be entitled to reimbursement for per
25 diem and travel expenses in accordance with s. 112.061 while
26 in performance of their duties.

27 (5) POWERS AND DUTIES.--The Florida Film Advisory
28 Council shall have all the powers necessary or convenient to
29 carry out and effectuate the purposes and provisions of this
30 act, including, but not limited to, the power to:

31 (a) Adopt bylaws for the governance of its affairs and

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 the conduct of its business.

2 (b) Advise and consult with the Office of the Film
3 Commissioner on the content, development, and implementation
4 of the 5-year strategic plan to guide the activities of the
5 office.

6 (c) Review the Film Commissioner's administration of
7 the programs related to the strategic plan, and advise the
8 commissioner on the programs and any changes that might be
9 made to better meet the strategic plan.

10 (d) Consider and study the needs of the entertainment
11 industry for the purpose of advising the commissioner and the
12 Office of Tourism, Trade, and Economic Development.

13 (e) Identify and make recommendations on state agency
14 and local government actions that may have an impact on the
15 entertainment industry or that may appear to industry
16 representatives as an official state or local action affecting
17 production in the state.

18 (f) Consider all matters submitted to it by the
19 commissioner and the Office of Tourism, Trade, and Economic
20 Development.

21 (g) Advise and consult with the commissioner and the
22 Office of Tourism, Trade, and Economic Development, at their
23 request or upon its own initiative, regarding the
24 promulgation, administration, and enforcement of all laws and
25 rules relating to the entertainment industry.

26 (h) Suggest policies and practices for the conduct of
27 business by the Office of the Film Commissioner or by the
28 Office of Tourism, Trade, and Economic Development that will
29 improve internal operations affecting the entertainment
30 industry and will enhance the economic development initiatives
31 of the state for the industry.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 (i) Appear on its own behalf before boards,
2 commissions, departments, or other agencies of municipal,
3 county, or state government, or the Federal Government.

4 Section 5. Section 288.1253, Florida Statutes, is
5 created to read:

6 288.1253 Travel and entertainment expenses.--

7 (1) As used in this section:

8 (a) "Business client" means any person, other than a
9 state official or state employee, who receives the services of
10 representatives of the Office of the Film Commissioner in
11 connection with the performance of its statutory duties,
12 including persons or representatives of entertainment industry
13 companies considering location, relocation, or expansion of an
14 entertainment industry business within the state.

15 (b) "Entertainment expenses" means the actual,
16 necessary, and reasonable costs of providing hospitality for
17 business clients or guests, which costs are defined and
18 prescribed by rules adopted by the Office of Tourism, Trade,
19 and Economic Development, subject to approval by the
20 Comptroller.

21 (c) "Guest" means a person, other than a state
22 official or state employee, authorized by the Office of
23 Tourism, Trade, and Economic Development to receive the
24 hospitality of the Office of the Film Commissioner in
25 connection with the performance of its statutory duties.

26 (d) "Travel expenses" means the actual, necessary, and
27 reasonable costs of transportation, meals, lodging, and
28 incidental expenses normally incurred by a traveler, which
29 costs are defined and prescribed by rules adopted by the
30 Office of Tourism, Trade, and Economic Development, subject to
31 approval by the Comptroller.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 (2) Notwithstanding the provisions of s. 112.061, the
2 Office of Tourism, Trade, and Economic Development shall adopt
3 rules by which it may make expenditures by advancement or
4 reimbursement, or a combination thereof, to:

5 (a) The Governor, the Lieutenant Governor, security
6 staff of the Governor or Lieutenant Governor, the Film
7 Commissioner, or staff of the Office of the Film Commissioner
8 for travel expenses or entertainment expenses incurred by such
9 individuals solely and exclusively in connection with the
10 performance of the statutory duties of the Office of the Film
11 Commissioner.

12 (b) The Governor, the Lieutenant Governor, security
13 staff of the Governor or Lieutenant Governor, the Film
14 Commissioner, or staff of the Office of the Film Commissioner
15 for travel expenses or entertainment expenses incurred by such
16 individuals on behalf of guests, business clients, or
17 authorized persons as defined in s. 112.061(2)(e) solely and
18 exclusively in connection with the performance of the
19 statutory duties of the Office of the Film Commissioner.

20 (c) Third-party vendors for the travel or
21 entertainment expenses of guests, business clients, or
22 authorized persons as defined in s. 112.061(2)(e) incurred
23 solely and exclusively while such persons are participating in
24 activities or events carried out by the Office of the Film
25 Commissioner in connection with that office's statutory
26 duties.

