

HB 1855

2004

1 A bill to be entitled
2 An act relating to the Department of State; transferring
3 the provision of assistance and facilities to the
4 Organization of American States, state protocol officer
5 functions, international development outreach activities
6 in Latin America and the Caribbean Basin, the Florida
7 Intergovernmental Relations Foundation, and
8 intergovernmental relations functions by a type two
9 transfer from the Department of State to the Executive
10 Office of the Governor; excluding the transfer of certain
11 trust funds; transferring linkage institutes between
12 postsecondary institutions in this state and foreign
13 countries by a type two transfer from the Department of
14 State to the Department of Education; excluding the
15 transfer of certain trust funds; amending s. 14.2015,
16 F.S.; providing for the performance of state protocol
17 officer functions and the provision of assistance and
18 facilities to the Organization of American States by the
19 Office of Tourism, Trade, and Economic Development;
20 repealing ss. 15.17 and 15.19, F.S., relating to the
21 provision of assistance and facilities to the Organization
22 of American States and the performance of state protocol
23 officer functions; amending s. 15.182, F.S.; providing for
24 notification of the Office of Tourism, Trade, and Economic
25 Development regarding international travel by certain
26 cultural arts organizations; amending ss. 288.0251,
27 288.809, and 288.816, F.S., relating to international
28 development outreach activities in Latin America and the
29 Caribbean Basin, the Florida Intergovernmental Relations

HB 1855

2004

30 Foundation, and intergovernmental relations, to conform;
 31 amending s. 288.8175, F.S.; redefining "department" for
 32 purposes of linkage institutes between postsecondary
 33 institutions in this state and foreign countries;
 34 providing an effective date.

35
 36 Be It Enacted by the Legislature of the State of Florida:

37
 38 Section 1. The following programs, functions, and
 39 activities are hereby transferred by a type two transfer, as
 40 defined in s. 20.06(2), Florida Statutes, from the Department of
 41 State to the Office of Tourism, Trade, and Economic Development
 42 within the Executive Office of the Governor:

43 (1) The provision of assistance and facilities to the
 44 Organization of American States, as authorized and governed by
 45 s. 15.17, Florida Statutes, as that section exists on June 30,
 46 2004.

47 (2) State protocol officer functions, as authorized and
 48 governed by s. 15.19, Florida Statutes, as that section exists
 49 on June 30, 2004.

50 (3) International development outreach activities in Latin
 51 America and the Caribbean Basin, as authorized and governed by
 52 s. 288.0251, Florida Statutes.

53 (4) The Florida Intergovernmental Relations Foundation, as
 54 authorized and governed by s. 288.809, Florida Statutes.

55 (5) Intergovernmental relations functions, as authorized
 56 and governed by s. 288.816, Florida Statutes.

57

HB 1855

2004

58 Notwithstanding s. 20.06(2), Florida Statutes, trust funds
 59 associated with these programs, functions, and activities shall
 60 remain within the Department of State.

61 Section 2. Linkage institutes between postsecondary
 62 institutions in this state and foreign countries, as authorized
 63 and governed by s. 288.8175, Florida Statutes, are hereby
 64 transferred by a type two transfer, as defined in s. 20.06(2),
 65 Florida Statutes, from the Department of State to the Department
 66 of Education. Notwithstanding s. 20.06(2), Florida Statutes,
 67 trust funds associated with these institutes shall remain within
 68 the Department of State.

69 Section 3. Subsections (10) and (11) are added to section
 70 14.2015, Florida Statutes, to read:

71 14.2015 Office of Tourism, Trade, and Economic
 72 Development; creation; powers and duties.--

73 (10) The Director of the Office of Tourism, Trade, and
 74 Economic Development shall serve as the state protocol officer.
 75 In consultation with the Governor and other governmental
 76 officials, the Director of the Office of Tourism, Trade, and
 77 Economic Development shall develop, maintain, publish, and
 78 distribute the state protocol manual.

79 (11) The Legislature authorizes the Office of Tourism,
 80 Trade, and Economic Development to provide assistance and
 81 facilities to the Organization of American States in
 82 establishing and maintaining a regional headquarters in this
 83 state.

84 Section 4. Sections 15.17 and 15.19, Florida Statutes, are
 85 repealed.

HB 1855

2004

86 Section 5. Subsections (1) and (2) of section 15.182,
 87 Florida Statutes, are amended to read:

88 15.182 International travel by state-funded musical,
 89 cultural, or artistic organizations; notification to Office of
 90 Tourism, Trade, and Economic Development ~~Department of State~~.--

