



Economic Expansion & Infrastructure Council

Action Packet

**March 15, 2007
10:15 – 12:00 None
5:00 pm – 6:00 pm
404 House Office Building**

**Marco Rubio
Speaker**

**Rep. Dean Cannon
Chair**

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
3/15/2007 10:15:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dean Cannon (Chair)	X		
Gary Aubuchon	X		
Susan Bucher	X		
Edward Bullard	X		
Larry Cretul	X		
Joyce Cusack	X		
Don Davis			X
Mike Davis	X		
Keith Fitzgerald	X		
Richard Glorioso	X		
Doug Holder	X		
Dick Kravitz	X		
Peter Nehr	X		
Pat Patterson	X		
Betty Reed	X		
Totals:	14	0	1

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council

3/15/2007 5:00:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dean Cannon (Chair)	X		
Gary Aubuchon	X		
Susan Bucher	X		
Edward Bullard	X		
Larry Cretul	X		
Joyce Cusack	X		
Don Davis			X
Mike Davis			X
Keith Fitzgerald	X		
Richard Glorioso	X		
Doug Holder	X		
Dick Kravitz	X		
Peter Nehr	X		
Pat Patterson	X		
Betty Reed	X		
Totals:	13	0	2

Committee meeting was reported out: Thursday, March 15, 2007 5:47:37PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
3/15/2007 10:15:00AM

Location: 404 HOB

HB 121 : Florida Highway Patrol Auxiliary

<input checked="" type="checkbox"/> Favorable	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

FL Highway Patrol Auxiliary
 Jim Spearing - WAIVED TIME (Lobbyist) - Proponent
 FL Police Benevolent Assn.
 300 E. Bronough St.
 Tallahassee FL 32301
 Phone: 850-222-3329

FL Highway Patrol Auxiliary
 Christopher Knight - WAIVED TIME (State Employee) - Proponent
 FL Highway Patrol
 2900 Apalachee Parkway
 Tallahassee FL 32311
 Phone: 850-617-2300

FL Highway Patrol Auxiliary
 William B. Smith - WAIVED TIME (Lobbyist) - Proponent
 Law enforcement
 300 Brevard St.
 Tallahassee FL

FL Highway Patrol Auxiliary
 Steven Sheffer - WAIVED TIME (General Public) - Proponent
 Colonel, FL Highway Patrol Auxiliary
 4332 Kircardime
 Jacksonville FL 32287
 Phone: 904-305-4850

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
3/15/2007 10:15:00AM

Location: 404 HOB

HB 211 : Hurricane Preparedness

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Hurricane Preparedness
 Sally House - WAIVED TIME (Lobbyist) - Proponent
 FL Retail Federation
 Tampa FL 32301
 Phone: 850-222-4082

Hurricane Preparedness
 Keyna Cory - WAIVED TIME (Lobbyist) - Proponent
 Associated Industries of FL
 110 E. College Ave.
 Tallahassee FL 32301
 Phone: 850-681-1065

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. HB 211

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative(s) Nehr offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. (1) Effective June 1, 2007, through June 12,
8 2007, no tax levied under the provisions of chapter 212, Florida
9 Statutes, shall be collected on the sale of:

10 (a) Any portable self-powered light source selling for \$20
11 or less;

12 (b) Any portable self-powered radio, two-way radio, or
13 weatherband radio selling for \$75 or less;

14 (c) Any tarpaulin or other flexible waterproof sheeting
15 selling for \$50 or less;

16 (d) Any item normally sold as, or generally advertised as,
17 a ground anchor system or tie-down kit selling for \$50 or less;

18 (e) Any gas or diesel fuel tank selling for \$25 or less;

19 (f) Any package of AAA-cell, AA-cell, C-cell, D-cell, 6-
20 volt, or 9-volt batteries, excluding automobile and boat
21 batteries, selling for \$30 or less;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 (g) Any cell phone battery selling for \$60 or less or any
23 cell phone charger selling for \$40 or less;