27
28 The rules shall be subject to approval by the Comptroller
29 prior to promulgation. The rules shall require the submission
30 of paid receipts, or other proof of expenditure prescribed by
31 the Comptroller, with any claim for reimbursement and shall

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 require, as a condition for any advancement of funds, an
2 agreement to submit paid receipts or other proof of
3 expenditure and to refund any unused portion of the
4 advancement within 15 days after the expense is incurred or,
5 if the advancement is made in connection with travel, within
6 10 working days after the traveler's return to headquarters.
7 However, with respect to an advancement of funds made solely
8 for travel expenses, the rules may allow paid receipts or
9 other proof of expenditure to be submitted, and any unused
10 portion of the advancement to be refunded, within 10 working
11 days after the traveler's return to headquarters. Operational
12 or promotional advancements, as defined in s. 288.35(4),
13 obtained pursuant to this section shall not be commingled with
14 any other state funds.

15 (3) The Office of Tourism, Trade, and Economic
16 Development shall prepare an annual report of the expenditures
17 of the Office of the Film Commissioner and provide such report
18 to the Legislature no later than December 30 of each year for
19 the expenditures of the previous fiscal year. The report shall
20 consist of a summary of all travel, entertainment, and
21 incidental expenses incurred within the United States and all
22 travel, entertainment, and incidental expenses incurred
23 outside the United States, as well as a summary of all
24 successful projects that developed from such travel.

25 (4) The Office of the Film Commissioner and its
26 employees and representatives, when authorized, may accept and
27 use complimentary travel, accommodations, meeting space,
28 meals, equipment, transportation, and any other goods or
29 services necessary for or beneficial to the performance of the
30 office's duties and purposes, so long as such acceptance or
31 use is not in conflict with part III of chapter 112. The

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 Office of Tourism, Trade, and Economic Development shall, by
2 rule, develop internal controls to ensure that such goods or
3 services accepted or used pursuant to this subsection are
4 limited to those that will assist solely and exclusively in
5 the furtherance of the office's goals and are in compliance
6 with part III of chapter 112.

7 (5) Any claim submitted under this section shall not
8 be required to be sworn to before a notary public or other
9 officer authorized to administer oaths, but any claim
10 authorized or required to be made under any provision of this
11 section shall contain a statement that the expenses were
12 actually incurred as necessary travel or entertainment
13 expenses in the performance of official duties of the Office
14 of the Film Commissioner and shall be verified by written
15 declaration that it is true and correct as to every material
16 matter. Any person who willfully makes and subscribes to any
17 claim which he or she does not believe to be true and correct
18 as to every material matter or who willfully aids or assists
19 in, procures, or counsels or advises with respect to, the
20 preparation or presentation of a claim pursuant to this
21 section that is fraudulent or false as to any material matter,
22 whether or not such falsity or fraud is with the knowledge or
23 consent of the person authorized or required to present the
24 claim, commits a misdemeanor of the second degree, punishable
25 as provided in s. 775.082 or s. 775.083. Whoever receives an
26 advancement or reimbursement by means of a false claim is
27 civilly liable, in the amount of the overpayment, for the
28 reimbursement of the public fund from which the claim was
29 paid.

30 Section 6. 21st Century Digital Television and
31 Education Task Force; membership; duties.--

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 (1) The 21st Century Digital Television and Education
2 Task Force is created to serve through February 1, 2000. The
3 task force is created within the Office of Tourism, Trade, and
4 Economic Development, which shall provide staff support for
5 the activities of the task force. The task force shall
6 consist of the following members:

7 (a) Two members to be appointed by the Governor.

8 (b) Two members of the Senate, or their designees, to
9 be appointed by the President of the Senate.

10 (c) Two members of the House of Representatives, or
11 their designees, to be appointed by the Speaker of the House
12 of Representatives.

13 (d) The Commissioner of Education or the
14 commissioner's designee.

15 (e) The Chancellor of the State University System or
16 the chancellor's designee.

17 (f) The Executive Director of the State Community
18 College System or the executive director's designee.

19 (g) The President of the Independent Colleges and
20 Universities of Florida or the president's designee.

21 (h) A representative of Enterprise Florida, Inc., with
22 knowledge on workforce development and economic development
23 issues.

24 (i) The Film Commissioner within the Office of
25 Tourism, Trade, and Economic Development.

26 (2) Each appointed member of the task force shall
27 serve at the pleasure of the appointing official. A vacancy on
28 the task force shall be filled in the same manner as the
29 original appointment.

30 (3) The task force shall elect a chair from among its
31 members. A vacancy in the chair of the task force must be

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 filled for the remainder of the unexpired term by election by
2 the task force members.

