

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Governmental Operations Committee

BILL: CS/SB 4

INTRODUCER: Governmental Operations Committee, Senator Crist and others

SUBJECT: Official State Orchestra

DATE: March 23, 2007 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rhea	Wilson	GO	Fav/CS
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill establishes criteria and an application process for a Florida-domiciled orchestra to be designated as an official orchestra of the state. An orchestra may be designated by the Secretary of State upon recommendation by the Florida Arts Council if the orchestra: has been in existence and continually performing concerts within the state for at least 20 years prior to application; employs at least 75 full-time professional musicians; regularly participates in community outreach through education and other outreach programs; conducts at least 100 performances each calendar year; is either a Tier One or Tier Two orchestra as designated by the American Symphony Orchestra League; has an annual operating budget of at least \$7.5 million; and regularly broadcasts live performances on radio or television stations in the state. The bill authorizes the Division of Cultural Affairs of the Department of State to adopt rules to carry out the purposes of the section.

This bill creates section 265.2867 of the Florida Statutes.

II. Present Situation:

Chapter 15, F.S., establishes duties of the Secretary of State. This chapter also designates the state motto;¹ the state tree;² the state fruit;³ the state beverage;⁴ the state shell;⁵ the state stone;⁶

¹ See, s. 15.0301, F.S., "In God We Trust."

² See, s. 15.031, F.S., the sabal palmetto palm.

³ See, s. 15.0315, F.S., the orange.

⁴ See, s. 15.032, F.S., orange juice.

⁵ See, s. 15.0325, F.S., the Florida Citrus Archives at Florida Southern College in Lakeland.

⁶ See, s. 15.0336, F.S., agatized coral.

the state gem;⁷ the official state wildflower;⁸ the official state play;⁹ official state animal;¹⁰ official state freshwater fish;¹¹ official state saltwater fish;¹² state marine mammal and state saltwater mammal;¹³ official state butterfly;¹⁴ official state reptile;¹⁵ official state air fair;¹⁶ official state rodeo;¹⁷ official festival;¹⁸ official state moving image and archive;¹⁹ official litter control symbol;²⁰ official state pageant;²¹ official state opera program;²² official state renaissance festival;²³ official state railroad museums;²⁴ official state transportation museum;²⁵ official state soil;²⁶ official state fiddle contest;²⁷ official state band;²⁸ official sports hall of fame;²⁹ official state pie;³⁰ and official state maritime museum.³¹ The chapter does not contain a designation for an official state orchestra.

The Florida Orchestra was founded in 1968 as the Florida Gulf Coast Symphony, a combination of the Tampa Philharmonic and the St. Petersburg Symphony. Eighty professional musicians are employed in the full orchestra, the largest number of any orchestra in Florida. It offers 130 performances a year, including 50 free performances that reach 40,000 students.

The American Symphony Orchestra League includes 31 Florida orchestras as its members.³² The

⁷ See, s. 15.034, F.S., the moonstone.

⁸ See, s. 15.0345, F.S., the Coreopsis.

⁹ See, s. 15.035, F.S., the “Cross and Sword” in the City of St. Augustine.

¹⁰ See, s. 15.0353, F.S., the Florida panther.

¹¹ See, s. 15.036, F.S., the largemouth bass.

¹² See, s. 15.037, F.S., the Atlantic sailfish.

¹³ See, s. 15.038, F.S., the manatee and the porpoise.

¹⁴ See, s. 15.0382, F.S., the Zebra longwing.

¹⁵ See, s. 15.0385, F.S., the American alligator.

¹⁶ See, s. 15.0385, F.S., The Central Florida Air Fair.

¹⁷ See, s. 15.0391, F.S., the Silver Spurs Rodeo in Osceola County.

¹⁸ See, s. 15.0395, F.S., Calle-Ocho-Open House 8 in Little Havana, Dade County.

¹⁹ See, s. 15.0396, F.S., the Louis Wolfson II Media History Center Inc., in Miami.

