



**Conference Committee on Transportation & Economic Development Appropriations  
Committee/Committee on Transportation and Economic Development  
Appropriations**

**Senate Offer #1**

**Meeting Packet**

**Thursday, April 22, 2010, 5:30 p.m.**

**Room 17 House Office Building**

**Morris Hall**

Transportation and Economic Development Appropriations Conference Committee

Implementing Bill Provisions

	House Bill Sec. #	Senate Bill Sec. #	HB 5003 and SB 2702	Senate Offer #1
1	25	31	<p><b><u>DOT/OTTED ROAD FUND/WORK PROGRAM.</u></b> Amends s. 339.135, F.S. Provides that the Department of Transportation shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to \$20,300,000 for the purpose of funding economic development transportation projects. Provides that the transfer shall not reduce, delete, or defer any existing projects funded, as of July 1, 2009, in the Department of Transportation's 5-year work program.</p> <p><i>Senate language authorizes funds to be used for space and aerospace infrastructure, and urban development infrastructure projects.</i></p>	HOUSE POSITION
2	26, 27, 28		<p><b><u>EXTENDED UNEMPLOYMENT BENEFITS.</u></b> These sections extend the "State Extended Benefits" (EB) program through April 5, 2010, which is 100% federally funded. Extended Benefits provide 5 additional weeks for claimants. Approximately 41,000 Floridians would be eligible to receive additional weeks compensation through EB.</p>	SENATE POSITION
3	29		<p><b><u>ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS.</u></b> Provides that funds appropriated out of the Economic Development Transportation Trust Fund may be used to fund space and aerospace infrastructure. Is specific to the road fund specific appropriation and the BOB section that reappropriates funds from 2008-09 budget. The space and aerospace language is identical to HB 969 by Rep. Crisafulli.</p>	HOUSE POSITION
4	30	2	<p><b><u>APPROPRIATIONS NONTRANSFERABLE/EXCEPTIONS.</u></b> Amends s. 216.292. Provides that Governor may recommend the initiation of fixed capital outlay projects funded by grants awarded by the Federal Government through the American Recovery and Reinvestment Act of 2009. Such actions are subject to review and approval of the LBC.</p> <p><i>The House bill extends this authority to any other federal economic stimulus grant funding received as requested by Governor's office.</i></p>	HOUSE POSITION
5	31	3	<p><b><u>ARRA TRACKING.</u></b> Authorizes Governor to transfer funds appropriated for the American Recovery and Reinvestment Act of 2009 (ARRA) in traditional appropriations categories to appropriation categories established for the specific purpose of tracking funds appropriated for the ARRA.</p> <p><i>The Senate bill language expires on July 1, 2011.</i></p>	SENATE POSITION