3 (4) The task force shall meet as necessary, at the
4 call of the chair or at the call of a quorum of the task
5 force, and at the time and place designated by the chair. A
6 quorum is necessary for the purpose of conducting official
7 business of the task force. Six members of the task force
8 shall constitute a quorum. The task force shall use accepted
9 rules of procedure to conduct its meetings and shall keep a
10 complete record of each meeting.

11 (5) Members of the task force shall receive no
12 compensation for their services, but shall be entitled to
13 receive per diem and travel expenses as provided in s.
14 112.061, Florida Statutes.

15 (6) The task force shall act as an advisory body and
16 shall make recommendations to the Governor and the Legislature
17 on a coordinated plan to carry out the legislative intent of
18 this section. The task force shall have the following duties:

19 (a) To devise a plan to recruit the following industry
20 segments to locate in Florida:

21 1. Digital programmers and producers, including
22 companies involved in the production, marketing, and
23 development of digital content, as well as studios, networks,
24 and television stations.

25 2. Companies involved in the transmission of digital
26 media, including television broadcasters; cable and satellite
27 companies; television, theater, and film industry members;
28 Internet content providers; web site producers; and other
29 information service providers.

30 3. Digital television equipment manufacturers,
31 including makers of digital video cameras, audio equipment,

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 transmission equipment, television sets, set-top boxes and
2 related hardware, monitors, displays, tapes, and discs.

3 4. Companies involved in the research and development
4 of new and innovative digital television equipment, consumer
5 electronics, prototypes, and products.

6 (b) To investigate and recommend strong economic
7 incentives to encourage the digital industry segments
8 described in subparagraph (a)1. to locate and compete in
9 Florida.

10 (c) To devise a plan to create and maintain higher
11 education opportunities for students wishing to enter the
12 digital television field. At a minimum, the plan shall
13 consider and address the following:

14 1. The extent to which higher education opportunities
15 are currently available to students in the areas of digital
16 production, transmission, manufacturing, and research and
17 development.

18 2. The workforce needs of the digital television
19 industry segments described in subparagraph (a)1.

20 3. Recommendations and an operational plan for
21 creating and maintaining higher education opportunities in
22 digital television production, transmission, manufacturing,
23 and research and development.

24 4. Any other recommendations to encourage and promote
25 the development of a skilled workforce in digital broadcast
26 communications and high-definition television.

27 (d) To recommend methods to hasten the conversion of
28 existing commercial television studios and soundstages from
29 analog to digital technology.

30 (e) To recommend a means to fund the cost of
31 converting public broadcast stations from analog to digital

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 technology, including a grant program for Florida Public
2 Television.

3 (f) To issue a report to the Legislature no later than
4 February 1, 2000, summarizing its findings, stating its
5 conclusions, and proposing its recommendations.

6 Section 7. Subsections (1) and (2) of section
7 288.1229, Florida Statutes, are amended, and subsections (8)
8 and (9) are added to that section, to read:

9 288.1229 Promotion and development of sports-related
10 industries and amateur athletics; direct-support organization;
11 powers and duties.--

12 (1) The Office of Tourism, Trade, and Economic
13 Development may authorize a direct-support organization to
14 assist the office in:

15 (a) The promotion and development of the sports
16 industry and related industries for the purpose of improving
17 the economic presence of these industries in Florida.

18 (b) The promotion of amateur athletic participation
19 for the citizens of Florida and the promotion of Florida as a
20 host for national and international amateur athletic
21 competitions for the purpose of encouraging and increasing the
22 direct and ancillary economic benefits of amateur athletic
23 events and competitions.

24 (2) To be authorized as a direct-support organization,
25 an organization must:

26 (a) Be incorporated as a corporation not for profit
27 pursuant to chapter 617.

28 (b) Be governed by a board of directors, which must
29 consist of up to 15 members appointed by the Governor and up
30 to 15 members appointed by the existing board of directors.

31 In making appointments, the board must consider a potential

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 member's background in community service and sports activism
2 in, and financial support of, the sports industry,
3 professional sports, or organized amateur athletics. Members
4 must be residents of the state and highly knowledgeable about
5 or active in professional or organized amateur sports. The
6 board must contain representatives of all geographical regions
7 of the state and must represent ethnic and gender diversity.
8 The terms of office of the members shall be 4 years. No
9 member may serve more than two consecutive terms. The
10 Governor may remove any member for cause and shall fill all
11 vacancies that occur.

