



317382

LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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04/29/2009 04:15 PM

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Senator Gaetz moved the following:

**Senate Amendment (with title amendment)**

Between lines 1768 and 1769

insert:

Section 44. Section 509.302, Florida Statutes, is amended  
to read:

509.302 Hospitality Education Program.—

(1) (a) The division shall administer an educational  
program, designated the "Hospitality Education Program," offered  
for the benefit of the hospitality ~~restaurant and lodging~~  
industries of this state. As used in this section, the term  
"hospitality industry" means the restaurant industry or the



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13 lodging industry.

14 (b) The ~~This~~ program may affiliate with Florida State  
15 University, Florida International University, and the University  
16 of Central Florida. The program may also affiliate with any  
17 other member of the State University System or Florida Community  
18 College System, or with any privately funded college or  
19 university, which offers a program of hospitality administration  
20 and management.

21 (c) The purpose ~~primary goal~~ of the ~~this~~ program is to  
22 provide, support, and enhance ~~instruct and train all individuals~~  
23 ~~and businesses licensed under this chapter, in cooperation with~~  
24 ~~recognized associations that represent the licensees, in the~~  
25 ~~application of state and federal laws and rules. Such programs~~  
26 shall also include:

27 (a) ~~Management training.~~

28 (b) ~~Inservice continuing education programs.~~

29 (c) ~~Awareness of food-recovery programs, as promoted in s.~~  
30 ~~570.0725.~~

31 (d) ~~Enhancement of school-to-career training and transition~~  
32 programs for students interested in pursuing careers in a  
33 hospitality ~~the food service or lodging~~ industry.

34 (d) The training and transition programs shall be funded  
35 ~~provided through the public school system using a nationally~~  
36 ~~recognized curriculum approved by the division, with the~~  
37 ~~enhancements funded under this section provided by grants to one~~  
38 ~~or more from~~ nonprofit statewide organizations that represent a  
39 in the hospitality industry of this state. The training and  
40 transition programs shall be delivered through the public school  
41 system using a nationally recognized curriculum approved by the



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42 division. The division shall administer the ~~services field, and~~  
43 the application process for the grants ~~shall be administered by~~  
44 the division.

45 ~~(e) Such other programs as may be deemed appropriate by the~~  
46 ~~director and the advisory council.~~

47 (2) (a) All public lodging establishments and all public  
48 food service establishments licensed under this chapter shall  
49 pay an annual fee of no more than \$10, which shall be included  
50 in the annual license fee and used for the sole purpose of  
51 funding the Hospitality Education Program.

52 (b) The division shall use at least 68 percent of the funds  
53 collected under paragraph (a) for programs directed to careers  
54 in the restaurant industry and at least 14 percent of the funds  
55 for programs directed to careers in the lodging industry. If the  
56 division does not receive a sufficient number of grant  
57 applications, which are submitted timely and comply with the  
58 division's requirements, to use all of the funds reserved for  
59 programs directed to careers in one of the industries, the  
60 division may use the remaining funds for programs directed to  
61 careers in the other industry.

62 (c) The division may use up to 10 percent of the funds  
63 collected under paragraph (a) for administration of the program.

64 (3) Notwithstanding any other provision of law to the  
65 contrary, grant funding under this section ~~for the services~~  
66 ~~described in paragraph (1)(d)~~ shall include all expenses related  
67 incident to providing the programs ~~those services~~, including the  
68 cost of staff support; student scholarships; compensation to  
69 program instructors for time spent in relevant training; special  
70 events or competitive events; and a reasonable stipend for



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71 travel, lodging, and meals for instructors and students  
72 participating in training or in related special events. All of  
73 an applicant's ~~such~~ expenses must ~~shall~~ be consistent ~~in~~  
74 ~~accordance~~ with the budget submitted by the applicant in the  
75 grant application and approved by the division. The expenditure  
76 of all funds distributed under this section is ~~shall be~~ subject  
77 to audit by the division.

78 (4) The director shall develop ~~formulate~~ an annual budget,  
79 programs, and activities to accomplish the purposes of this  
80 section, in accordance with and subject to the advice and  
81 recommendations of the advisory council.