24 (h) Any nonelectric food storage cooler selling for \$30 or
25 less;

26 (i) Any portable generator used to provide light or
27 communications or preserve food in the event of a power outage
28 selling for \$1,000 or less;

29 (j) Any storm shutter device selling for \$200 or less. As
30 used in this paragraph, the term "storm shutter device" means
31 materials and products manufactured, rated, and marketed
32 specifically for the purpose of preventing window damage from
33 storms;

34 (k) Any carbon monoxide detector selling for \$75 or less;

35 (l) Any re-usable ice selling for \$10 or less; or

36 (m) Any single product consisting of two or more of the
37 items listed in paragraphs (a)-(l) selling for \$75 or less.

38 (2) This section does not apply to sales within a public
39 lodging establishment as defined in s. 509.013(4), within a
40 theme park or entertainment complex as defined in s. 509.013(9),
41 or within an airport as defined in s. 330.27.

42 (3) The Department of Revenue may adopt rules pursuant to
43 ss. 120.536(1) and 120.54 to administer this section.

44 Section 2. The sum of \$289,100 is appropriated from the
45 General Revenue Fund to the Department of Revenue to administer
46 the exemption provided for in section 1 during the 2006-2007
47 fiscal year.

48 Section 3. This act shall take effect upon becoming a law.

49
50

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

52 Remove the entire title and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53 | An act relating to hurricane preparedness; providing an
54 | exemption from the sales and use tax for sales of certain
55 | tangible personal property for a certain period; providing
56 | an exception for sales within a public lodging
57 | establishment, theme park, entertainment complex, or
58 | airport; authorizing the Department of Revenue to adopt
59 | rules; providing appropriation; providing an effective
60 | date.
61 |

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
3/15/2007 10:15:00AM

Location: 404 HOB

HB 1325 : Entertainment Industry Economic Development

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Entertainment Industry Economic Development

Paul Sirmons, State Film Commissioner (Lobbyist) (State Employee) - Information Only

EOC

The Capitol 2001

Tallahassee FL 32399-1300

Phone: 850-410-4765

Entertainment Industry Economic Development

Gabe Sheheane - WAIVED TIME (Lobbyist) - Proponent

FL Chamber of Commerce

136 S. Bronough St.

Tampa FL 32301

Phone: 850-284-8335

Entertainment Industry Economic Development

Craig Hagen - WAIVED TIME (General Public) - Proponent

Electronic Arts

111 N. Orange Ave., Ste 1800

Orlando FL 32801-2386

Phone: 407-423-7656

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council

3/15/2007 10:15:00AM

Location: 404 HOB

Entertainment Industry Economic Development

Judson C. French, Jr. - WAIVED TIME (General Public) - Proponent

Digital Media Alliance FL, Inc.

127 W. Fairbanks Ave., No. 210

Winter Park FL 32789

Phone: 407-629-2772

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 1325

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Economic Development
2 Representative(s) Cannon offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Section 288.1254, Florida Statutes, is amended
10 to read:

11 (Substantial rewording of section. See s. 288.1254,
12 F.S., for present text.)

13 288.1254 Entertainment industry financial incentive
14 program.--

15 (1) CREATION AND PURPOSE OF PROGRAM.--There is created
16 within the Office of Film and Entertainment an entertainment
17 industry financial incentive program. The purpose of this
18 program is to encourage the use of this state as a site for
19 filming and to develop and sustain the workforce and
20 infrastructure for film and entertainment production.

21 (2) DEFINITIONS.--As used in this section, the term:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 (a) "Certified production" means a qualified production
23 that has tax credits allocated to it based on its estimated
24 qualified expenditures, up to its maximum certified amount of
25 tax credits, by the Office of Tourism, Trade, and Economic
26 Development. A qualified production is not a certified
27 production if its first day of principal photography in the
28 state occurs before it is certified by the Office of Tourism,
29 Trade, and Economic Development, unless it is a previously
30 certified production spanning fiscal years and required to make
31 an application for continuing the same production in the
32 subsequent year.

