

Bill No. CS for SB 2070

Barcode 403570

CHAMBER ACTION

Senate

House

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Senators Constantine, Pruitt, and Carlton moved the following amendment:

Senate Amendment (with title amendment)

On page 2, line 10, through
page 3, line 20, delete those lines

and insert:

Section 2. (1) The Communications Service Tax Task Force is created and housed for administrative purposes within the Department of Revenue. The task force shall operate independently of the department.

(2)(a) The task force shall consist of nine members, three appointed by the Governor, three appointed by the President of the Senate, and three appointed by the Speaker of the House of Representatives. Members shall serve at the pleasure of the appointing official. Any vacancy shall be filled in the same manner as the original appointment.

(b) All members shall possess expertise in state or national telecommunications policy, taxation, law, or technology. A member of the Legislature or a registered

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1 lobbyist may not be appointed to the task force.

2 (c) Members shall serve without compensation, but are
3 entitled to reimbursement of travel and per diem expenses
4 pursuant to section 112.061, Florida Statutes, relating to
5 completing their duties and responsibilities under this
6 section.

7 (3) The task force shall study:

8 (a) The national and state regulatory and tax policies
9 relating to the communications industry, including the
10 Internet Tax Freedom Act;

11 (b) The levels of tax revenue that have been generated
12 by the communications services taxes imposed or administered
13 pursuant to chapter 202, Florida Statutes, in the past and
14 that are expected to be generated in the future, and their
15 adequacy in funding government services and bonded
16 indebtedness that rely on them;

17 (c) The impact of the communications services taxes on
18 Florida's competitiveness;

19 (d) The impact of the diversity of communications
20 technology and of changes in such technology on the state's
21 ability to design tax laws, the applicability of which is
22 reasonably clear to communications service providers and state
23 administrators, and which are susceptible to efficient and
24 fair administration by the state;

25 (e) The administrative burdens imposed on
26 communications services providers; and

27 (f) To the extent that future revenues from the
28 communications services tax are expected to be inadequate to
29 fund government services and bonded indebtedness that rely on
30 them, the options that are available for funding these
31 services and bonded indebtedness.

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1 (4) The task force shall hold its organizational
 2 meeting by July 15, 2006. It shall select a chair and vice
 3 chair and shall meet at the call of the chair at the time and
 4 place designated by the chair or as often as necessary to
 5 accomplish the purposes of this section. A quorum is necessary
 6 for the purpose of conducting official business of the task
 7 force. The task force shall use accepted rules of procedure to
 8 conduct its meetings and shall keep a complete record of each
 9 meeting.

10 (5) The Public Service Commission shall provide staff
 11 for the technical and regulatory issues addressed by the task
 12 force. The Department of Revenue shall provide administrative
 13 support and staff for the tax issues addressed by the task
 14 force.

15 (6) The task force shall report its findings and
 16 recommendations to the Governor, the President of the Senate,
 17 and the Speaker of the House of Representatives by February 1,
 18 2007. The task force shall be dissolved by December 31, 2007.

19 Section 3. (1) The sum of \$100,000 is appropriated
 20 from the General Revenue Fund to the Department of Revenue for
 21 the purpose of defraying the reimbursable travel and per diem
 22 expenses of the Communications Service Tax Task Force.

23 (2) The sum of \$500,000 is appropriated from the
 24 General Revenue Fund to the Department of Revenue for the
 25 purpose of retaining expert witnesses and consultant services
 26 in the areas of communications technology and computer
 27 telephony. The purpose of such services is to provide the
 28 Communications Service Tax Task Force with information,
 29 technical consulting services, analysis, and testimony
 30 regarding the current and future development of network and
 31 telecommunications architecture, products, and services and

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1 issues regarding the taxation of such products and services.
 2 These funds shall be appropriated for the 2005-2006 fiscal
 3 year in categories determined by the Department of Revenue
 4 which will best support the needs of the task force. Any
 5 unspent funds shall be reappropriated in future fiscal years
 6 until the work of the task force is complete.

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

10 And the title is amended as follows:

11 On page 1, line 11, after the first semicolon,

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13 insert:

14 providing appropriations;

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