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LEGISLATIVE ACTION

Senate

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House

Floor: WD/3R

06/09/2017 12:31 PM

Senator Latvala moved the following:

Senate Amendment

Delete lines 793 - 1327

and insert:

all state appropriations to the corporation and exclude taxes derived pursuant to s. 125.0104.

(b) For purposes of calculating the required one-to-one match, the corporation shall receive matching private contributions in one of four private match categories. The corporation shall maintain documentation of such categorized contributions on file and make such documentation available for



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12 inspection upon reasonable notice during its regular business
13 hours. Contribution details shall be included in the quarterly
14 reports required under subsection (8). The private match
15 categories are:

16 1. Direct cash contributions from private sources, which
17 include, but are not limited to, cash derived from strategic
18 alliances, contributions of stocks and bonds, and partnership
19 contributions.

20 2. Fees for services, which include, but are not limited
21 to, event participation, research, and brochure placement and
22 transparencies.

23 3. Cooperative advertising, which is limited to partner
24 expenditures for paid media placement, partner expenditures for
25 collateral material distribution, and the actual market value of
26 contributed productions, air time, and print space.

27 4. In-kind contributions, which is limited to the actual
28 market value of promotional contributions of partner-supplied
29 benefits to target audiences and the actual market value of
30 nonpartner-supplied air time or print space contributed for the
31 broadcasting or printing of such promotions, which would
32 otherwise require tourist promotion expenditures by the
33 corporation for advertising, air travel, rental car fees, hotel
34 rooms, RV or campsite space rental, on-site guest services, and
35 admission tickets. The net value of air time or print space, if
36 any, shall be deemed to be the actual market value of the air
37 time or print space, based on an average of actual unit prices
38 paid contemporaneously for comparable times or spaces, less the
39 value of increased ratings or other benefits realized by the
40 media outlet as a result of the promotion.



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42 Contributions from a government entity or from an entity that
43 received more than 50 percent of its revenue in the previous
44 fiscal year from public sources, including revenue derived from
45 taxes, other than taxes collected pursuant to s. 125.0104, from
46 fees, or from other government revenues, are not considered
47 private contributions for purposes of calculating the required
48 one-to-one match.

49 (c) If the corporation fails to meet the one-to-one match
50 requirements of this subsection, the corporation shall revert
51 all unmatched public contributions to the state treasury by June
52 30 of each fiscal year.

53 (7) ~~(6)~~ ANNUAL AUDIT.—The corporation shall provide for an
54 annual financial audit in accordance with s. 215.981. The annual
55 audit report shall be submitted to the Auditor General; the
56 Office of Program Policy Analysis and Government Accountability;
57 Enterprise Florida, Inc.; and the department for review. The
58 Office of Program Policy Analysis and Government Accountability;
59 Enterprise Florida, Inc.; the department; and the Auditor
60 General have the authority to require and receive from the
61 corporation or from its independent auditor any detail or
62 supplemental data relative to the operation of the corporation.
63 The department shall annually certify whether the corporation is
64 operating in a manner and achieving the objectives that are
65 consistent with the policies and goals of Enterprise Florida,
66 Inc., and its long-range marketing plan. The identity of a donor
67 or prospective donor to the corporation who desires to remain
68 anonymous and all information identifying such donor or
69 prospective donor are confidential and exempt from the



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70 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
71 Constitution. Such anonymity shall be maintained in the
72 auditor's report.

73 (8)~~(7)~~ REPORT.—The corporation shall provide a quarterly
74 report to Enterprise Florida, Inc., which shall:

75 (a) Measure the current vitality of the visitor industry of
76 this state as compared to the vitality of such industry for the
77 year to date and for comparable quarters of past years.

78 Indicators of vitality shall be determined by Enterprise
79 Florida, Inc., and shall include, but not be limited to,
80 estimated visitor count and party size, length of stay, average
81 expenditure per party, and visitor origin and destination.

82 (b) Provide detailed, unaudited financial statements of
83 sources and uses of public and private funds.

84 (c) Measure progress towards annual goals and objectives
85 set forth in the 4-year marketing plan.

86 (d) Review all pertinent research findings.

87 (e) Provide other measures of accountability as requested
88 by Enterprise Florida, Inc.

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90 The corporation must take all steps necessary to provide all
91 data that is used to develop the report, including source data,
92 to the Office of Economic and Demographic Research.