33 (b) "Digital media project" means a production of
34 interactive entertainment, including a video game, simulation,
35 or animation, including a production intended for Internet or
36 wireless distribution, that is produced for commercial or
37 educational distribution. The term "digital media project" does
38 not include a production deemed by the Office of Film and
39 Entertainment to contain obscene content as defined in s.
40 847.001(10).

41 (c) "High-impact television series" means a production
42 created to run multiple production seasons with an estimated
43 order of at least seven episodes per season and qualified
44 expenditures of at least \$625,000 per episode.

45 (d) "Off-season certified production" means a certified
46 production, other than a digital media project or an animated
47 production, that films 75 percent or more of its principal
48 photography days from June 1 through November 30.

49 (e) "Production" means a theatrical or direct-to-video
50 motion picture, a made-for-television motion picture, a
51 commercial, a music video, an industrial or educational film, an
52 infomercial, a documentary film, a television pilot, a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53 presentation for a television pilot, a television series,
54 including, but not limited to, a drama, a reality, a comedy, a
55 soap opera, a telenovela, a game show, miniseries production, or
56 a digital media project by the entertainment industry. One
57 season of a television series is considered one production. The
58 term "production" does not include a weather or market program,
59 a sporting event, a sports show, a gala, a production that
60 solicits funds, a home shopping program, a political program, a
61 political documentary, political advertising, a gambling-related
62 project or production, a concert production, or a local,
63 regional, or Internet-only news show, current events show, or
64 current affairs show. A production may be produced on or by
65 film, tape, or otherwise and produced by means of a motion
66 picture camera, electronic camera or device, tape device,
67 computer, any combination of the foregoing, or any other means,
68 method, or device now used or that may hereafter be adopted.

69 (f) "Production expenditures" means the costs of tangible
70 and intangible property used and services performed primarily
71 and customarily in the production, including pre-production and
72 post-production, excluding development, marketing, and
73 distribution costs. Production expenditures generally include,
74 but are not limited to:

75 1. Wages, salaries, or other compensation, including
76 amounts paid through payroll service companies, for technical
77 and production crews, directors, producers, and performers.

78 2. Expenditures for sound stages, backlots, production
79 editing, digital effects, sound recordings, sets, and set
80 construction.

81 3. Expenditures for rental equipment, including, but not
82 limited to, cameras and grip or electrical equipment.

83 4. Expenditures for meals, travel, and accommodations.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

84 (g) "Qualified expenditures" means production expenditures
85 incurred in this state by a qualified production for the
86 following:

87 1. Goods purchased or leased from, or services provided
88 by, a Florida vendor or supplier who is registered with the
89 Department of State or the Department of Revenue and doing
90 business in this state.

91 2. Payments to residents of this state in the form of
92 salary, wages, or other compensation up to a maximum of \$400,000
93 per resident for the General production queue and the
94 Independent Florida filmmaker queue, and up to a maximum of
95 \$200,000 for the Digital media queue.

96
97 For a qualified production involving an event, such as an awards
98 show, qualified expenditures exclude expenditures solely
99 associated with the event itself and not directly required by
100 the production. A qualified production's expenditures made prior
101 to certification shall not be considered qualified expenditures,
102 with the exception of those incurred by a commercial, a music
103 video, or the pickup of additional episodes of a television
104 series within a single season.

105 (h) "Qualified production" means a production in this
106 state that meets the requirements of this section and the
107 minimum qualified expenditures and requirements of its
108 appropriate queue. A qualified production's combined production
109 cast and below-the-line production crew positions must be filled
110 by at least 50 percent Florida residents or students enrolled
111 full-time in a film and entertainment-related course of study at
112 a Florida institution of higher education, or a combination
113 thereof. For purposes of this section, proof of Florida
114 residency is a valid Florida driver's license or other state-

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

115 issued Florida identification confirming residency in the state.
116 Productions that are deemed by the Office of Film and
117 Entertainment to contain obscene content as defined in s.
118 847.001(10) are not qualified productions.