82 (a) The annual budget of the Hospitality Education Program  
83 must show that the total fees estimated to be collected during  
84 the next fiscal year under this section will be dedicated solely  
85 to the estimated cost of funding the Hospitality Education  
86 Program, less any trust fund service charge imposed by s.  
87 215.20. If the estimated cost of funding the Hospitality  
88 Education Program in any fiscal year is less than the total fees  
89 estimated to be collected during that year, the director shall  
90 submit a report to the advisory council demonstrating why the  
91 amount of the ~~such~~ fee should not be immediately reduced to  
92 eliminate the projected surplus. The director shall also submit  
93 this report to the Secretary of Business and Professional  
94 Regulation as part of the division's annual budget request.

95 (b) Both the secretary's legislative budget requests  
96 submitted under ~~pursuant to~~ ss. 216.023 and 216.031 and the  
97 Governor's recommended budget submitted under ~~pursuant to~~ s.  
98 216.163 must also show that the total fees estimated to be  
99 collected during the next fiscal year under this section will be



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100 dedicated solely to funding the Hospitality Education Program,  
101 less any trust fund service charge imposed by s. 215.20. If the  
102 estimated cost of funding the Hospitality Education Program in  
103 any fiscal year is less than the total fees estimated to be  
104 collected during that year, the secretary shall submit a report  
105 demonstrating why the amount of the ~~such~~ fee should not be  
106 immediately reduced to eliminate the projected surplus.

107 ~~(5) The director, with the consent of the advisory council,~~  
108 ~~may designate funds, not to exceed \$250,000 annually, to support~~  
109 ~~school-to-career transition programs available through statewide~~  
110 ~~organizations in the hospitality services field. Such programs~~  
111 ~~shall be designed to prepare students for progressive careers in~~  
112 ~~the hospitality industry. The director, with the consent of the~~  
113 ~~advisory council, may also designate funds, not to exceed~~  
114 ~~\$50,000 annually, to support food safety training programs~~  
115 ~~available through statewide organizations in the hospitality~~  
116 ~~services field, and not to exceed \$50,000 annually, to support~~  
117 ~~nontransient public lodging training programs available through~~  
118 ~~statewide organizations in the public lodging services field.~~

119 (5) ~~(6)~~ The director shall supervise ~~have supervision over~~  
120 the administration of the programs set forth in this section  
121 ~~subsection~~ and shall report the status of the programs at all  
122 meetings of the advisory council and at ~~such~~ other times ~~as are~~  
123 prescribed by the advisory council.

124 (6) ~~(7)~~ The division shall adopt rules providing the  
125 criteria for grant approval and the procedures for processing  
126 grant applications. The criteria and procedures must ~~shall~~ be  
127 approved by the advisory council. The criteria shall give  
128 primary consideration to the experience and history of the



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129 applicant in representing a hospitality ~~the food service or~~  
130 ~~lodging~~ industry in the state, the applicant's prior commitment  
131 to school-to-career transition programs in a hospitality ~~the~~  
132 ~~food service or lodging~~ industry, and the applicant's  
133 demonstrated ability to provide services statewide with industry  
134 support and participation. Grants awarded under this section  
135 shall be for a term of 4 years, with funding provided on an  
136 annual basis.

137 ~~(8) Revenue from administrative fines may be used to~~  
138 ~~support this section. This subsection expires July 1, 2008.~~

139  
140 ===== T I T L E A M E N D M E N T =====

141 And the title is amended as follows:

142 Delete line 193

143 and insert:

144 the future review and repeal of such pilot program;  
145 amending s. 509.302, F.S.; defining the term  
146 "hospitality industry"; revising the purpose of the  
147 program to focus on certain training and transition  
148 programs; requiring a statewide nonprofit organization  
149 that receives the program's grant funding to represent  
150 a hospitality industry in the state; requiring that  
151 the Division of Hotels and Restaurants of the  
152 Department of Business and Professional Regulation use  
153 a portion of certain annual licenses fees for programs  
154 directed to careers in the restaurant industry and a  
155 portion of the fees for programs directed to careers  
156 in the lodging industry; authorizing the division to  
157 use a portion of the fees for administration of the



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158 program; deleting provisions related to the allocation  
159 of the funds to various programs; revising the  
160 criteria for the award of grants to conform to changes  
161 made by the act; removing an expired provision that  
162 authorized administrative fines to be used for the  
163 program;