



Finance and Tax Subcommittee

Friday, March 8, 2013

10:00 a.m.

Morris Hall

ACTION PACKET

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Finance & Tax Subcommittee

Friday March 08, 2013 10:00 am

HB 95	Favorable	Yeas: 16	Nays: 0
HB 165	Favorable With Committee Substitute	Yeas: 12	Nays: 4
	Amendment 684919	Adopted	
	Amendment 731295	Adopted	
HB 531	Favorable With Committee Substitute	Yeas: 13	Nays: 3
	Amendment 603245	Adopted	
HB 4013	Temporarily Deferred		

Committee meeting was reported out: Friday, March 08, 2013 2:50:44PM

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ritch Workman (Chair)	X		
Janet Adkins	X		
Lori Berman	X		
Halsey Beshears	X		
Michael Bileca	X		
Matthew Caldwell	X		
Bill Hager	X		
George Moraitis, Jr.	X		
Jared Moskowitz			X
Daniel Raulerson	X		
Michelle Rehwinkel Vasilinda			X
David Richardson	X		
José Rodríguez	X		
David Santiago	X		
Richard Stark	X		
John Tobia	X		
Carlos Trujillo	X		
James Waldman	X		
Totals:	16	0	2

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

HB 95 : Charitable Contributions

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Lori Berman	X				
Halsey Beshears	X				
Michael Bileca	X				
Matthew Caldwell	X				
Bill Hager	X				
George Moraitis, Jr.	X				
Jared Moskowitz			X		
Daniel Raulerson	X				
Michelle Rehwinkel Vasilinda			X		
David Richardson	X				
José Rodríguez	X				
David Santiago	X				
Richard Stark	X				
John Tobia	X				
Carlos Trujillo	X				
James Waldman	X				
Ritch Workman (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

Brian Pitts - Proponent
Justice-2-Jesus
1119 Newton Avenue South
Saint Petersburg FL 33705
Phone: 727-897-9291

Michael Sheedy (Lobbyist) - Proponent
Florida Conference on Catholic Bishops
201 West Park Avenue
Tallahassee FL 32301
Phone: 850-205-6824

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

HB 165 : Professional Sports Franchise Facilities

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Lori Berman	X				
Halsey Beshears	X				
Michael Bileca		X			
Matthew Caldwell	X				
Bill Hager		X			
George Moraitis, Jr.	X				
Jared Moskowitz			X		
Daniel Raulerson	X				
Michelle Rehwinkel Vasilinda			X		
David Richardson	X				
José Rodríguez		X			
David Santiago	X				
Richard Stark	X				
John Tobia	X				
Carlos Trujillo		X			
James Waldman	X				
Ritch Workman (Chair)	X				
Total Yeas: 12		Total Nays: 4			

HB 165 Amendments

Amendment 684919

Adopted

Amendment 731295

Adopted

Appearances:

Richard Watson (Lobbyist) - Proponent
ABC of Florida East Coast Chapter
P.O. Box 10038
Tallahassee FL 32302
Phone: 850-222-0000

Jess McCarty (Lobbyist) - Proponent
Miami-Dade County
111 NW 1st street #2810
Miami FL 33128
Phone: 305-979-7110

Committee meeting was reported out: Friday, March 08, 2013 2:50:44PM

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

HB 165 : Professional Sports Franchise Facilities (continued)

Appearances: (continued)

Rodney Barreto - Proponent
Super Bowl Host Committee
235 Catalonia Avenue
Coral Gables FL
Phone: 305-444-4648

Edward acDougall - Opponent
Town of Cutler Bay, Miami Dade County
10720 Cartbean Boulevard
Cutler Bay FL 33157
Phone: 305-302-9448

Mayor Oliver Gilbert - Proponent
City of Miami Gardens
1515 NW 167th Street
Miami Gardens FL 33056
Phone: 305-622-8000

Norman Braman - Opponent
Braman Management Association
2050 Biscayne Boulevard 2nd Floor
Miami FL 33137
Phone: 305-576-1889

Brian Pitts - Information Only
Justice-2-Jesus
1119 Newton Avenue South
Saint Petersburg FL 33705

Abigail Maciver - Opponent
Americans of Prosperity
P.O. Box 185
Tallahassee FL 32302
Phone: 407-754-6400

