

CHAMBER ACTION

1 The Committee on Education K-20 recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to physical fitness and health; requiring
7 the Department of Health to promote healthy lifestyles to
8 reduce the prevalence of overweight and obesity in
9 Florida; providing powers and duties of the department;
10 providing rulemaking authority; providing for
11 implementation contingent on an appropriation; amending s.
12 320.08058, F.S.; requiring the Florida Sports Foundation
13 to use proceeds from Florida Professional Sports Team
14 license plates to promote education and recognition
15 programs in Florida schools relating to physical fitness
16 and nutrition; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. (1) The Department of Health shall promote
21 healthy lifestyles to reduce the prevalence of overweight and
22 obesity in Florida by implementing appropriate physical activity
23 and nutrition programs that target all Floridians by:

24 (a) Using all appropriate media to promote maximum public
25 awareness of the latest research on healthy lifestyles and
26 prevention of chronic diseases and disseminating relevant
27 information through a statewide clearinghouse relating to
28 wellness, physical activity, and nutrition and their impact on
29 chronic diseases and disabling conditions.

30 (b) Providing technical assistance, training, and
31 resources on healthy lifestyles and chronic diseases to the
32 public, county health departments, health care providers, school
33 districts, and other persons or entities, including faith-based
34 organizations, who request such assistance to promote physical
35 activity, nutrition, and healthy lifestyle programs.

36 (c) Developing, implementing, and using all available
37 research methods to collect data, including, but not limited to,
38 population-specific data, and track the incidence and effects of
39 weight gain, obesity, and related chronic diseases. The
40 department shall include an evaluation and data collection
41 component in all programs as appropriate.

42 (d) Partnering with the Department of Education, local
43 communities, school districts, and other entities to encourage
44 Florida schools to adopt minimum recommended nutrition standards
45 based on the latest research, and to promote activities during
46 and after school to help students meet a minimum goal of 60
47 minutes of activity per day.

48 (e) Partnering with the Department of Education, school
49 districts, and the Florida Sports Foundation to develop a
50 program that recognizes schools whose students demonstrate
51 excellent physical fitness or fitness improvement.

HB 935

2004
CS

52 (f) Maximizing all local, state, and federal funding
 53 sources, including grants, public-private partnerships, and
 54 other mechanisms, to strengthen the department's current
 55 physical activity and nutrition programs and to enhance similar
 56 county health department programs.

57 (2) The department may adopt rules to implement the
 58 provisions of this section.

59 (3) This section shall be implemented contingent on an
 60 appropriation in the General Appropriations Act.

61 Section 2. Paragraph (b) of subsection (9) of section
 62 320.08058, Florida Statutes, is amended to read:

63 320.08058 Specialty license plates.--

64 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.--

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

67 1. Fifty-five percent of the proceeds from the Florida
 68 Professional Sports Team plate must be deposited into the
 69 Professional Sports Development Trust Fund within the Office of
 70 Tourism, Trade, and Economic Development. These funds must be
 71 used solely to attract and support major sports events in this
 72 state. As used in this subparagraph, the term "major sports
 73 events" means, but is not limited to, championship or all-star
 74 contests of Major League Baseball, the National Basketball
 75 Association, the National Football League, the National Hockey
 76 League, the men's and women's National Collegiate Athletic
 77 Association Final Four basketball championship, or a horseracing
 78 or dogracing Breeders' Cup. All funds must be used to support

79 | and promote major sporting events, and the uses must be approved
80 | by the Florida Sports Foundation.

81 | 2. The remaining proceeds of the Florida Professional
82 | Sports Team license plate must be allocated to the Florida
83 | Sports Foundation, a direct-support organization of the Office
84 | of Tourism, Trade, and Economic Development. These funds must be
85 | deposited into the Professional Sports Development Trust Fund
86 | within the Office of Tourism, Trade, and Economic Development.
87 | These funds must be used by the Florida Sports Foundation to
88 | promote the economic development of the sports industry; to
89 | distribute licensing and royalty fees to participating
90 | professional sports teams; to institute a grant program for
91 | communities bidding on minor sporting events that create an
92 | economic impact for the state; to distribute funds to Florida-
93 | based charities designated by the Florida Sports Foundation and
94 | the participating professional sports teams; to promote
95 | education programs in Florida schools that provide an awareness
96 | of the benefits of physical activity and nutrition standards; to
97 | partner with the Department of Education and the Department of
98 | Health to develop a program that recognizes schools whose
99 | students demonstrate excellent physical fitness and fitness
100 | improvement; and to fulfill the sports promotion
101 | responsibilities of the Office of Tourism, Trade, and Economic
102 | Development.

103 | 3. The Florida Sports Foundation shall provide an annual
104 | financial audit in accordance with s. 215.981 of its financial
105 | accounts and records by an independent certified public
106 | accountant pursuant to the contract established by the Office of

HB 935

2004
CS

107 | Tourism, Trade, and Economic Development as specified in s.
108 | 288.1229(5). The auditor shall submit the audit report to the
109 | Office of Tourism, Trade, and Economic Development for review
110 | and approval. If the audit report is approved, the office shall
111 | certify the audit report to the Auditor General for review.

112 | 4. For the 2003-2004 fiscal year only and notwithstanding
113 | the provisions of subparagraphs 1. and 2., proceeds from the
114 | Professional Sports Development Trust Fund may also be used for
115 | operational expenses of the Florida Sports Foundation and
116 | financial support of the Sunshine State Games. This subparagraph
117 | expires July 1, 2004.

118 | Section 3. This act shall take effect July 1, 2004.