119 (i) "Qualified production company" means a corporation,
120 limited liability company, partnership, or other legal entity
121 engaged in producing a qualified production.

122 (3) APPLICATION PROCEDURE; APPROVAL PROCESS.--

123 (a) Program application.--A qualified production company
124 in this state producing a qualified production may submit a
125 program application to the Office of Film and Entertainment for
126 the purpose of determining qualification for an award of tax
127 credits authorized by this section no earlier than one year
128 before the anticipated production start date. The office must be
129 provided information required to determine whether the
130 production is a qualified production and to determine the
131 qualified expenditures and other information necessary for the
132 office to determine eligibility for the tax credits.

133 (b) Required documentation.--The Office of Film and
134 Entertainment shall develop a program application form for use
135 in qualifying an applicant as a qualified production. The
136 program application form for qualifying an applicant as a
137 qualified production must include, but need not be limited to,
138 production-related information on Florida resident employment, a
139 detailed budget of planned qualified expenditures, and a signed
140 affirmation from the applicant that the information on the
141 program application form has been verified and is correct. The
142 program application form shall be distributed to applicants by
143 the Office of Film and Entertainment or by local film
144 commissions.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

145 (c) Application process.--The Office of Film and
146 Entertainment shall establish a process by which a program
147 application is accepted and reviewed and by which tax credit
148 eligibility and amount are determined. The Office of Film and
149 Entertainment may request assistance from a duly appointed local
150 film commission in determining qualification for the tax credit
151 and compliance with the provisions of this section.

152 (d) Certification.--Within 10 business days after receipt
153 of a program application, the Office of Film and Entertainment
154 shall review the application and upon its determination that the
155 program application contains all the information required by
156 this subsection and meets the criteria set out in this section,
157 the Office of Film and Entertainment shall qualify the applicant
158 and recommend to the Office of Tourism, Trade, and Economic
159 Development that the applicant be certified for the tax credit
160 and suggest a maximum tax credit award amount. Within 5 business
161 days after its receipt of the recommendation, the Office of
162 Tourism, Trade, and Economic Development shall reject or shall
163 certify the maximum recommended tax credit award, if any, to the
164 applicant and to the executive director of the Department of
165 Revenue.

166 (e) Grounds for denial.--The Office of Film and
167 Entertainment shall deny an application if it determines that:

168 1. The application is not complete or does not meet the
169 requirements of this section; or

170 2. The tax credit sought does not meet the requirements of
171 this section.

172 (f) Verification of actual qualified expenditures.--The
173 Office of Film and Entertainment shall develop a process by
174 which a certified production shall submit, in a timely manner
175 after production ends and after making all of its qualified

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

176 expenditures, data substantiating each qualified expenditure to
177 an independent Florida-licensed certified public accountant. The
178 accountant shall conduct an audit, at the certified production's
179 expense, to substantiate each qualified expenditure and shall
180 submit the results and all substantiating data to the Office of
181 Film and Entertainment, which shall review and report to the
182 Office of Tourism, Trade, and Economic Development the final
183 verified amount of actual qualified expenditures made by the
184 certified production. The Office of Tourism, Trade, and Economic
185 Development shall then notify the executive director of the
186 Department of Revenue that the certified production has met the
187 requirements of the incentive program and shall approve the
188 final amount of the tax credit award. The Office of Tourism,
189 Trade, and Economic Development shall award all tax credits for
190 the previous fiscal year by September 30.

191 (g) Promoting Florida.-- The Office of Film and
192 Entertainment shall ensure that, as a condition of receiving a
193 tax credit under this section, marketing materials promoting
194 this state as a tourist destination or film and entertainment
195 production destination are included, when appropriate, at no
196 cost to the state, which shall at a minimum include placement in
197 the end credits of a Filmed in Florida logo, the look and
198 content of which shall be developed and supplied by the Office
199 of Film and Entertainment, with size and placement commensurate
200 to other logos included in the end credits. If no logos are
201 used, the end credits shall include, "Filmed in Florida
202 utilizing Florida's Entertainment Industry Financial Incentive,"
203 or a similar statement pre-approved by the Office of Film and
204 Entertainment.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