12 (c) Have as its purpose, as stated in its articles of
13 incorporation, to receive, hold, invest, and administer
14 property; to raise funds and receive gifts; and to promote and
15 develop the sports industry and related industries for the
16 purpose of increasing the economic presence of these
17 industries in Florida.

18 (d) Have a prior determination by the Office of
19 Tourism, Trade, and Economic Development that the organization
20 will benefit the office and act in the best interests of the
21 state as a direct-support organization to the office.

22 (8) To promote amateur sports and physical fitness,
23 the direct-support organization shall:

24 (a) Develop, foster, and coordinate services and
25 programs for amateur sports for the people of Florida.

26 (b) Sponsor amateur sports workshops, clinics,
27 conferences, and other similar activities.

28 (c) Give recognition to outstanding developments and
29 achievements in, and contributions to, amateur sports.

30 (d) Encourage, support, and assist local governments
31 and communities in the development of or hosting of local

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 amateur athletic events and competitions.

2 (e) Promote Florida as a host for national and
3 international amateur athletic competitions. As part of this
4 effort, the direct-support organization shall:

5 1. Assist and support Florida cities or communities
6 bidding or seeking to host the Summer Olympics or Pan American
7 Games.

8 2. Annually report to the Governor, the President of
9 the Senate, and the Speaker of the House of Representatives on
10 the status of the efforts of cities or communities bidding to
11 host the Summer Olympics or Pan American Games, including, but
12 not limited to, current financial and infrastructure status,
13 projected financial and infrastructure needs, and
14 recommendations for satisfying the unmet needs and fulfilling
15 the requirements for a successful bid in any year that the
16 Summer Olympics or Pan American Games are held in this state.

17 (f) Develop a statewide program of amateur athletic
18 competition to be known as the "Sunshine State Games."

19 (g) Continue the successful amateur sports programs
20 previously conducted by the Florida Governor's Council on
21 Physical Fitness and Amateur Sports created under s. 14.22.

22 (h) Encourage and continue the use of volunteers in
23 its amateur sports programs to the maximum extent possible.

24 (i) Develop, foster, and coordinate services and
25 programs designed to encourage the participation of Florida's
26 youth in Olympic sports activities and competitions.

27 (j) Foster and coordinate services and programs
28 designed to contribute to the physical fitness of the citizens
29 of Florida.

30 (9)(a) The Sunshine State Games shall be patterned
31 after the Summer Olympics with variations as necessitated by

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 availability of facilities, equipment, and expertise. The
2 games shall be designed to encourage the participation of
3 athletes representing a broad range of age groups, skill
4 levels, and Florida communities. Participants shall be
5 residents of this state. Regional competitions shall be held
6 throughout the state, and the top qualifiers in each sport
7 shall proceed to the final competitions to be held at a site
8 in the state with the necessary facilities and equipment for
9 conducting the competitions.

10 (b) The Executive Office of the Governor is authorized
11 to permit the use of property, facilities, and personal
12 services of or at any State University System facility or
13 institution by the direct-support organization operating the
14 Sunshine State Games. For the purposes of this paragraph,
15 personal services includes full-time or part-time personnel as
16 well as payroll processing.

17 Section 8. Paragraph (a) of subsection (6) of section
18 320.08058, Florida Statutes, 1998 Supplement, is amended to
19 read:

20 320.08058 Specialty license plates.--

21 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
22 PLATES.--

23 (a) Because the United States Olympic Committee has
24 selected this state to participate in a combined fundraising
25 program that provides for one-half of all money raised through
26 volunteer giving to stay in this state and be administered by
27 the direct-support organization established under s. 288.1229
28 ~~Sunshine State Games Foundation~~ to support amateur sports, and
29 because the United States Olympic Committee and the
30 direct-support organization ~~Sunshine State Games Foundation~~
31 are nonprofit organizations dedicated to providing athletes

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
 Amendment No. ____ (for drafter's use only)

1 with support and training and preparing athletes of all ages
 2 and skill levels for sports competition, and because the
 3 direct-support organization Sunshine State Games Foundation
 4 assists in the bidding for sports competitions that provide
 5 significant impact to the economy of this state, and the
 6 Legislature supports the efforts of the United States Olympic
 7 Committee and the direct-support organization Florida Sunshine
 8 State Games Foundation, the Legislature establishes a Florida
 9 United States Olympic Committee license plate for the purpose
 10 of providing a continuous funding source to support this
 11 worthwhile effort. Florida United States Olympic Committee
 12 license plates must contain the official United States Olympic
 13 Committee logo and must bear a design and colors that are
 14 approved by the department. The word "Florida" must be
 15 centered at the top of the plate.