93 (9)~~(8)~~ PUBLIC RECORDS EXEMPTION.—The identity of any person
94 who responds to a marketing project or advertising research
95 project conducted by the corporation in the performance of its
96 duties on behalf of Enterprise Florida, Inc., or trade secrets
97 as defined by s. 812.081 obtained pursuant to such activities,
98 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State



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99 Constitution. This subsection is subject to the Open Government
100 Sunset Review Act in accordance with s. 119.15 and shall stand
101 repealed on October 2, 2021, unless reviewed and saved from
102 repeal through reenactment by the Legislature.

103 (10) PROHIBITIONS; CORPORATE FUNDS; GIFTS.—Funds of the
104 corporation may not be expended for food, beverages, lodging,
105 entertainment, or gifts for employees of the corporation, board
106 members of the corporation, or employees of a tourist or
107 economic development entity that receives revenue from a tax
108 imposed pursuant to s. 125.0104, s. 125.0108, or s. 212.0305,
109 unless authorized pursuant to s. 112.061 or this section. An
110 employee or board member of the corporation may not accept or
111 receive food, beverages, lodging, entertainment, or gifts from
112 an economic development entity that receives revenue from a tax
113 imposed pursuant to s. 125.0108 or s. 212.0305, or from any
114 person, vendor, or other entity, doing business with the
115 corporation unless such food, beverage, lodging, entertainment,
116 or gift is available to similarly situated members of the
117 general public.

118 (11) LODGING EXPENSES.—Lodging expenses for an employee of
119 the corporation may not exceed \$150 per day, excluding taxes,
120 unless the corporation is participating in a negotiated group
121 rate discount or the corporation provides documentation of at
122 least three comparable alternatives demonstrating that such
123 lodging at the required rate is not available. However, an
124 employee of the corporation may expend his or her own funds for
125 any lodging expenses in excess of \$150 per day.

126 (12) PROPOSED OPERATING BUDGET SUBMISSION.—By August 15 of
127 each fiscal year, the Department of Economic Opportunity shall



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128 submit a proposed operating budget for the corporation including
129 amounts to be expended on advertising, marketing, promotions,
130 events, other operating capital outlay, and salaries and
131 benefits for each employee to the Governor, the President of the
132 Senate, and the Speaker of the House of Representatives.

133 (13) TRANSPARENCY.—

134 (a) All executed corporation contracts are to be placed for
135 viewing on the corporation's website. All contracts with the
136 corporation valued at \$500,000 or more shall be placed on the
137 corporation's website for review 14 days prior to execution.

138 (b) A contract entered into between the corporation and any
139 other public or private entity shall include:

140 1. The purpose of the contract.

141 2. Specific performance standards and responsibilities for
142 each entity.

143 3. A detailed project or contract budget, if applicable.

144 4. The value of any services provided.

145 5. The projected travel and entertainment expenses for
146 employees and board members, if applicable.

147 (c)1. Any entity that in the previous fiscal year received
148 more than 50 percent of its revenue from the corporation or
149 taxes imposed pursuant to s. 125.0108 or s. 212.0305, and that
150 partners with the corporation or participates in a program,
151 cooperative advertisement, promotional opportunity, or other
152 activity offered by or in conjunction with the corporation,
153 shall annually on July 1 report all public and private financial
154 data to the Governor, the President of the Senate, and the
155 Speaker of the House of Representatives, and include such report
156 on its website.



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157 2. The financial data shall include:

158 a. The total amount of revenue received from public and
159 private sources.

160 b. The operating budget of the partner entity.

161 c. Employee and board member salary and benefit details
162 from public and private funds.

163 d. An itemized account of all expenditures by the partner
164 entity on the behalf of, or coordinated for the benefit of the
165 corporation, its board members, or employees.

166 e. Itemized travel and entertainment expenditures of the
167 partner entity.

168 (d) The following information must be posted on the
169 corporation's website:

170 1. A plain language version of any contract that is
171 estimated to exceed \$35,000 with a private entity, municipality,
172 city, town, or vendor of services, supplies, or programs,
173 including marketing, or for the purchase or lease or use of
174 lands, facilities, or properties.

175 2. Any agreement entered into between the corporation and
176 any other entity, including a local government, private entity,
177 or nonprofit entity, that receives public funds or funds from a
178 tax imposed pursuant to s. 125.0104, s. 125.0108, or s.
179 212.0305.

180 3. The contracts and the required information pursuant to
181 paragraph (b) and the financial data submitted to the
182 corporation pursuant to paragraph (c).

183 4. Video recordings of each board meeting.

184 5. A detailed report of expenditures following each
185 marketing event paid for with the corporation's funds. Such



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186 report must be posted within 10 business days after the event.