205 (4) TAX CREDIT ELIGIBILITY; ELECTION AND DISTRIBUTION;
206 CARRYFORWARD; CONSOLIDATED RETURNS; PARTNERSHIP AND NONCORPORATE
207 DISTRIBUTIONS; MERGERS OR ACQUISITIONS.--

208 (a) Tax credit authorization.--For fiscal years beginning
209 on or after July 1, 2007, and ending June 30, 2010, a qualified
210 production is eligible for a tax credit against taxes due under
211 chapter 220 or taxes collected or accrued under chapter 212.

212 (b) Total tax credit.--The total amount of tax credits
213 allowed under this section is \$75 million. The tax credits
214 available for each fiscal year shall be as follows: 40 percent
215 of the total per queue for fiscal year 2007-2008, 50 percent of
216 the total per queue for fiscal year 2008-2009, and the remainder
217 of the total for fiscal year 2009-2010. In any fiscal year, tax
218 credits not awarded or tax credits that are forfeited due to
219 withdrawal of a certified production or to a production's actual
220 qualified expenditures being less than the certified amount,
221 shall be available for award in subsequent fiscal years.

222 (c) Election and distribution of tax credits.--A certified
223 production company receiving a tax credit award under this
224 section shall, at the time the credit is awarded by the Office
225 of Tourism, Trade, and Economic Development after production is
226 completed and all requirements to receive a credit award have
227 been met, make an irrevocable election to apply the credit
228 against taxes due under chapter 220, against taxes collected or
229 accrued under chapter 212, or against a stated combination of
230 the two taxes. The election shall be binding upon any
231 distributee, successor, transferee, or purchaser.

232 (d) Tax credit carryforward.--If the certified production
233 company cannot use the entire tax credit in the taxable year or
234 reporting period in which the credit is awarded because of
235 insufficient tax liability on the part of the certified

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

236 production, any excess amount may be carried forward to a
237 succeeding taxable year or reporting period. A tax credit
238 awarded under this section and applied against taxes imposed
239 under chapter 212 or chapter 220 may be carried forward for a
240 maximum of 5 taxable years following the taxable year in which
241 the credit was awarded, after which period the credit expires
242 and may not be used.

243 (e) Consolidated returns.--A certified production company
244 that files a Florida consolidated return as a member of an
245 affiliated group under s. 220.131(1) may be allowed the credit
246 on a consolidated return basis up to the amount of the tax
247 imposed upon the consolidated group under chapter 220.

248 (f) Partnership and noncorporate distributions.--A
249 qualified production company that is not a corporation as
250 defined in s. 220.03 may elect to distribute tax credits awarded
251 under this section to its partners or members in proportion to
252 their respective distributive income or loss in the taxable
253 fiscal year in which the tax credits were awarded.

254 (g) Mergers or acquisitions.--Tax credits available under
255 this section to a certified production company may succeed to a
256 surviving or acquiring entity subject to the same conditions and
257 limitations as described in this section; however, they may not
258 be transferred again by the surviving or acquiring entity.

259 (5) TRANSFER OF TAX CREDITS.--

260 (a) Authorization.--Upon application to the Office of Film
261 and Entertainment and approval by the Office of Tourism, Trade,
262 and Economic Development, a certified production company may
263 elect to transfer, in whole or in part, any unused credit amount
264 granted under this section. An election to transfer any unused
265 tax credit amount under chapter 212 or chapter 220 must be made
266 no later than 5 years from the date the credit was awarded,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

267 after which period the credit expires and may not be used. The
268 Office of Tourism, Trade, and Economic Development shall notify
269 the Department of Revenue of the election and transfer.

270 (b) Number of transfers permitted.--A certified production
271 company that has elected to apply a credit amount against taxes
272 remitted under chapter 212 is permitted a one-time transfer of
273 unused credits to one transferee. A certified production company
274 that has elected to apply a credit amount against taxes due
275 under chapter 220 is permitted a one-time transfer of unused
276 credits to no more than four transferees, and such transfers
277 shall occur in the same taxable year.