²⁰ See, s. 15.041, F.S., the Keep Florida Beautiful, Inc., service mark.

²¹ See, s. 15.043, F.S., “Indian River” in Brevard County.

²² See, s. 15.044, F.S., The Greater Miami Opera Association; the Orlando Opera Company, Inc., the Florida State University School of Music.

²³ See, s. 15.0445, F.S., the Italian Renaissance Festival at Vizcaya.

²⁴ See, s. 15.045, F.S., the Orange Blossom Special Railroad, West Palm Beach; the Gold Coast Railroad Museum, Inc., and Gold Coast Railroad, Inc., the Florida Gulf Coast Railroad Museum, Inc., Tampa.

²⁵ See, s. 15.046, F.S., the Florida Museum of Transportation and History in Fernandina Beach.

²⁶ See, s. 15.047, F.S., Myakka fine sand.

²⁷ See, s. 15.048, F.S., the fiddle contest held annually by the Florida State Fiddlers’ Association.

²⁸ See, s. 15.049, F.S., the St. Johns River City Band.

²⁹ See, s. 15.051, F.S., The Florida Sports Hall of Fame in Lake City, Columbia County.

³⁰ See, s. 15.052, F.S., key lime pie.

³¹ See, s. 15.0525, F.S., Admiral John H. Fetterman State of Florida Maritime Museum and Research Center if it is built in Pensacola before July 1, 2015.

³² Coconut Grove-Alhambra Orchestra, Coral Gables-Fundacion Orquesta Sinfonica Nacional, Fort Myers-Southwest Florida Symphony, Fort Pierce -Atlantic Classical Orchestra, Hollywood-Florida Youth Orchestra Inc., Jacksonville-Jacksonville Symphony Orchestra, Jacksonville Symphony Youth Orchestra, Lakeland-Imperial Symphony Orchestra, Longwood-Florida Young Artists Orchestra, Melbourne-Brevard Symphony Orchestra & Brevard Symphony Youth Orchestra, Miami-Greater Miami Youth Symphony & South Florida Youth Symphony, Miami Beach-New World Symphony, Naples Philharmonic; Niceville-Northwest Florida Symphony Orchestra, Ocala -Central Florida Symphony Orchestra, Orlando Philharmonic Orchestra, Pensacola Symphony Orchestra, Punta Gorda-Charlotte Symphony Orchestra, Sarasota-Florida West Coast Symphony Orchestra, Florida West Coast Youth Orchestra, Pinellas Youth Symphony, Okaloosa-Walton Youth Symphony,

American Symphony Orchestra League has established tiers to categorize Orchestras by budget size and characteristics. The three tiers serve as a means of grouping similar orchestras and encourage the sharing of ideas on the many similar issues they face, they do not seek to define the quality of the orchestra. The Florida Orchestra is considered a Tier 2 Orchestra, with an operating budget of \$10.8 million. According to the American Symphony Orchestra League, this is the largest operating budget of any Florida orchestra, although The Jacksonville Symphony, The Naples Philharmonic and The New World Symphony fall within the same tier grouping established.

III. Effect of Proposed Changes:

The bill establishes criteria and an application process for a Florida-domiciled orchestra to be designated as an official orchestra of the state. An orchestra may be designated by the Secretary of State upon recommendation by the Florida Arts Council if the orchestra: has been in existence and continually performing concerts within the state for at least 20 years prior to application; employs at least 75 full-time professional musicians; regularly participates in community outreach through education and other outreach programs; conducts at least 100 performances each calendar year; is either a Tier One or Tier Two orchestra as designated by the American Symphony Orchestra League; has an annual operating budget of at least \$7.5 million; and regularly broadcasts live performances on radio or television stations in the state. The bill authorizes the Division of Cultural Affairs of the Department of State to adopt rules to carry out the purposes of the section.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There will be some costs associated with administration of the application process, though this should be minimal as there are currently only 4 orchestras in the state that are Tier One or Tier Two. Additional costs will be incurred for rulemaking if rules are necessary to implement.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