16 (b) The license plate annual use fees are to be
 17 annually distributed as follows:

18 1. The first \$5 million collected annually must be
 19 paid to the direct-support organization Florida Governor's
 20 Council on Physical Fitness and Amateur Sports to be
 21 distributed as follows:

22 a. Fifty percent must be distributed to the
 23 direct-support organization to be used Sunshine State Games
 24 Foundation for Florida's Sunshine State Games Olympic Sports
 25 Festival for Amateur Athletes.

26 b. Fifty percent must be distributed to the United
 27 States Olympic Committee.

28 2. Any additional fees must be deposited into the
 29 General Revenue Fund.

30 Section 9. Any funds or property held in trust by the
 31 Sunshine State Games Foundation, Inc., and the Florida

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 Governor's Council on Physical Fitness and Amateur Sports
2 shall revert to the direct-support organization created under
3 s. 288.1229, Florida Statutes, upon expiration or cancellation
4 of the contract with the Sunshine State Games Foundation,
5 Inc., and the Florida Governor's Council on Physical Fitness
6 and Amateur Sports, to be used for the promotion of amateur
7 sports in Florida.

8 Section 10. Section 14.22, Florida Statutes, is
9 repealed.

10 Section 11. Paragraph (e) of subsection (6) of section
11 288.108, Florida Statutes, is amended to read:

12 288.108 High-impact business.--

13 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT
14 SECTORS.--

15 (e) The study and its findings and recommendations and
16 the recommendations gathered from the sector-business network
17 must be discussed and considered during ~~at least one of the~~
18 meeting quarterly meetings required in s. 14.2015(2)(e)(h).

19 Section 12. Sections 288.051, 288.052, 288.053,
20 288.054, 288.055, 288.056, 288.057, 288.1228, and 288.12285,
21 Florida Statutes, are repealed.

22 Section 13. Effective July 1, 1999, three
23 full-time-equivalent positions are hereby appropriated to the
24 Executive Office of the Governor in order to implement the
25 provisions of this act relating to the Office of the Film
26 Commissioner.

27 Section 14. Subsection (1) of section 288.1221,
28 Florida Statutes, is amended to read:

29 288.1221 Legislative intent.--

30 (1) It is the intent of the Legislature to establish a
31 public-private partnership to provide policy direction to and

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 technical expertise in the promotion and marketing of the
2 state's tourism attributes. The Legislature further intends to
3 authorize this partnership to recommend the tenets of an
4 industry standard 4-year ~~5-year~~ marketing plan for an annual
5 marketing plan for tourism promotion and recommend a
6 comparable organizational structure to carry out such a plan.
7 The Legislature intends to have such a plan funded by that
8 portion of the rental car surcharge annually dedicated to the
9 Tourism Promotional Trust Fund, pursuant to s. 212.0606, and
10 by the tourism industry. ~~The Legislature intends that the~~
11 ~~exercise of this authority by the public-private partnership~~
12 ~~shall take into consideration the recommendations made to the~~
13 ~~1992 Legislature in the report submitted by the Florida~~
14 ~~Tourism Commission created pursuant to chapter 91-31, Laws of~~
15 ~~Florida.~~

16 Section 15. Subsection (2) of section 288.1222,
17 Florida Statutes, is amended to read:

18 288.1222 Definitions.--For the purposes of ss.
19 288.017, 288.121-288.1226, and 288.124, the term:

20 (2) "Tourist" means any person who participates in
21 trade or recreation activities outside the county ~~country~~ of
22 his or her permanent residence or who rents or leases
23 transient living quarters or accommodations as described in s.
24 125.0104(3)(a).

25 Section 16. Paragraphs (e), (f), and (g) of subsection
26 (2) of section 288.1223, Florida Statutes, are amended to
27 read:

28 288.1223 Florida Commission on Tourism; creation;
29 purpose; membership.--

30 (2)

31 (e) General tourism-industry-related members shall be

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 limited to two 4-year full consecutive terms. This limitation
2 applies to terms begun after June 30, 1996.

3 (f) The commission shall ~~hold its first meeting no~~
4 ~~later than September 1992 and must~~ meet at least quarterly. A
5 majority of the members shall constitute a quorum for the
6 purpose of conducting business.

7 (g) The Governor shall serve as chair of the
8 commission. The commission shall annually ~~biennially~~ elect one
9 of its tourism-industry-related members as vice chair, who
10 shall preside in the absence of the chair.

