

1 A bill to be entitled
2 An act relating to the Florida Statutes;
3 repealing various statutory provisions that
4 have become obsolete, have had their effect,
5 have served their purpose, or have been
6 impliedly repealed or superseded; repealing s.
7 255.043(4), F.S., relating to funds
8 appropriated prior to the effective date of
9 provisions requiring a portion of construction
10 funds to be set aside for acquisition and
11 display of art in newly constructed state
12 buildings; amending s. 267.171, F.S.; deleting
13 obsolete provisions relating to the use of
14 certain funds by the Department of State for
15 historic preservation purposes of the City of
16 St. Augustine; amending s. 267.172, F.S.;
17 deleting obsolete provisions relating to the
18 appropriation of certain funds by the
19 Department of State to not-for-profit
20 organizations established to advance historic
21 preservation in Tallahassee and the Florida
22 Keys, respectively; amending s. 288.012, F.S.;
23 deleting obsolete provisions relating to plans
24 for the disposition, development, and operation
25 of foreign offices; revising cross references;
26 amending s. 288.1223, F.S.; deleting obsolete
27 provisions relating to appointments to the
28 Florida Commission on Tourism; amending s.
29 288.1224, F.S., and repealing subsection (8),
30 relating to recommendations of the Florida
31 Commission on Tourism to the Legislature for

1 additional funding sources for the long-range
2 objectives of the commission's marketing plan;
3 deleting obsolete provisions relating to a
4 review and report on the commission and its
5 direct-support organization and to initial
6 duties of the commission; repealing s.
7 509.215(3) and (4), F.S., relating to
8 firesafety requirements for public lodging
9 establishments for which construction contracts
10 were let prior to October 1, 1983; providing an
11 effective date.

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

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15 Section 1. Subsection (4) of section 255.043, Florida
16 Statutes, is repealed.

17 Section 2. Section 267.171, Florida Statutes, is
18 amended to read:

19 267.171 St. Augustine; contract for preservation of
20 historic properties.--The Department of State shall contract
21 with the City of St. Augustine for the management of the
22 various state-owned properties presently managed by the
23 Historic St. Augustine Preservation Board of Trustees. The
24 contract shall provide that the City of St. Augustine may use
25 all proceeds derived from the management of state-owned
26 properties for the purpose of maintaining the state-owned
27 buildings and advancing historic preservation in the City of
28 St. Augustine. ~~Additionally, the department may appropriate~~
29 ~~all remaining funds in the Historic St. Augustine Preservation~~
30 ~~Board Operating Trust Fund to the City of St. Augustine for~~
31 ~~maintenance of the state-owned buildings and advancing~~

1 ~~historic preservation in the City of St. Augustine.~~The
2 Department of State may transfer ownership and responsibility
3 to any artifacts, documents, equipment, and other forms of
4 tangible personal property to the City of St. Augustine to
5 assist the city in the transition of the management of
6 state-owned properties. ~~The Department of State is authorized~~
7 ~~to use the unexpended balance of up to \$500,000 in general~~
8 ~~revenue funds, as provided in the 1997-1998 General~~
9 ~~Appropriations Act for the St. Augustine Preservation Board,~~
10 ~~to enter into contracts with the City of St. Augustine to~~
11 ~~continue the operations and maintenance of historic~~
12 ~~properties.~~

13 Section 3. Section 267.172, Florida Statutes, is
14 amended to read:

15 267.172 Tallahassee; Florida Keys; contracts for
16 historic preservation.--In order to continue the work
17 performed by the Historic Tallahassee Preservation Board of
18 Trustees and the Historic Florida Keys Preservation Board of
19 Trustees, the Department of State may contract with
20 not-for-profit corporations established for the purpose of
21 advancing historic preservation in these areas to manage the
22 various state-owned properties presently managed by the
23 Historic Tallahassee Preservation Board of Trustees and the
24 Historic Florida Keys Preservation Board of Trustees. The
25 contract, which shall at a minimum contain those requirements
26 provided in s. 267.17, for citizen support organizations,
27 including the use of public property and the performance of an
28 annual audit, shall provide that the not-for-profit
29 corporations may use all proceeds derived from the management
30 of state-owned buildings and for the purpose of advancing
31 historic preservation in their areas. ~~Additionally, the~~

1 ~~department may appropriate all remaining funds in the Historic~~
2 ~~Florida Keys Preservation Board Operating Trust Fund and the~~
3 ~~Historic Tallahassee Preservation Board Operating Trust Fund~~
4 ~~to the not-for-profit corporations for their use.~~

5 Section 4. Subsections (1), (2), and (5) of section
6 288.012, Florida Statutes, are amended to read:

7 288.012 State of Florida foreign offices.--The
8 Legislature finds that the expansion of international trade
9 and tourism is vital to the overall health and growth of the
10 economy of this state. This expansion is hampered by the lack
11 of technical and business assistance, financial assistance,
12 and information services for businesses in this state. The
13 Legislature finds that these businesses could be assisted by
14 providing these services at State of Florida foreign offices.
15 The Legislature further finds that the accessibility and
16 provision of services at these offices can be enhanced through
17 cooperative agreements or strategic alliances between state
18 entities, local entities, foreign entities, and private
19 businesses.