278 (c) Minimum consideration.--The transfer or purchase of
279 any amount of the tax credit shall not be exchanged for any less
280 than 75 percent of the credit's value.

281 (d) Transferee rights and limitations.--The transferee is
282 subject to the same rights and limitations as the certified
283 production company awarded the tax credit, except that the
284 transferee may not sell or otherwise transfer the tax credit.

285 (e) No more than five business days prior to the certified
286 production company's election to transfer its awarded tax
287 credit, the Office of Film and Entertainment shall receive a
288 written contractual notice, on a form approved by the Office of
289 Tourism, Trade, and Economic Development and signed by both the
290 certified production and the transferee, describing the terms of
291 the transfer and the intention of any purchaser to allocate
292 payment for the film education program under paragraph (f) at
293 the time the transfer is made.

294 (f) Film education fee.--

295 1. A purchaser of any transferred tax credit under this
296 subsection shall pay an amount equal to 5 percent of the total
297 amount paid for the tax credit into the Grants and Donations

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

298 Trust Fund under s. 14.2015(2)(f) administered by the Office of
299 Tourism, Trade, and Economic Development for film education
300 programs. The fees collected pursuant to this paragraph shall be
301 subject to specific appropriation by the Legislature.

302 a. Fifty percent of the fee collected under this paragraph
303 shall be made available to the Office of Film and Entertainment
304 for the purpose described in s. 288.1256.

305 b. Fifty percent of the fee collected under this paragraph
306 shall be transferred and provided to film and digital media
307 programs at Florida institutes of higher education approved by
308 the Office of Film and Entertainment, to be applied as a grant
309 toward production costs for a student-made production. To be
310 eligible for this grant, a student production may not contain
311 obscene content as defined in s. 847.001(10). The recipient of
312 the transfer may choose the approved film or digital media
313 program to receive these funds.

314 2. This paragraph shall not apply to the transfer of tax
315 credits to an investor, investment company, or to an affiliated
316 company, of the certified production.

317 (f) Rulemaking.--The Department of Revenue may adopt rules
318 pursuant to ss. 120.536(1) and 120.54 to administer this
319 subsection, as provided in subsection (7).

320 (6) PRIORITY ALLOCATION OF TAX CREDITS; ELIGIBILITY
321 WITHDRAWAL; QUEUES.--

322 (a) Tax credit priority.--Eligibility of a qualified
323 production for a tax credit award shall be determined on a
324 first-come, first-served basis within its appropriate queue. A
325 qualified production shall be placed into the appropriate queue
326 and subject to the requirements of that queue.

327 (b) Withdrawal of tax credit eligibility.--A qualified or
328 certified production shall continue on a reasonable schedule,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

329 which means beginning principal photography in the state no
330 sooner than 45 calendar days before and no later than 45 days
331 after the date provided in the production's program application.
332 The Office of Tourism, Trade, and Economic Development shall
333 withdraw the eligibility of a qualified or certified production
334 that does not continue on a reasonable schedule and recertify
335 the tax credits to the next qualified or certified production or
336 productions in the respective queue that have not been certified
337 for their full maximum award and have not started principal
338 photography before the tax credits become available.

339 (c) Queues.--

340 1. General production queue.--

341 a. A qualified production, excluding commercials, music
342 videos, and digital media projects, that demonstrates a minimum
343 of \$625,000 in total qualified expenditures shall be eligible
344 for tax credits equal to 15 percent of its actual qualified
345 expenditures up to a maximum of \$8 million. A qualified
346 production spanning state fiscal years may combine qualified
347 expenditures from state fiscal years to satisfy the threshold.