11 Section 17. Paragraphs (a), (c), and (d) of subsection
12 (4) and subsection (11) of section 288.1224, Florida Statutes,
13 are amended to read:

14 288.1224 Powers and duties.--The commission:

15 (4)(a) Shall, ~~no later than December 31, 1996,~~
16 recommend the tenets of a 4-year marketing plan to sustain
17 tourism growth, which plan shall be annual in construction and
18 ongoing in nature. ~~The initial plan shall use as its model~~
19 ~~the marketing plan recommended by the Florida Tourism~~
20 ~~Commission, created pursuant to chapter 91-31, Laws of~~
21 ~~Florida, and presented to the Legislature. Any annual~~
22 revisions of such a plan shall carry forward the concepts of
23 the remaining 3-year portion of that plan and consider a
24 continuum portion to preserve the 4-year timeframe of the
25 plan. ~~Such plan shall be submitted to the President of the~~
26 ~~Senate, the Speaker of the House of Representatives, the~~
27 ~~Senate Minority Leader, and the House Minority Leader no later~~
28 ~~than January 1, 1997.~~

29 (c) The plan shall include provisions for the
30 direct-support organization to reach the targeted one-to-one
31 match of private to public contributions within a period of 4

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 calendar years after the implementation date of the plan. For
2 the purposes of calculating the required one-to-one match,
3 matching private funds shall be divided into four categories.
4 The first category is direct cash contributions, which
5 include, but are not limited to, cash derived from strategic
6 alliances, contributions of stocks and bonds, and partnership
7 contributions. The second category is fees for services, which
8 include, but are not limited to, event participation,
9 research, and brochure placement and transparencies. The
10 third category is cooperative advertising, which is the value
11 based on cost of contributed productions, air time, and print
12 space. The fourth category is in-kind contributions, which
13 include, but are not limited to, the value of strategic
14 alliance services contributed, the value of loaned employees,
15 discounted service fees, items contributed for use in
16 promotions, and radio or television air time or print space
17 for promotions. The value of air time or print space shall be
18 calculated by taking the actual time or space and multiplying
19 by the nonnegotiated unit price for that specific time or
20 space which is known as the media equivalency value. In order
21 to avoid duplication in determining media equivalency value,
22 only the value of the promotion itself shall be included; the
23 value of the items contributed for the promotion shall not be
24 included. Documentation for the components of the four
25 categories of private match shall be kept on file for
26 inspection as determined necessary.

27 (d) The plan shall include recommendations regarding
28 specific performance standards and measurable outcomes. ~~By~~
29 ~~July 1, 1997, the Florida Commission on Tourism, in~~
30 ~~consultation with the Office of Program Policy Analysis and~~
31 ~~Government Accountability, shall establish performance measure~~

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 ~~outcomes~~ for the commission and its direct-support
2 organization. The commission, in consultation with the Office
3 of Program Policy Analysis and Government Accountability,
4 shall develop a plan for monitoring its operations to ensure
5 that performance data are maintained and supported by records
6 of the organization.

7 (11) Shall receive staff support from the Florida
8 Tourism Industry Marketing Corporation and shall not employ
9 any additional staff. The president and chief executive
10 officer of the Florida Tourism Industry Marketing Corporation
11 shall serve without compensation as the executive director of
12 the commission. As executive director, he or she shall have
13 the authority to conduct any official business of the
14 commission, as authorized by the commission. ~~Shall create an~~
15 ~~advisory committee of the commission which shall be charged~~
16 ~~with developing a regionally based plan to protect and promote~~
17 ~~all of the natural, coastal, historical, cultural, and~~
18 ~~commercial tourism assets of this state.~~

19 ~~(a) Members of the advisory committee shall be~~
20 ~~appointed by the chair of the commission and shall include~~
21 ~~representatives of the commission, the Departments of~~
22 ~~Agriculture, Environmental Protection, Community Affairs,~~
23 ~~Transportation, and State, the Florida Greenways Coordinating~~
24 ~~Council, the Florida Game and Freshwater Fish Commission, and,~~
25 ~~as deemed appropriate by the chair of the commission,~~
26 ~~representatives from other federal, state, regional, local,~~
27 ~~and private sector associations representing environmental,~~
28 ~~historical, cultural, recreational, and tourism-related~~
29 ~~activities.~~

30 ~~(b) The advisory committee shall submit its plan to~~
31 ~~the commission by December 1, 1997.~~

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
 Amendment No. ____ (for drafter's use only)

1 ~~(c) The commission shall review and make~~
 2 ~~recommendations on the plan, including recommending any~~
 3 ~~legislation considered necessary for implementing the plan, to~~
 4 ~~the Legislature by January 1, 1998.~~

5 Section 18. Paragraphs (h) through (n) of subsection
 6 (5) of section 288.1226, Florida Statutes, are renumbered as
 7 paragraphs (i) through (o), respectively, and a new paragraph
 8 (h) is added to said subsection to read:

9 288.1226 Florida Tourism Industry Marketing
 10 Corporation; use of property; board of directors; duties;
 11 audit.--

12 (5) POWERS AND DUTIES.--The corporation, in the
 13 performance of its duties:

14 (h) Shall provide staff support to the Florida
 15 Commission on Tourism. The president and chief executive
 16 officer of the Florida Tourism Industry Marketing Corporation
 17 shall serve without compensation as the executive director of
 18 the commission.