20 (1) The Office of Tourism, Trade, and Economic
21 Development is authorized to:

22 (a) Establish and operate offices in foreign countries
23 for the purpose of promoting the trade and economic
24 development of the state, and promoting the gathering of trade
25 data information and research on trade opportunities in
26 specific countries.

27 (b) Enter into agreements with governmental and
28 private sector entities to establish and operate offices in
29 foreign countries containing provisions which may be in
30 conflict with general laws of the state pertaining to the
31 purchase of office space, employment of personnel, and

1 contracts for services. When agreements pursuant to this
2 section are made which set compensation in foreign currency,
3 such agreements shall be subject to the requirements of s.
4 215.425, but the purchase of foreign currency by the Office of
5 Tourism, Trade, and Economic Development to meet such
6 obligations shall be subject only to s. 216.311.

7 ~~(c) By September 1, 1997, the Office of Tourism,~~
8 ~~Trade, and Economic Development shall develop a plan for the~~
9 ~~disposition of the current foreign offices and the development~~
10 ~~and location of additional foreign offices. The plan shall~~
11 ~~include, but is not limited to, a determination of the level~~
12 ~~of funding needed to operate the current offices and any~~
13 ~~additional offices and whether any of the current offices need~~
14 ~~to be closed or relocated. Enterprise Florida, Inc., the~~
15 ~~Florida Tourism Commission, the Florida Ports Council, the~~
16 ~~Department of State, the Department of Citrus, and the~~
17 ~~Department of Agriculture shall assist the Office of Tourism,~~
18 ~~Trade, and Economic Development in the preparation of the~~
19 ~~plan. All parties shall cooperate on the disposition or~~
20 ~~establishment of the offices and ensure that needed space,~~
21 ~~technical assistance, and support services are provided to~~
22 ~~such entities at such foreign offices.~~

23 (2) ~~By June 30, 1998,~~Each foreign office shall have
24 in place an operational plan approved by the participating
25 boards or other governing authority, a copy of which shall be
26 provided to the Office of Tourism, Trade, and Economic
27 Development. These operating plans shall be reviewed and
28 updated each fiscal year and shall include, at a minimum, the
29 following:

30 (a) Specific policies and procedures encompassing the
31 entire scope of the operation and management of each office.

1 (b) A comprehensive, commercial strategic plan
2 identifying marketing opportunities and industry sector
3 priorities for the foreign country or area in which a foreign
4 office is located.

5 (c) Provisions for access to information for Florida
6 businesses through the Florida Trade Data Center. Each
7 foreign office shall obtain and forward trade leads and
8 inquiries to the center on a regular basis ~~as called for in~~
9 ~~the plan pursuant to paragraph (1)(c).~~

10 (d) Identification of new and emerging market
11 opportunities for Florida businesses. Each foreign office
12 shall provide the Florida Trade Data Center with a compilation
13 of foreign buyers and importers in industry sector priority
14 areas on an annual basis. In return, the Florida Trade Data
15 Center shall make available to each foreign office, and to
16 Enterprise Florida, Inc., the Florida Commission on Tourism,
17 the Florida Ports Council, the Department of State, the
18 Department of Citrus, and the Department of Agriculture ~~the~~
19 ~~entities identified in paragraph (1)(c),~~ trade industry,
20 commodity, and opportunity information ~~as specified in the~~
21 ~~plan required in that paragraph.~~ This information shall be
22 provided to such ~~the~~ offices and ~~the~~ entities ~~identified in~~
23 ~~paragraph (1)(c)~~ either free of charge or on a fee basis with
24 fees set only to recover the costs of providing the
25 information.

26 (e) Provision of access for Florida businesses to the
27 services of the Florida Trade Data Center, international trade
28 assistance services provided by state and local entities,
29 seaport and airport information, and other services identified
30 by the Office of Tourism, Trade, and Economic Development ~~in~~
31 ~~the plan pursuant to paragraph (1)(c).~~

1 (f) Qualitative and quantitative performance measures
2 for each office, including, but not limited to, the number of
3 businesses assisted, the number of trade leads and inquiries
4 generated, the number of foreign buyers and importers
5 contacted, and the amount and type of marketing conducted.

6 (5) Where feasible and appropriate, and subject to s.
7 288.1224(9)~~(10)~~, foreign offices established and operated
8 under this section may provide one-stop access to the economic
9 development, trade, and tourism information, services, and
10 programs of the state. Where feasible and appropriate, and
11 subject to s. 288.1224(9)~~(10)~~, such offices may also be
12 collocated with other foreign offices of the state.