91 (1) If a musical, cultural, or artistic organization that
 92 receives state funding is traveling internationally for a
 93 presentation, performance, or other significant public viewing,
 94 including an organization associated with a college or
 95 university, such organization shall notify the Office of
 96 Tourism, Trade, and Economic Development ~~Department of State~~ of
 97 its intentions to travel, together with the date, time, and
 98 location of each appearance. ~~It is the desire of the Legislature~~
 99 ~~that such cultural exchanges be coordinated with the state's~~
 100 ~~economic development goals. The Secretary of State shall notify~~
 101 ~~Enterprise Florida, Inc., of the intended travel schedule of all~~
 102 ~~such organizations, including, but not limited to, symphonies,~~
 103 ~~orchestras, dance troupes, bands, choirs, choral groups, drama~~
 104 ~~troupes, musical performing groups, traveling exhibitions~~
 105 ~~sponsored by museums, and performance artists.~~

106 (2) The Office of Tourism, Trade, and Economic Development
 107 ~~Department of State~~, in conjunction with Enterprise Florida,
 108 Inc., shall act as an intermediary between performing musical,
 109 cultural, and artistic organizations and Florida businesses to
 110 encourage and coordinate joint undertakings. Such coordination
 111 may include, but is not limited to, encouraging business and
 112 industry to sponsor cultural events, assistance with travel of
 113 such organizations, and coordinating travel schedules of
 114 cultural performance groups and international trade missions.

HB 1855

2004

115 Section 6. Section 288.0251, Florida Statutes, is amended
 116 to read:

117 288.0251 International development outreach activities in
 118 Latin America and Caribbean Basin.--The Office of Tourism,
 119 Trade, and Economic Development ~~Department of State~~ may contract
 120 for the implementation of Florida's international volunteer
 121 corps to provide short-term training and technical assistance
 122 activities in Latin America and the Caribbean Basin. The entity
 123 contracted under this section must require that such activities
 124 be conducted by qualified volunteers who are citizens of the
 125 state. The contracting agency must have a statewide focus and
 126 experience in coordinating international volunteer programs.

127 Section 7. Subsections (1), (2), and (3) of section
 128 288.809, Florida Statutes, are amended to read:

129 288.809 Florida Intergovernmental Relations Foundation;
 130 use of property; board of directors; audit.--

131 (1) DEFINITIONS.--For the purposes of this section, the
 132 term:

133 (a) "Florida Intergovernmental Relations Foundation" means
 134 a direct-support organization:

135 1. Which is a corporation not for profit that is
 136 incorporated under the provisions of chapter 617 and approved by
 137 the Department of State;

138 2. Which is organized and operated exclusively to solicit,
 139 receive, hold, invest, and administer property and, subject to
 140 the approval of the Office of Tourism, Trade, and Economic
 141 Development ~~Department of State~~, to make expenditures to or for
 142 the promotion of intergovernmental relations programs; and

HB 1855

2004

143 3. Which the Office of Tourism, Trade, and Economic
 144 Development Department ~~of State~~, after review, has certified to
 145 be operating in a manner consistent with the policies and goals
 146 of the office ~~department~~.

147 (b) "Personal services" includes full-time or part-time
 148 personnel, as well as payroll processing.

149 (2) USE OF PROPERTY.--The Office of Tourism, Trade, and
 150 Economic Development ~~department~~:

151 (a) Is authorized to permit the use of property,
 152 facilities, and personal services of the Office of Tourism,
 153 Trade, and Economic Development ~~department~~ by the foundation,
 154 subject to the provisions of this section.

155 (b) Shall prescribe conditions with which the foundation
 156 must comply in order to use property, facilities, or personal
 157 services of the department. Such conditions shall provide for
 158 budget and audit review and for oversight by the Office of
 159 Tourism, Trade, and Economic Development ~~department~~.

160 (c) Shall not permit the use of property, facilities, or
 161 personal services of the foundation if the foundation does not
 162 provide equal employment opportunities to all persons,
 163 regardless of race, color, national origin, sex, age, or
 164 religion.

165 (3) BOARD OF DIRECTORS.--The board of directors of the
 166 foundation shall be composed of seven members appointed by the
 167 Governor ~~Secretary of State~~, of whom no more than three shall be
 168 employees or elected officials of the state.

169 Section 8. Section 288.816, Florida Statutes, is amended
 170 to read:

171 288.816 Intergovernmental relations.--

HB 1855

2004

172 (1) The Office of Tourism, Trade, and Economic Development
 173 ~~Secretary of State~~ shall be responsible for consular operations
 174 and the sister city and sister state program and shall serve as
 175 liaison with foreign, federal, and other state international
 176 organizations and with county and municipal governments in
 177 Florida.

178 (2) The Office of Tourism, Trade, and Economic Development
 179 ~~secretary~~ shall be responsible for all consular relations
 180 between the state and all foreign governments doing business in
 181 Florida. The office ~~secretary~~ shall monitor United States laws
 182 and directives to ensure that all federal treaties regarding
 183 foreign privileges and immunities are properly observed. The
 184 office ~~secretary~~ shall promulgate rules which shall:

185 (a) Establish a viable system of registration for foreign
 186 government officials residing or having jurisdiction in the
 187 state. Emphasis shall be placed on maintaining active
 188 communication between the Office of Tourism, Trade, and Economic
 189 Development ~~secretary~~ and the United States Department of State
 190 in order to be currently informed regarding foreign governmental
 191 personnel stationed in, or with official responsibilities for,
 192 Florida. Active dialogue shall also be maintained with foreign
 193 countries which historically have had dealings with Florida in
 194 order to keep them informed of the proper procedure for
 195 registering with the state.