187 6. An annual itemized accounting of the total amount of
188 funds spent by any third party on behalf of the corporation or
189 any board member or employee of the corporation.

190 7. An annual itemized accounting of the total amount of
191 travel and entertainment expenditures by the corporation.

192 (e) The corporation's website must:

193 1. Allow users to navigate to related sites to view
194 supporting details.

195 2. Enable a taxpayer to email questions to the corporation
196 and make such questions and the corporation's responses publicly
197 viewable.

198 (14)(9) REPEAL.—This section is repealed October 1, 2019,
199 unless reviewed and saved from repeal by the Legislature.

200 Section 18. Section 288.12266, Florida Statutes, is created
201 to read:

202 288.12266 Targeted Marketing Assistance Program.—

203 (1) The Targeted Marketing Assistance Program is created to
204 enhance the tourism business marketing of small, minority,
205 rural, and agritourism businesses in the state. The department,
206 in conjunction with the Florida Tourism Industry Marketing
207 Corporation, shall administer the program. The program shall
208 provide marketing plans, marketing assistance, promotional
209 support, media development, technical expertise, marketing
210 advice, technology training, social marketing support, and other
211 assistance to an eligible entity.

212 (2) As used in this section, the term "eligible entity"
213 means an independently owned and operated business with gross
214 revenue not exceeding \$1,250,000 or a nonprofit corporation that



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215 meets the requirements of s. 501(c)(3) of the Internal Revenue
216 Code.

217 (3) The department and the Florida Tourism Industry
218 Marketing Corporation shall provide an annual report to the
219 Governor, the President of the Senate, and the Speaker of the
220 House of Representatives documenting that at least 50 percent of
221 the eligible entities receiving assistance through this program
222 are independently owned and operated businesses with gross
223 revenues not exceeding \$500,000.

224 Section 19. Section 288.124, Florida Statutes, is amended
225 to read:

226 288.124 Convention grants program.—The Florida Tourism
227 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, is
228 authorized to establish a convention grants program and,
229 pursuant to that program, to recommend to the department
230 expenditures and contracts with local governments and nonprofit
231 corporations or organizations for the purpose of attracting
232 national conferences and conventions to Florida. Preference
233 shall be given to local governments and nonprofit corporations
234 or organizations seeking to attract minority conventions to
235 Florida. Minority conventions are events that primarily involve
236 minority persons, as defined in s. 288.703, who are residents or
237 nonresidents of the state. The Florida Tourism Industry
238 Marketing Corporation ~~Enterprise Florida, Inc.~~, shall establish
239 guidelines governing the award of grants and the administration
240 of this program. The department has final approval authority for
241 any grants under this section. The total annual allocation of
242 funds for this program shall not exceed \$40,000.

243 Section 20. Subsection (5) of section 288.901, Florida



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244 Statutes, is amended to read:

245 288.901 Enterprise Florida, Inc.—

246 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

247 (a) In addition to the Governor or his or her designee, the
248 board of directors shall consist of the following appointed
249 members:

250 1. The Commissioner of Education or his or her designee.

251 2. The Chief Financial Officer or his or her designee.

252 3. The Attorney General or his or her designee.

253 4. The Commissioner of Agriculture or his or her designee.

254 5. The chairperson of the board of directors of

255 CareerSource Florida, Inc.

256 6. The Secretary of State or his or her designee.

257 7. Twelve members from the private sector, six of whom

258 shall be appointed by the Governor, three of whom shall be

259 appointed by the President of the Senate, and three of whom

260 shall be appointed by the Speaker of the House of

261 Representatives. Members appointed by the Governor are subject

262 to Senate confirmation.

263 (b) In making their appointments, the Governor, the

264 President of the Senate, and the Speaker of the House of

265 Representatives shall ensure that the composition of the board

266 of directors reflects the diversity of Florida's business

267 community and is representative of the economic development

268 goals in subsection (2). The board must include at least one

269 director for each of the following areas of expertise:

270 international business, tourism marketing, the space or

271 aerospace industry, managing or financing a minority-owned

272 business, manufacturing, finance and accounting, and sports



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273 marketing.

274 (c) The Governor, the President of the Senate, and the
275 Speaker of the House of Representatives also shall consider
276 appointees who reflect Florida's racial, ethnic, and gender
277 diversity. Efforts shall be taken to ensure participation from
278 all geographic areas of the state, including representation from
279 urban and rural communities.