13 Section 5. Subsection (8) of section 288.1224, Florida
14 Statutes, is repealed, and subsections (1), (4), and (5) of
15 said section are amended to read:

16 288.1224 Powers and duties.--The commission:

17 (1) Notwithstanding the provisions of part I of
18 chapter 287, upon the approval of the Office of Tourism,
19 Trade, and Economic Development, shall contract, ~~no later than~~
20 ~~December 31, 1996,~~ with a direct-support organization
21 incorporated as a private, not-for-profit corporation, as
22 defined in s. 501(c)(6) of the Internal Revenue Code of 1986,
23 as amended, to execute the tourism marketing and promotion
24 services, functions, and programs for this state including,
25 but not limited to, the activities prescribed by the 4-year
26 marketing plan. The Office of Tourism, Trade, and Economic
27 Development shall review such contract in an expedient manner
28 and shall timely make any recommendations so as to allow for
29 the date of the contract to be met. The commission shall serve
30 as contract administrator.

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1 (4)(a) Shall recommend the tenets of a 4-year
2 marketing plan to sustain tourism growth, which plan shall be
3 annual in construction and ongoing in nature. Any annual
4 revisions of such a plan shall carry forward the concepts of
5 the remaining 3-year portion of that plan and consider a
6 continuum portion to preserve the 4-year timeframe of the
7 plan.

8 (b) The plan shall include an emergency response
9 component and research designs.

10 (c) The plan shall include provisions for the
11 direct-support organization to reach the targeted one-to-one
12 match of private to public contributions within a period of 4
13 calendar years after the implementation date of the plan. For
14 the purposes of calculating the required one-to-one match,
15 matching private funds shall be divided into four categories.
16 The first category is direct cash contributions, which
17 include, but are not limited to, cash derived from strategic
18 alliances, contributions of stocks and bonds, and partnership
19 contributions. The second category is fees for services, which
20 include, but are not limited to, event participation,
21 research, and brochure placement and transparencies. The
22 third category is cooperative advertising, which is the value
23 based on cost of contributed productions, air time, and print
24 space. The fourth category is in-kind contributions, which
25 include, but are not limited to, the value of strategic
26 alliance services contributed, the value of loaned employees,
27 discounted service fees, items contributed for use in
28 promotions, and radio or television air time or print space
29 for promotions. The value of air time or print space shall be
30 calculated by taking the actual time or space and multiplying
31 by the nonnegotiated unit price for that specific time or

1 space which is known as the media equivalency value. In order
2 to avoid duplication in determining media equivalency value,
3 only the value of the promotion itself shall be included; the
4 value of the items contributed for the promotion shall not be
5 included. Documentation for the components of the four
6 categories of private match shall be kept on file for
7 inspection as determined necessary.

8 (d) The plan shall include recommendations regarding
9 specific performance standards and measurable outcomes for the
10 commission and its direct-support organization. The
11 commission, in consultation with the Office of Program Policy
12 Analysis and Government Accountability, shall develop a plan
13 for monitoring its operations to ensure that performance data
14 are maintained and supported by records of the organization.

15 ~~(e) Prior to the 2000 Regular Session of the~~
16 ~~Legislature, the Office of Program Policy Analysis and~~
17 ~~Government Accountability shall conduct a review of, and~~
18 ~~prepare a report on, the Florida Commission on Tourism and its~~
19 ~~direct-support organization. The review shall be~~
20 ~~comprehensive in its scope, but, at a minimum, must be~~
21 ~~conducted in such a manner as to specifically determine:~~

22 1. ~~The progress toward achieving the established~~
23 ~~outcomes.~~

24 2. ~~The circumstances contributing to the~~
25 ~~organization's ability to achieve, not achieve, or exceed its~~
26 ~~established outcomes.~~

27 3. ~~Whether it would be sound public policy to continue~~
28 ~~or discontinue funding the organization, and the consequences~~
29 ~~of discontinuing the organization.~~

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1 ~~The report shall be submitted by January 1, 2000, to the~~
2 ~~President of the Senate, the Speaker of the House of~~
3 ~~Representatives, the Senate Minority Leader, and the House~~
4 ~~Minority Leader.~~

5 (e)(f) Prior to the 2003 Regular Session of the
6 Legislature, the Office of Program Policy Analysis and
7 Government Accountability shall conduct a another review of,
8 and prepare a report on, the Florida Commission on Tourism and
9 its direct-support organization, using the criteria prescribed
10 in paragraph (e). The review shall be comprehensive in its
11 scope, but, at a minimum, must be conducted in such a manner
12 as to specifically determine:

13 1. The progress toward achieving the established
14 outcomes.

15 2. The circumstances contributing to the
16 organization's ability to achieve, not achieve, or exceed its
17 established outcomes.

18 3. Whether it would be sound public policy to continue
19 or discontinue funding the organization, and the consequences
20 of discontinuing the organization.

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22 The report shall be submitted by January 1, 2003, to the
23 President of the Senate, the Speaker of the House of
24 Representatives, the Senate Minority Leader, and the House
25 Minority Leader.

26 (5) Shall develop an operational structure for
27 ~~implementation no later than December 31, 1996,~~ to carry out
28 the marketing plan recommended by the commission pursuant to
29 this section.

30 Section 6. Subsections (3) and (4) of section 509.215,
31 Florida Statutes, are repealed.

1 Section 7. This act shall take effect upon becoming a
2 law.
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