19 Section 19. Effective upon this act becoming a law,
 20 section 335.166, Florida Statutes, is renumbered as section
 21 288.12265, Florida Statutes, and amended to read:

22 288.12265 335.166 Welcome centers Office.--

23 (1) Effective July 1, 1999, responsibility for the
 24 welcome centers Office is assigned to the Florida Commission
 25 on Tourism which shall contract with the commission's
 26 direct-support organization to employ all welcome center
 27 staff. On or before June 30, 1999, all welcome center staff
 28 shall be offered employment through the direct-support
 29 organization at the same salary such staff received through
 30 the Department of Transportation, prior to July 1, 1999, but
 31 with the same benefits provided by the direct-support

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 organization to the organization's employees. Welcome center
2 employees shall have until January 1, 2000, to choose to be
3 employed by the direct-support organization or to remain
4 employed by the state. Those employees who choose to remain
5 employed by the state may continue to be assigned by the
6 Department of Transportation to the welcome centers until June
7 30, 2001. Upon vacating a career service position by a career
8 service employee, the position shall be abolished. The
9 agreement between the Department of Transportation and the
10 Florida Commission on Tourism concerning the funding of
11 positions in the welcome centers shall continue until all
12 welcome center employees are employed by the direct-support
13 organization, or until those employees choosing to remain
14 employed by the state have found other state employment, or
15 until June 30, 2001, whichever occurs first ~~Department of~~
16 ~~Transportation for administrative and fiscal accountability~~
17 ~~purposes, but it shall otherwise function independently of the~~
18 ~~control, supervision, and direction of the Department of~~
19 ~~Transportation.~~

20 (2) Effective July 1, 1999, the Florida Commission on
21 Tourism, through its direct-support organization, shall
22 administer and operate the welcome centers. Pursuant to a
23 contract with the Department of Transportation, the commission
24 shall be responsible for routine repair, replacement, or
25 improvement and the day-to-day management of interior areas
26 occupied by the welcome centers. All other repairs,
27 replacements, or improvements to the welcome centers shall be
28 the responsibility of the Department of Transportation ~~shall~~
29 ~~provide direction for the administration of the Welcome~~
30 ~~Centers Office and direction for the operation of the welcome~~
31 ~~centers. Funding for the office shall be solely from the~~

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 ~~rental car surcharge provided to the Tourism Promotional Trust~~
2 ~~Fund pursuant to s. 212.0606(2), through a nonoperating~~
3 ~~transfer to the State Transportation Trust Fund or contract~~
4 ~~with the commission or the commission's direct support~~
5 ~~organization.~~

6 Section 20. Section 335.165, Florida Statutes, is
7 repealed.

8 Section 21. The welcome center tangible personal
9 property transferred to the Department of Transportation
10 pursuant to section 4 of chapter 96-320, Laws of Florida, is
11 hereby transferred to the Florida Commission on Tourism.

12
13

14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 169, line 28, of the amendment after the
17 semicolon

18
19

insert:

20 providing duties of the Office of Tourism,
21 Trade, and Economic Development with respect to
22 amateur athletics and the entertainment
23 industry; creating s. 288.125, F.S.; defining
24 "entertainment industry"; creating s. 288.1251,
25 F.S.; creating the Office of the Film
26 Commissioner; providing procedure for selection
27 of the Film Commissioner; providing powers and
28 duties of the office; creating s. 288.1252,
29 F.S.; creating the Florida Film Advisory
30 Council within the Office of Tourism, Trade,
31 and Economic Development of the Executive