Transportation and Economic Development Appropriations Conference Committee

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	House Bill Sec. #	Senate Bill Sec. #	HB 5003 and SB 2702	Senate Offer #1
6	32, 33		<b>ENTERTAINMENT INDUSTRY FINANCIAL INCENTIVE PROGRAM.</b> Provides that ten (rather than five) percent of incentive funding appropriated in any fiscal year must be dedicated to the independent Florida filmmaker queue. If there are no qualified applications in the queue, any funding in the queue shall be made available to a qualified project in the digital media projects queue. Provides that five (rather than ten) percent of incentive funding appropriated in any state fiscal year shall be dedicated to the digital media projects queue.	SENATE POSITION
7	34	32	<b>DOT/STTF/ADMIN COSTS.</b> Amends s. 339.08, F.S. Authorizes funds in the Department of Transportation's State Transportation Trust Fund to be used to pay administrative expenses incurred in accordance with applicable laws for a multicounty transportation or expressway authority created under chapter 343 or chapter 348, where jurisdiction for the authority includes a portion of the State Highway System and the administrative expenses are in furtherance of the duties and responsibilities of the authority in the development of improvements to the State Highway System.	SAME
8	35	33	<b>STATE TRANSPORTATION TRUST FUND.</b> Provides that funds may be transferred from the State Transportation Trust Fund to the General Revenue Fund as specified in the General Appropriations Act. Provides that the total transferred shall be reduced from total state revenues deposited into the State Transportation Trust Fund for the calculation requirements in ss. 206.46(3) and 206.606(2).  <i>Senate language does not authorize the transfer of funds from the STTF to General Revenue, but does authorize STTF funds to be used to pay for county and school district transportation infrastructure improvements.</i>	MODIFY TO INCLUDE BOTH AND HOUSE AND SENATE PROVISIONS
9	36	34	<b>AWI/ONE-STOP DELIVERY SYSTEM.</b> Amends s. 445.009 to provide that a participant in an adult or youth work experience activity administered pursuant to chapter 445 shall be deemed an employee of the state for purposes of workers' compensation coverage. Provides that in determining the average weekly wage, all remuneration received from the employer shall be considered a gratuity, and the participant shall not be entitled to any benefits otherwise payable under s. 440.15, regardless of whether the participant may be receiving wages and remuneration from other employment with another employer and regardless of his or her future wage-earning capacity.	SAME
10		35 & 36	<b>Century Commission for a Sustainable Florida</b> Removes authorization for members of the commission to receive per diem and travel expenses while in performance of duties.	SENATE POSITION
11		37 & 38	<b>Century Commission - Distribution of Taxes</b> Amends s. 201.15 to remove distribution of certain taxes to Century Commission.	SENATE POSITION

Transportation and Economic Development Appropriations Conference Committee

Implementing Bill Provisions

	House Bill Sec. #	Senate Bill Sec. #	HB 5003 and SB 2702	Senate Offer #1
12		39	<b>Hurricane Loss Mitigation Program</b> Modifies uses of \$10 million appropriation for hurricane loss mitigation program.	MODIFY
13		40 & 41	<b>Aviation and Airport Programs</b> Reenacts s. 332.007, F.S. relating to administration and funding of aviation and airport programs and projects.	SENATE POSITION
14		NEW	<b>Florida Major Performing Arts Center Task Force</b> Creates the task for the purpose of: - defining and evaluation the economic impact of the state's largest non-profit cultural institutions; - determining an impact threshold for qualification as a Florida Major Performing Arts Center; and - to make recommendations for dedicated state funding and policy based on the findings of the task force.	New
15		NEW	<b>Regional Workforce Boards</b> Amends s. 445.007, F.S., - prohibiting regional workforce boards from using state and federal funds to pay for meals, food, and beverages for board members and staff; - prohibiting the boards from using state and federal funds for entertainment costs and recreational costs for boards members and employees; - directing Workforce Florida Inc. to development a statewide fiscal policy to hold boards accountable and subject to monitoring by AWI; - requiring that any contract between a board and a member of that be approved by 2/3 vote of the entire board and extends this vote requirement for contracts with a member's relatives and employees of the board; - requiring Workforce Florida Inc. to development a policy relating to contract review by AWI and approval by WFI.	New
16		NEW	<b>State Transportation Trust Fund</b> Provides flexibility to the Department if needed to reduce work program levels resulting from reductions in the GAA.  <i>Similar language is in House Conforming Bill 5503 - State Transportation Revenues</i>	New

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1 Section XXX. In order to implement Specific Appropriations  
 2 1617 and ++++ of the 2010-2011 General Appropriations Act,  
 3 subsection (8) of section 215.559, Florida Statutes, is amended  
 4 to read:

5 215.559 Hurricane Loss Mitigation Program.—

6 (8) (a) Notwithstanding any other provision of this section  
 7 and for the 2010-2011 fiscal year only, the \$3 million  
 8 appropriation provided for in subsection (2) (b) may be used for  
 9 hurricane shelters as identified in the General Appropriations  
 10 Act.

11 (b) This subsection is repealed June 30, 2011.