Mike Dee (Lobbyist) - Proponent
Sun Life Stadium
34 Don Shula Drive
Miami Gardens FL 33056
Phone: 305-943-8000

Doug Martin (Lobbyist) - Opponent
AFSCME Florida Council 79
3046 Highland Oaks Terrace
Tallahassee FL 32301
Phone: 850-212-7447

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

HB 165 : Professional Sports Franchise Facilities (continued)

Appearances: (continued)

Natasha Jarrett - Proponent
JW Marriott Marquis Miami
255 Biscayne Boulevard Way
Miami FL 33176
Phone: 305-421-8609

John Kirchoff - Proponent
Deli Lane Restaurants
3533 Loquat Avenue
Miami FL 33133
Phone: 305-665-0606

Alice Ancona - Proponent
Greater Miami Chamber of Commerce
1601 Biscayne Boulevard
Miami FL 33137
Phone: 305-577-5471

Alex Montano - Proponent
PrintHouse USA.com, Inc.
450 W. 28th Street Bay 2
Hialeah FL 33010
Phone: 786-488-8717

Albert E. Dodson - Proponent
Orange Bowl Committee
14360 NW 77th Court
Miami Lakes FL 3016
Phone: 786-412-2103

Jason Emmett - Proponent
Duffy's Sports Grill
1926 10th Avenue North
Lake Worth FL 33461
Phone: 561-847-0943

Ron Mann - Proponent
Doral Business Council
2315 NW 107th Avenue
Miami FL 33172
Phone: 305-490-1404

Shira Kastan (Lobbyist) - Proponent
University of Miami
1320 S. Dixie Highway #325
Coral Gables FL 33146
Phone: 305-284-2618

Committee meeting was reported out: Friday, March 08, 2013 2:50:44PM

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

HB 165 : Professional Sports Franchise Facilities (continued)

Appearances: (continued)

Chris Desai - Proponent
Baywood Hotels
3785 NW 82nd Avenue
Miami FL 33166
Phone: 305-747-6153

H.T. Smith (Lobbyist) - Proponent
NFL Youth Education Town
1017 NW 9th Court
Miami FL 33136
Phone: 305-324-1845

Ken Kopczynski (Lobbyist) - Proponent
FLorida PBS
300 East Brevard Street
Tallahassee FL 32301
Phone: 850-222-3329

Ronald L. Book (Lobbyist) - Proponent
Sun Life Stadium/Miami Dolphins
18851 NE 29th Avenue
Adventura FL 33180
Phone: 305-935-1866

Nick Matthews - Opponent
Broward County
115 S. Andrews Avenue
Ft. Lauderdale FL

Amendment No. 1

<u>COMMITTEE/SUBCOMMITTEE ACTION</u>	
ADOPTED	<input checked="" type="checkbox"/> (Y) <input type="checkbox"/> (N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing bill: Finance & Tax Subcommittee
 2 Representative Caldwell offered the following:

4 **Amendment**

5 Remove lines 46-78 and insert:

6 of county commissioners, or as otherwise provided in this
 7 paragraph, in order to:

8 1. Pay the debt service on bonds issued to finance:

9 a. The construction, reconstruction, or renovation of a
 10 facility either publicly owned and operated, or publicly owned
 11 and operated by the owner of a professional sports franchise or
 12 other lessee with sufficient expertise or financial capability
 13 to operate such facility, and to pay the planning and design
 14 costs incurred prior to the issuance of such bonds for a new
 15 professional sports franchise as defined in s. 288.1162.

16 b. The acquisition, construction, reconstruction, or
 17 renovation of a facility either publicly owned and operated, or
 18 publicly owned and operated by the owner of a professional
 19 sports franchise or other lessee with sufficient expertise or
 20 financial capability to operate such facility, and to pay the

Amendment No. 1

21 | planning and design costs incurred prior to the issuance of such
22 | bonds for a retained spring training franchise.