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 Office of the Governor; providing purpose,
2 membership, terms, organization, powers, and
3 duties of the council; creating s. 288.1253,
4 F.S.; providing definitions; requiring the
5 Office of Tourism, Trade, and Economic
6 Development to adopt rules by which it may make
7 specified expenditures for expenses incurred in
8 connection with the performance of the duties
9 of the Office of the Film Commissioner;
10 requiring approval of such rules by the
11 Comptroller; requiring an annual report;
12 authorizing the acceptance and use of specified
13 goods and services by employees and
14 representatives of the Office of the Film
15 Commissioner; providing certain requirements
16 with respect to claims for expenses; providing
17 a penalty for false or fraudulent claims;
18 providing for civil liability; creating the
19 21st Century Digital Television and Education
20 Task Force; providing membership; providing
21 duties; providing for a report; amending s.
22 288.1229, F.S.; revising the purposes of the
23 direct-support organization authorized to
24 assist the Office of Tourism, Trade, and
25 Economic Development in the promotion and
26 development of the sports industry and related
27 industries; specifying the duties of the
28 direct-support organization with respect to the
29 promotion of the sports industry, amateur
30 sports, and physical fitness; revising
31 provisions relating to the board of directors;

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 providing requirements with respect to the
2 Sunshine State Games; providing authority of
3 the Executive Office of the Governor with
4 respect to the use of specified property,
5 facilities, and personal services; amending s.
6 320.08058, F.S.; revising provisions relating
7 to the Florida United States Olympic Committee
8 license plate to remove references to the
9 Sunshine State Games Foundation; revising the
10 distribution of annual use fees from the sale
11 of the Florida United States Olympic Committee
12 license plate; providing for the reversion of
13 funds and property of the Sunshine State Games
14 Foundation, Inc., and the Florida Governor's
15 Council on Physical Fitness and Amateur Sports
16 to the direct-support organization; specifying
17 use of such funds and property; repealing s.
18 14.22, F.S.; removing provisions relating to
19 the Florida Governor's Council on Physical
20 Fitness and Amateur Sports within the Office of
21 the Governor, the Sunshine State Games,
22 national and international amateur athletic
23 competitions and Olympic development centers,
24 direct-support organizations, and the Olympics
25 and Pan American Games Task Force; amending s.
26 288.108, F.S.; correcting a cross reference;
27 repealing s. 288.051, F.S., which provides a
28 short title; repealing s. 288.052, F.S.,
29 relating to legislative findings and intent
30 with respect to the "Florida Film and
31 Television Investment Act"; repealing s.

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 288.053, F.S., relating to the Florida Film and
2 Television Investment Board; repealing s.
3 288.054, F.S., relating to the administration
4 and powers of the Florida Film and Television
5 Investment Board; repealing s. 288.055, F.S.,
6 relating to the Florida Film and Investment
7 Trust Fund; repealing s. 288.056, F.S.,
8 relating to conditions for film and television
9 investment by the board; repealing s. 288.057,
10 F.S., which requires an annual report by the
11 board; repealing s. 288.1228, F.S., relating to
12 the direct-support organization authorized by
13 the Office of Tourism, Trade, and Economic
14 Development to assist in the promotion and
15 development of the entertainment industry;
16 repealing s. 288.12285, F.S., relating to
17 confidentiality of identities of donors to the
18 direct-support organization; appropriating
19 positions to the Executive Office of the
20 Governor; amending s. 288.1221, F.S.; revising
21 legislative intent; amending s. 288.1222, F.S.;
22 clarifying a definition; amending s. 288.1223,
23 F.S.; specifying application of a limitation on
24 terms of certain members of the Florida
25 Commission on Tourism; clarifying meeting and
26 vice chair election provisions; amending s.
27 288.1224, F.S.; deleting obsolete provisions;
28 specifying categories of matching private funds
29 for certain purposes; specifying staff support
30 for the Florida Commission on Tourism;
31 providing for responsibilities of staff;

hbd-05 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

1 prohibiting the commission from employing
2 staff; deleting provisions relating to an
3 advisory committee for the commission; amending
4 s. 288.1226, F.S.; requiring the Florida
5 Tourism Industry Marketing Corporation to
6 provide staff support to the Florida Commission
7 on Tourism; specifying that the president and
8 chief executive officer shall serve without
9 compensation as executive director; renumbering
10 and amending s. 335.166, F.S.; removing the
11 Welcome Centers Office from the Department of
12 Transportation; transferring administrative and
13 fiscal responsibility for welcome center staff
14 from the Department of Transportation to the
15 Florida Commission on Tourism for employment
16 through the Florida Tourism Industry Marketing
17 Corporation by a designated time; requiring the
18 corporation to administer and operate welcome
19 centers; providing for maintenance and
20 improvements to welcome centers; repealing s.
21 335.165, F.S., relating to welcome stations and
22 the payment for improvements by the Department
23 of Commerce; providing for the transfer of
24 welcome center tangible personal property to
25 the Florida Commission on Tourism;

26
27
28
29
30
31