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Section XX. In order to implement Specific Appropriation 2651 of the 2010-2011 General Appropriations Act, the Florida Major Performing Arts Center Task Force is created as follows:

(1) The Florida Major Performing Arts Center Task Force is created for the purpose of defining and evaluating the economic impact of Florida's largest non-profit **and publically operated performing arts centers**; determining an impact threshold for qualification as a Florida Major Performing Arts Center; and making recommendations for dedicated state funding and policy for support based on these findings.

(2) The task force shall consist of 9 members as follows:

- (a) The Secretary of State, or their designee.
- (b) The Director of the Office of Tourism, Trade and Economic Development, or their designee.
- (c) A representative from Enterprise Florida.
- (d) A representative from VISIT FLORIDA.
- (e) Five members shall be chosen from among the cultural community leadership in each region of the state where major performing arts centers are located, of whom:
  - a. One shall be appointed by the Governor.
  - b. Two shall be appointed by the Speaker of the House of Representatives.
  - c. Two shall be appointed by the President of the Senate.

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27 (3) The members of the task force shall elect a chair and vice  
 28 chair from among its membership. The chair shall preside at all  
 29 meetings of the task force.

30 (4) The task force shall meet at the call of the chair or at  
 31 the request of the majority of its membership to undertake and  
 32 complete its purpose. The task force may conduct its meetings  
 33 through teleconferences or other similar means.

34 (5) The task force shall submit a final report of its findings  
 35 and recommendations to the Governor, Speaker of the House of  
 36 Representatives, and the President of the Senate no later than  
 37 December 31, 2010.

38 (6) Staffing for the task force shall be provided by the Office  
 39 of Tourism, Trade and Economic Development.

40 (7) The task force shall terminate upon delivery of the report.

Implementing Language related to the Regional Workforce Boards  
Expenditures and Contracts

In order to implement Specific Appropriation 2214, and associated proviso, of the 2010-2011 General Appropriations Act, new subsections (10) and (11) are added to section 445.007, Florida Statutes, to read:

445.007 Regional workforce boards.—

(10) State and federal funds provided to the regional workforce boards may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc., or the Agency for Workforce Innovation except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in s. 112.061 and shall be in compliance with all applicable federal and state requirements. Workforce Florida, Inc. shall develop a statewide fiscal policy applicable to the state board and all regional workforce boards, to hold both the state and regional boards strictly accountable for adherence to the policy and subject to regular and periodic monitoring by Workforce Florida, Inc.'s administrative entity, the Agency for Workforce Innovation. Boards are prohibited from expending state or federal funds for entertainment costs and recreational activities for board members and employees as these terms are defined by 2 C.F.R. part 230. This subsection expires July 1, 2011.

(11) To increase transparency and accountability, regional workforce boards shall comply with the requirements of this section prior to contracting with a member of the regional workforce board. Such contracts shall not be executed prior to or without the approval of Workforce Florida, Inc. Such contracts, as well as documentation demonstrating adherence to this section as specified by Workforce Florida, Inc., must be submitted to the Agency for Workforce Innovation for review and recommendation according to criteria to be determined by Workforce Florida, Inc. Contracts between relatives, as defined in s. 112.3143(1)(b), of a board member or employees of a board must be approved by a two-thirds vote of the entire board, all conflicts must be disclosed prior to the vote, any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote and the contract must be reviewed and approved as stated above. Contracts under \$25,000 between a regional workforce board and a member of that board, between relatives, as defined in s. 112.3143(1)(b), of a board member or employees of a board are exempt from the review and recommendation process but must be approved by a two-thirds vote of the entire board and must be reported to the Agency for Workforce Innovation and Workforce Florida, Inc. within 30 days after approval. If a contract cannot be approved by Workforce Florida, Inc., a review of the decision to disapprove the contract may be requested by the regional workforce board or other parties to the disapproved contract. This subsection expires July 1, 2011.



## Implementing language providing DOT flexibility to reduce work program levels

In order to implement section \_\_\_\_ of the 2010-2011 General Appropriations Act, paragraph (a)3. of subsection (4) of section 339.135, Florida Statutes, is amended to read:

3. Notwithstanding subparagraph 1. and ss. 206.46(3), 334.044(26), and 339.2819(3), and for the 2009-2010 2010-2011 fiscal year only, the department shall reduce work program levels to balance the finance plan to the revised funding levels resulting from any reduction in the 2009-2010 General Appropriations Act. This subparagraph expires July 1, 2011.