23 | 2. Pay the debt service on bonds issued to finance the
24 | renovation of a professional sports franchise facility that is
25 | publicly owned, or located on land that is publicly owned, and
26 | that is publicly operated or operated by the owner of a
27 | professional sports franchise or other lessee with sufficient
28 | expertise or financial capability to operate such facility, and
29 | to pay the planning and design costs incurred before the
30 | issuance of such bonds for the renovated professional sports
31 | facility. The cost to renovate the facility must be greater than
32 | \$300 million, including permitting, architectural, and
33 | engineering fees, of which more than 50 percent of the total
34 | construction cost, exclusive of in-kind contributions, must be
35 | paid for by the ownership group of the professional sports
36 | franchise or other private sources. Tax revenues available to
37 | pay debt service on bonds may be used to pay for operation and
38 | maintenance costs of the facility. A county levying the tax for
39 | the purposes in this subparagraph may do so only by a majority
40 | plus one vote of the membership of the board of county
41 | commissioners and after approval of the proposal by a majority
42 | vote of the electors voting in the referendum. Referendum
43 | approval of the proposal may be in an election held prior to or
44 | after the effective date of the law enacting this subparagraph.
45 | The referendum ballot must include a brief description of the
46 | proposal and the following question:

47 | FOR the Proposal

48 | AGAINST the Proposal

Amendment I to Amendment 1

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 165 (2013)

Amendment No. ~~111~~

COMMITTEE/SUBCOMMITTEE ACTION

- ADOPTED (Y/N)
- ADOPTED AS AMENDED (Y/N)
- ADOPTED W/O OBJECTION (Y/N)
- FAILED TO ADOPT (Y/N)
- WITHDRAWN (Y/N)
- OTHER

1 Committee/Subcommittee hearing bill: Finance & Tax Subcommittee
 2 Representative Bileca offered the following:

3
 4 **Amendment** to Amendment 1:
 5 Insert: *after line 48:*
 6 If the majority owner of a professional sports franchise who
 7 received public funds pursuant this sections, sells or transfers
 8 a majority stake of their shares in such entity, then the total
 9 value of the public expenditure to this section must be returned
 10 to the governing body that disbursed the public funds.
 11

2 TO AMENDMENT 1
Amendment No. ~~114~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 165 (2013)

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Finance & Tax Subcommittee
2 Representative Trujillo offered the following:

4 **Amendment (with title amendment)**

5 Remove lines ⁴³⁻⁴⁴70 and insert:

6 ~~facility, except that the additional tax must also be~~
7 ~~conditioned to take effect only after approval by a majority~~
8 ~~vote of the electors in a referendum in the county where such~~
9 ~~facility is located. The referendum must be held in conjunction~~
10 ~~with a regularly scheduled countywide general or primary~~
11 ~~election and may not be held in conjunction with a special~~
12 ~~election] The cost to renovate the facility must be greater than~~

15 **T I T L E A M E N D M E N T**

16 Remove line 7 and insert:

17 professional sports franchise facilities; requiring
18 that the imposition of an additional tax for such use

~~Amendment No. 3 4~~

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Committee/Subcommittee hearing bill: Finance & Tax Subcommittee
 2 Representative Trujillo offered the following:

Amendment (with title amendment)

Remove line ⁴⁰⁻⁴¹~~70~~ and insert:

~~facility, except that the additional tax must also be approved
 by a majority vote of the membership of the board of county
 commissioners of the county where such facility is located and a
 majority vote of the membership of the board of county
 commissioners of each county that is contiguous to such county,
 The cost to renovate the facility must be greater than~~

AND AFTER APPROVAL OF THE PROPOSAL BY A MAJORITY

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

Remove line 7 and insert:

professional sports franchise facilities; requiring
that the imposition of an additional tax for such use
must be approved by a specified vote of certain county
commissions; providing

Amendment 4 to Amendment 1

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 165 (2013)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	✓	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Finance & Tax Subcommittee
 2 Representative Bileca offered the following:

3
 4 **Amendment to Amendment ¹(~~731295~~)** by Representative *Caldwell*

5 Remove line 36 of the amendment and insert:
 6 franchise. Tax revenues available to

7

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y) <input type="checkbox"/> (N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing bill: Finance & Tax Subcommittee
 2 Representative Caldwell offered the following:

4 **Amendment**

5 Remove lines 343-391 and insert:

6 facility for a term of at least the next 20 years.

7 (c) The applicant has an independent analysis or study,
 8 verified by the department, which demonstrates that the amount
 9 of the revenues generated by the taxes imposed under chapter 212
 10 with respect to the use and operation of the renovated
 11 professional sports franchise facility will equal or exceed \$3
 12 million annually.

13 (d) The county or municipality in which the professional
 14 sports franchise renovation facility is located has certified by
 15 resolution after a public hearing that the application serves a
 16 public purpose.