280 (d) Appointed members shall be appointed to 4-year terms,
281 except that initially, to provide for staggered terms, the
282 Governor, the President of the Senate, and the Speaker of the
283 House of Representatives shall each appoint one member to serve
284 a 2-year term and one member to serve a 3-year term, with the
285 remaining initial appointees serving 4-year terms. All
286 subsequent appointments shall be for 4-year terms.

287 (e) Initial appointments must be made by October 1, 2011,
288 and be eligible for confirmation at the earliest available
289 Senate session. Terms end on September 30.

290 (f) Any member is eligible for reappointment, except that a
291 member may not serve more than two terms.

292 (g) A vacancy on the board of directors shall be filled for
293 the remainder of the unexpired term. Vacancies on the board
294 shall be filled by appointment by the Governor, the President of
295 the Senate, or the Speaker of the House of Representatives,
296 respectively, depending on who appointed the member whose
297 vacancy is to be filled or whose term has expired.

298 (h) Appointed members may be removed by the Governor, the
299 President of the Senate, or the Speaker of the House of
300 Representatives, respectively, for cause. Absence from three
301 consecutive meetings results in automatic removal.



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303 All board members shall serve without compensation, but are
304 entitled to receive reimbursement for per diem and travel
305 expenses pursuant to s. 112.061. Such expenses must be paid out
306 of funds of Enterprise Florida, Inc.

307 Section 21. Subsections (7), (8), and (9) are added to
308 section 288.903, Florida Statutes, to read:

309 288.903 Duties of Enterprise Florida, Inc.—Enterprise
310 Florida, Inc., shall have the following duties:

311 (7) Submit all proposed contracts with a total cost of
312 \$750,000 or more in accordance with the notice and review
313 procedures of s. 216.177. If the chair and vice chair of the
314 Legislative Budget Commission, or the President of the Senate
315 and the Speaker of the House of Representatives, timely advise
316 Enterprise Florida, Inc., in writing that such proposed contract
317 is contrary to legislative policy and intent, Enterprise
318 Florida, Inc., may not execute such proposed contract.

319 Enterprise Florida, Inc., may not enter into multiple related
320 contracts to avoid the requirements of this paragraph. This
321 paragraph does not apply to contracts for the award of a
322 statutorily authorized incentive program.

323 (8) Shall not create or establish any other entity,
324 corporation, or direct-support organization, unless authorized
325 by law.

326 (9) Enterprise Florida, Inc., shall comply with the per
327 diem and travel expense provisions of s. 112.061.

328 Section 22. Section 288.904, Florida Statutes, is amended
329 to read:

330 288.904 Funding for Enterprise Florida, Inc.; performance



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331 and return on the public's investment.-

332 (1) (a) The Legislature may annually appropriate to
333 Enterprise Florida, Inc., a sum of money for its operations, and
334 separate line-item appropriations for each of the divisions
335 listed in s. 288.92.

336 (b) The state's operating investment in Enterprise Florida,
337 Inc., and its divisions is the budget contracted by the
338 department to Enterprise Florida, Inc., less any funding that is
339 directed by the Legislature to be subcontracted to a specific
340 recipient entity.

341 (c) The board of directors of Enterprise Florida, Inc.,
342 shall adopt for each upcoming fiscal year an operating budget
343 for the organization, including its divisions, which specifies
344 the intended uses of the state's operating investment and a plan
345 for securing private sector support.

346 (2) (a) The Legislature finds that it is a priority to
347 maximize private sector support in operating Enterprise Florida,
348 Inc., and its divisions, as an endorsement of its value and as
349 an enhancement of its efforts. Thus, the state appropriations
350 must be matched with private sector support equal to at least
351 100 percent of the state operational funding.

352 (b) Private sector support in operating Enterprise Florida,
353 Inc., and its divisions includes:

354 1. Cash given directly to Enterprise Florida, Inc., for its
355 operations, including contributions from at-large members of the
356 board of directors;

357 2. Cash donations from organizations assisted by the
358 divisions;

359 3. Cash jointly raised by Enterprise Florida, Inc., and a



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360 private local economic development organization, a group of such
361 organizations, or a statewide private business organization that
362 supports collaborative projects;

363 4. Cash generated by fees charged for products or services
364 of Enterprise Florida, Inc., and its divisions by sponsorship of
365 events, missions, programs, and publications; and

366 5. Copayments, stock, warrants, royalties, or other private
367 resources dedicated to Enterprise Florida, Inc., or its
368 divisions.