Transportation and Economic Development Appropriations Conforming Bills					
			House Offer #2	SENATE OFFER #1	
SEN Bill#	HSE Bill#	Relating to	Description	Description	
1438		Vehicle Registration	No Conforming Bill	House Position	1
1438	5501	Highway Safety	<p>Senate Provisions NOT included in House Bill:</p> <p>-Allows the DHSMV to charge a lesser fee for driver's records when no incidents are reported.</p> <p>Provisions in both bills: The bill provides for the elimination of the short-form crash reports. The bill requires a plan for the transition of all driver license issuance services to tax collectors who are constitutional officers no later than June 30, 2015. The bill allows appointed county tax collectors to provide full driver license services. The bill also authorizes county clerks of court and tax collectors authorized under section 322.135, F.S., to sell driver records to any person upon proper payment and to assess the \$6.25 service fee for this service.</p>	<p>Senate accepts House Offer that includes: Senate provision NOT included in House Bill: -Allows the DHSMV to charge a lesser fee for driver's records when no incidents are reported. <u>and these provisions in both bills:</u> The bill provides for the elimination of the short-form crash reports. The bill requires a plan for the transition of all driver license issuance services to tax collectors who are constitutional officers no later than June 30, 2015. The bill allows appointed county tax collectors to provide full driver license services. The bill also authorizes county clerks of court and tax collectors authorized under section 322.135, F.S., to sell driver records to any person upon proper payment and to assess the \$6.25 service fee for this service.</p>	2
1442		Corporate License Plates	No Conforming Bill	House Position	3
1444	5505	Supplemental Corporate Fees	<p>While using different language, both bills:</p> <ul style="list-style-type: none"> <li>• Delete the exception allowing the late fee and reinstatement fee for supplemental corporate filing fees to be waived.</li> <li>• Clarify that the reinstatement fee includes the late charge.</li> </ul> <p><b>Similar Bills-Technical adjustments to final language may be made at the staff level.</b></p>	<p>Senate Position with Technical Revisions:</p> <p>The bill:</p> <ul style="list-style-type: none"> <li>• Deletes the exception allowing the late fee and reinstatement fee for supplemental corporate filing fees to be waived.</li> <li>• Clarifies that the reinstatement fee includes the late charge.</li> </ul>	4
1646		Regional Workforce Boards	No Conforming Bill	House Position	5
	5503	Transportation Revenues	No Conforming Bill	Senate Position	6

## SB 1444 / HB 5505 Supplemental Corporate Fees

An act relating to supplemental corporate fees; amending s. 607.193, F.S.; deleting an exception from the application of a late charge for a business entity that does not receive the uniform business report prescribed by the Department of State; providing an effective date.

Section 1. Section 607.193, Florida Statutes, is amended to read:

13 607.193 Supplemental corporate fee.—

(1) In addition to any other taxes imposed by law, an annual supplemental corporate fee of \$88.75 is imposed on each business entity that is authorized to transact business in this state and is required to file an annual report with the Department of State under s. 607.1622, s. 608.4511, or s. 620.1210.

(2)(a) The business entity shall remit the supplemental corporate fee to the Department of State at the time it files the annual report required by s. 607.1622, s. 608.4511, or s. 23 620.1210.

(b) In addition to the fees levied under ss. 607.0122, 608.452, and 620.1109 and the supplemental corporate fee, a late charge of \$400 shall be imposed if the supplemental corporate fee is remitted after May 1 except in circumstances in which a business entity was administratively dissolved or its certificate of authority was revoked due to its failure to file an annual report and the entity subsequently applied for reinstatement and paid the applicable reinstatement fee.

(3) The Department of State shall adopt rules and prescribe forms necessary to carry out the purposes of this section.

Section 2. This act shall take effect upon becoming a law.