17 (e) The applicant has demonstrated that the cost to
 18 renovate the facility will be greater than \$300 million,
 19 including permitting, architectural, and engineering fees, of
 20 which more than 50 percent of the total construction cost,

Amendment No. 2

21 exclusive of in-kind contributions, will be paid for by the
22 ownership group of the professional sports franchise or other
23 private sources.

24 ~~(6)-(5)~~ An applicant certified as a facility for a new or
25 retained professional sports franchise may use funds provided
26 under s. 212.20 only for the public purpose of paying for the
27 acquisition, construction, reconstruction, or renovation of a
28 facility for a new or retained professional sports franchise to
29 pay or pledge for the payment of debt service on, or to fund
30 debt service reserve funds, arbitrage rebate obligations, or
31 other amounts payable with respect to, bonds issued for the
32 acquisition, construction, reconstruction, or renovation of such
33 facility or for the reimbursement of such costs or the
34 refinancing of bonds issued for such purposes. An applicant
35 certified as a professional sports franchise renovation facility
36 may use funds provided under s. 212.20 only for the public
37 purpose of renovating the facility to pay or pledge for the debt
38 service on, or to fund debt service reserve funds, arbitrage
39 rebate obligations, or other amounts payable with respect to,
40 bonds issued for the renovation of such facility or for the
41 reimbursement of such costs or the refinancing of bonds issued
42 for such purposes.

43 ~~(7)-(6)~~ The department shall notify the Department of
44 Revenue of any facility certified as a facility qualified
45 pursuant to this section ~~for a new or retained professional~~
46 ~~sports franchise~~. The department shall certify no more than
47 eight facilities as facilities for a new professional sports
48 franchise or as facilities for a retained professional sports

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 165 (2013)

Amendment No. 2

49 franchise, including in the total any facilities certified by
50 the former Department of Commerce before July 1, 1996. The
51 department may not certify more than one facility as a
52 professional sports franchise renovation ~~make no more than one~~
53 ~~certification for any facility.~~

54

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

HB 531 : Ad Valorem Tax Exemptions

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Lori Berman		X			
Halsey Beshears	X				
Michael Bileca	X				
Matthew Caldwell	X				
Bill Hager	X				
George Moraitis, Jr.	X				
Jared Moskowitz			X		
Daniel Raulerson	X				
Michelle Rehwinkel Vasilinda			X		
David Richardson		X			
José Rodríguez	X				
David Santiago	X				
Richard Stark	X				
John Tobia	X				
Carlos Trujillo	X				
James Waldman		X			
Ritch Workman (Chair)	X				
Total Yeas: 13		Total Nays: 3			

HB 531 Amendments

Amendment 603245

Adopted

Appearances:

Brian Pitts - Information Only
Justice-2-Jesus
1119 Newton Avenue South
Saint Petersburg FL 33705
Phone: 727-897-9291

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y) <input type="checkbox"/> (N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing bill: Finance & Tax Subcommittee
 2 Representative Workman offered the following:

4 **Amendment (with title amendment)**

5 Between lines 17 and 18, insert:

6 Section 1. Subsection (18) of section 196.012, Florida
 7 Statutes, is amended to read:

8 196.012 Definitions.—For the purpose of this chapter, the
 9 following terms are defined as follows, except where the context
 10 clearly indicates otherwise:

11 (18) "Permanent residence" means that place where a person
 12 has his or her true, fixed, and permanent home and principal
 13 establishment to which, whenever absent, he or she has the
 14 intention of returning. A person may have only one permanent
 15 residence at a time; and, once a permanent residence is
 16 established in a foreign state or country, it is presumed to
 17 continue until the person shows that a change has occurred. The
 18 permanent residence of a person incarcerated in a state
 19 correctional institution as defined in s. 944.02 or similar

Amendment No. 1

20 institution in another state or a Federal correctional
21 institution is the location of such institution.

22

23

24

25

26

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

27

Between lines 2 and 3, insert:

28

s. 196.012(18), F.S.; amending the definition of permanent

29

residence; amending

30

COMMITTEE MEETING REPORT

Finance & Tax Subcommittee

3/8/2013 10:00:00AM

Location: Morris Hall (17 HOB)

HB 4013 : Tax Refund Programs

Temporarily Deferred