196 (b) Maintain and systematically update a current and
 197 accurate list of all such foreign governmental officials,
 198 consuls, or consulates.

199 (c) Issue certificates to such foreign governmental
 200 officials after verification pursuant to proper investigations

HB 1855

2004

201 through United States Department of State sources and the
 202 appropriate foreign government.

203 (d) Verify entitlement to sales and use tax exemptions
 204 pursuant to United States Department of State guidelines and
 205 identification methods.

206 (e) Verify entitlement to issuance of special motor
 207 vehicle license plates by the Division of Motor Vehicles of the
 208 Department of Highway Safety and Motor Vehicles to honorary
 209 consuls or such other officials representing foreign governments
 210 who are not entitled to issuance of special Consul Corps license
 211 plates by the United States Government.

212 (f) Establish a system of communication to provide all
 213 state and local law enforcement agencies with information
 214 regarding proper procedures relating to the arrest or
 215 incarceration of a foreign citizen.

216 (g) Request the Department of Law Enforcement to provide
 217 transportation and protection services when necessary pursuant
 218 to s. 943.68.

219 (h) Coordinate, when necessary, special activities between
 220 foreign governments and Florida state and local governments.
 221 These may include Consular Corps Day, Consular Corps
 222 conferences, and various other social, cultural, or educational
 223 activities.

224 (i) Notify all newly arrived foreign governmental
 225 officials of the services offered by the Office of Tourism,
 226 Trade, and Economic Development ~~secretary~~.

227 (3) The Office of Tourism, Trade, and Economic Development
 228 ~~Secretary of State~~ shall operate the sister city and sister
 229 state program and establish such new programs as needed to

HB 1855

2004

230 further global understanding through the interchange of people,
 231 ideas, and culture between Florida and the world. To accomplish
 232 this purpose, the office ~~secretary~~ shall have the power and
 233 authority to:

234 (a) Coordinate and carry out activities designed to
 235 encourage the state and its subdivisions to participate in
 236 sister city and sister state affiliations with foreign countries
 237 and their subdivisions. Such activities may include a State of
 238 Florida sister cities conference.

239 (b) Encourage cooperation with and disseminate information
 240 pertaining to the Sister Cities International Program and any
 241 other program whose object is to promote linkages with foreign
 242 countries and their subdivisions.

243 (c) Maximize any aid available from all levels of
 244 government, public and private agencies, and other entities to
 245 facilitate such activities.

246 (d) Establish a viable system of registration for sister
 247 city and sister state affiliations between the state and foreign
 248 countries and their subdivisions. Such system shall include a
 249 method to determine that sufficient ties are properly
 250 established as well as a method to supervise how these ties are
 251 maintained.

252 (e) Maintain a current and accurate listing of all such
 253 affiliations. Sister city affiliations shall not be discouraged
 254 between the state and any country specified in s. 620(f)(1) of
 255 the federal Foreign Assistance Act of 1961, as amended, with
 256 whom the United States is currently conducting diplomatic
 257 relations unless a mandate from the United States Government
 258 expressly prohibits such affiliations.

HB 1855

2004

259 (4) The Office of Tourism, Trade, and Economic Development
 260 ~~Secretary of State~~ shall serve as a contact for the state with
 261 the Florida Washington Office, the Florida Congressional
 262 Delegation, and United States Government agencies with respect
 263 to laws or policies which may affect the interests of the state
 264 in the area of international relations. All inquiries received
 265 regarding international economic trade development or reverse
 266 investment opportunities shall be referred to Enterprise
 267 Florida, Inc. In addition, the office ~~secretary~~ shall serve as
 268 liaison with other states with respect to international programs
 269 of interest to Florida. The office ~~secretary~~ shall also
 270 investigate and make suggestions regarding possible areas of
 271 joint action or regional cooperation with these states.

272 (5) The Office of Tourism, Trade, and Economic Development
 273 ~~Secretary of State~~ shall have the power and duty to encourage
 274 the relocation to Florida of consular offices and multilateral
 275 and international agencies and organizations.

276 (6) The Office of Tourism, Trade, and Economic Development
 277 ~~Secretary of State~~, through membership on the board of directors
 278 of Enterprise Florida, Inc., shall help to contribute an
 279 international perspective to the state's development efforts.

280 Section 9. Subsection (1) of section 288.8175, Florida
 281 Statutes, is amended to read:

282 288.8175 Linkage institutes between postsecondary
 283 institutions in this state and foreign countries.--

284 (1) As used in this section, the term "department" means
 285 the Department of Education ~~State~~.

286 Section 10. This act shall take effect July 1, 2004.