369 (c) If Enterprise Florida, Inc., fails to meet the one-to-
370 one match requirements of this subsection, the corporation shall
371 revert all unmatched public contributions to the state treasury
372 by June 30 of each fiscal year.

373 ~~(3)(a) Specifically for the marketing and advertising~~
374 ~~activities of the Division of Tourism Marketing or as contracted~~
375 ~~through the Florida Tourism Industry Corporation, a one-to-one~~
376 ~~match is required of private to public contributions within 4~~
377 ~~calendar years after the implementation date of the marketing~~
378 ~~plan pursuant to s. 288.923.~~

379 ~~(b) For purposes of calculating the required one-to-one~~
380 ~~match, matching private funds shall be divided into four~~
381 ~~categories. Documentation for the components of the four private~~
382 ~~match categories shall be kept on file for inspection as~~
383 ~~determined necessary. The four private match categories are:~~

384 ~~1. Direct cash contributions, which include, but are not~~
385 ~~limited to, cash derived from strategic alliances, contributions~~
386 ~~of stocks and bonds, and partnership contributions.~~

387 ~~2. Fees for services, which include, but are not limited~~
388 ~~to, event participation, research, and brochure placement and~~



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389 ~~transparencies.~~

390 ~~3. Cooperative advertising, which is the value based on~~
391 ~~cost of contributed productions, air time, and print space.~~

392 ~~4. In-kind contributions, which include, but are not~~
393 ~~limited to, the value of strategic alliance services~~
394 ~~contributed, the value of loaned employees, discounted service~~
395 ~~fees, items contributed for use in promotions, and radio or~~
396 ~~television air time or print space for promotions. The value of~~
397 ~~air time or print space shall be calculated by taking the actual~~
398 ~~time or space and multiplying by the nonnegotiated unit price~~
399 ~~for that specific time or space which is known as the media~~
400 ~~equivalency value. In order to avoid duplication in determining~~
401 ~~media equivalency value, only the value of the promotion itself~~
402 ~~shall be included; the value of the items contributed for the~~
403 ~~promotion may not be included.~~

404 ~~(4)~~ Enterprise Florida, Inc., shall fully comply with the
405 performance measures, standards, and sanctions in its contract
406 with the department, under s. 20.60. The department shall
407 ensure, to the maximum extent possible, that the contract
408 performance measures are consistent with performance measures
409 that it is required to develop and track under performance-based
410 program budgeting. The contract shall also include performance
411 measures for the divisions.

412 ~~(4)~~~~(5)~~ The Legislature intends to review the performance of
413 Enterprise Florida, Inc., in achieving the performance goals
414 stated in its annual contract with the department to determine
415 whether the public is receiving a positive return on its
416 investment in Enterprise Florida, Inc., and its divisions. It
417 also is the intent of the Legislature that Enterprise Florida,



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418 Inc., coordinate its operations with local economic development
419 organizations to maximize the state and local return on
420 investment to create jobs for Floridians.

421 (5) By August 15 of each fiscal year, the Department of
422 Economic Opportunity shall submit a proposed operating budget
423 for Enterprise Florida, Inc., including amounts to be expended
424 on incentives, business recruitment, advertising, events, other
425 operating capital outlay, and salaries and benefits for each
426 employee to the Governor, the President of the Senate, and the
427 Speaker of the House of Representatives.

428 (6) (a) All executed Enterprise Florida, Inc., contracts are
429 to be placed for viewing on the Enterprise Florida, Inc.,
430 website.

431 (b) A contract entered into between Enterprise Florida,
432 Inc., and any other public or private entity shall include:

433 1. The purpose of the contract.

434 2. Specific performance standards and responsibilities for
435 each entity.

436 3. A detailed project or contract budget, if applicable.

437 4. The value of any services provided.

438 5. The projected travel and entertainment expenses for
439 employees and board members, if applicable.

440 (c) 1. Any entity that in the previous fiscal year received
441 more than 50 percent of its revenue from Enterprise Florida,
442 Inc., or a tax imposed pursuant to s. 125.0104, s. 125.0108, or
443 s. 212.0305, and that partners with Enterprise Florida, Inc., in
444 a program or other activity offered by or in conjunction with
445 Enterprise, Florida, Inc., shall annually on July 1 report all
446 public and private financial data to the Governor, the President



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447 of the Senate, and the Speaker of the House of Representatives,
448 and include such report on its website.

449 2. The financial data shall include:

450 a. The total amount of revenue received from public and
451 private sources.

452 b. The operating budget of the partner entity.

453 c. Employee and board member salary and benefit details
454 from public and private funds.

455 d. An itemized account of all expenditures by the partner
456 entity on the behalf of, or coordinated for the benefit of,
457 Enterprise Florida, Inc., its board members, or employees.

458 e. Itemized travel and entertainment expenditures of the
459 partner entity.

460 (d) The following information must be posted on the website
461 of Enterprise Florida, Inc.:

462 1. A plain language version of any contract that is
463 estimated to exceed \$35,000 with a private entity, municipality,
464 city, town, or vendor of services, supplies, or programs,
465 including marketing, or for the purchase or lease or use of
466 lands, facilities, or properties.

467 2. Any agreement entered into between Enterprise Florida,
468 Inc., and any other entity, including a local government,
469 private entity, or nonprofit entity, that receives public funds
470 or funds from a tax imposed pursuant to s. 125.0104, s.
471 125.0108, or s. 212.0305.

472 3. The contracts and the required information pursuant to
473 paragraph (b) and the financial data submitted to Enterprise
474 Florida, Inc., pursuant to paragraph (c).

475 4. Video recordings of each board meeting.



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476 5. A detailed report of expenditures following each
477 marketing or business recruitment event paid for with Enterprise
478 Florida, Inc., funds. Such report must be posted within 10
479 business days after the event.

480 6. An annual itemized accounting of the total amount of
481 funds spent by any third party on behalf of Enterprise Florida,
482 Inc., or any board member or employee of Enterprise Florida,
483 Inc.

484 7. An annual itemized accounting of the total amount of
485 travel and entertainment expenses by Enterprise Florida, Inc.

486 (e) The Enterprise Florida, Inc., website must:

487 1. Allow users to navigate to related sites to view
488 supporting details.

489 2. Enable a taxpayer to email questions to Enterprise
490 Florida, Inc., and make such questions and Enterprise Florida,
491 Inc., responses publicly viewable.

492 Section 23. Section 288.905, Florida Statutes, is amended
493 to read:

494 288.905 President and employees of Enterprise Florida,
495 Inc.—

496 (1) The board of directors of Enterprise Florida, Inc.,
497 shall appoint a president, who shall serve at the pleasure of
498 the Governor. The president shall also be known as the
499 “secretary of commerce” and shall serve as the Governor’s chief
500 negotiator for business recruitment and business expansion.

501 (2) The president is the chief administrative and
502 operational officer of the board of directors and of Enterprise
503 Florida, Inc., and shall direct and supervise the administrative
504 affairs of the board of directors and any divisions, councils,



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505 or boards. The board of directors may delegate to the president
506 those powers and responsibilities it deems appropriate,
507 including hiring and management of all staff, except for the
508 appointment of a president.

509 (3) The board of directors shall establish and adjust the
510 president's compensation.

511 (4) No employee of Enterprise Florida, Inc., including an
512 officer or agent, the president, or the chief executive officer,
513 may receive public compensation for employment that exceeds the
514 salary and benefits authorized to be paid to the Governor,
515 ~~unless the board of directors and the employee have executed a~~
516 ~~contract that prescribes specific, measurable performance~~
517 ~~outcomes for the employee, the satisfaction of which provides~~
518 ~~the basis for the award of incentive payments that increase the~~
519 ~~employee's total compensation to a level above the salary paid~~
520 ~~to the Governor. Any public payments of performance bonuses or~~
521 ~~severance pay to employees are prohibited unless specifically~~
522 ~~authorized by law.~~

523 (5) Lodging expenses for an employee of Enterprise Florida,
524 Inc., may not exceed \$150 per day, excluding taxes, unless the
525 corporation is participating in a negotiated group rate discount
526 or the corporation provides documentation of at least three
527 comparable alternatives demonstrating that such lodging at the
528 required rate is not available. However, an employee of the
529 corporation may expend his or her own funds for any lodging
530 expenses in excess of \$150 per day.

531 (6) Funds of Enterprise Florida, Inc., may not be expended
532 for food, beverages, lodging, entertainment, or gifts for
533 employees of the corporation, board members of the corporation,



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534 or employees of a tourist or economic development entity that
535 receives revenue from a tax imposed pursuant to s. 125.0104, s.
536 125.0108, or s. 212.0305, unless authorized pursuant to s.
537 112.061 or this section. An employee or board member of
538 Enterprise Florida, Inc., may not accept or receive food,
539 beverages, lodging, entertainment, or gifts from an economic
540 development entity that receives revenue from a tax imposed
541 pursuant to s. 125.0108 or s. 212.0305, or