348 b. A qualified production company that produces national
349 or regional commercials, music videos, or both may be eligible
350 for a tax credit award if it demonstrates a minimum of \$100,000
351 in qualified expenditures per national or regional commercial or
352 music video and exceeds a combined threshold of \$500,000 after
353 combining actual qualified expenditures from qualified
354 commercials, music videos, or both during a single state fiscal
355 year. After a qualified production company that produces
356 commercials, music videos, or both reaches the threshold of
357 \$500,000, it shall be eligible to apply for certification for a
358 tax credit award. The maximum tax credit award shall be equal to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

359 15 percent of its actual qualified expenditures up to a maximum
360 of \$500,000.

361 c. Eighty-five percent of all tax credits available under
362 this section in any state fiscal year shall be dedicated to this
363 queue.

364 d. An off-season certified production in this queue shall
365 be eligible for an additional 5-percent tax credit on actual
366 qualified expenditures. An off-season certified production that
367 does not complete 75 percent of principal photography as a
368 result of a hurricane or tropical storm disruption shall not be
369 disqualified from eligibility for the additional 5-percent
370 credit as a result of the disruption.

371 e. A certified production within this queue that spans
372 state fiscal years shall have all qualified expenditures
373 certified for the state fiscal year in which the last actual
374 qualified expenditure is anticipated to be made.

375 f. A qualified production in this queue shall make a good
376 faith effort to utilize Florida's existing infrastructure of
377 equipment providers, including camera gear, grip and lighting
378 equipment, vehicle providers, and post-production services when
379 available in-state.

380 g. A qualified high-impact television series shall be
381 allowed first position in this queue for tax credits not yet
382 certified.

383 2. Independent Florida filmmaker queue.--An independent
384 Florida film that meets the criteria of this queue and
385 demonstrates a minimum of \$100,000, but not more than \$625,000,
386 in total qualified expenditures shall be eligible for tax
387 credits equal to 15 percent of its actual qualified
388 expenditures. Five percent of all tax credits available under

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

389 this section in any state fiscal year shall be dedicated to this
390 queue. To qualify for this queue, a qualified production must:

391 a. Be planned as a feature film or documentary of no less
392 than 70 minutes in length.

393 b. Provide evidence of 50 percent of the financing for its
394 total budget in an escrow account or other form dedicated to the
395 production.

396 c. Do all major post-production in this state.

397 d. Employ Florida workers in at least six of the following
398 eight key positions:

399 (I) Writer.

400 (II) Director.

401 (III) Producer.

402 (IV) Director of Photography.

403 (V) Star or one of the lead actors.

404 (VI) Unit Production Manager.

405 (VII) Editor.

406 (VIII) Production Designer.

407
408 For purposes of this sub-subparagraph, a "Florida worker" means
409 a person who has been a resident of this state for at least 1
410 year prior to a production's application or a person who is
411 attending a Florida film school or Florida college, university,
412 or community college full-time or has graduated from such
413 school, college, university, or community college within 5 years
414 prior to the production's application. Projects that extend
415 beyond a fiscal year must reapply each fiscal year in order to
416 be eligible for a tax credit award for that year.

417
418 3. Digital media projects queue.--A qualified production
419 that is a digital media project that demonstrates a minimum of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

420 \$300,000 in total qualified expenditures shall be eligible for a
421 tax credit equal to 10 percent of its actual qualified
422 expenditures up to a maximum of \$1 million. Ten percent of all
423 tax credits available under this section in any state fiscal
424 year shall be dedicated to this queue.

425 a. For purposes of this subparagraph, "qualified
426 expenditures" are the wages or salaries paid to Florida resident
427 labor working on a single qualified digital media project.

428 b. A qualified production company producing digital media
429 projects may not qualify for more than three projects in any one
430 fiscal year. Projects that extend beyond a fiscal year must
431 reapply each fiscal year in order to be eligible for a tax
432 credit award for that year.

433 (7) RULES, POLICIES, AND PROCEDURES.--

434 (a) The Office of Tourism, Trade, and Economic Development
435 may adopt rules pursuant to ss. 120.536(1) and 120.54 and
436 develop policies and procedures to implement and administer this
437 section, including, but not limited to, rules specifying
438 requirements for the application and approval process, records
439 required for substantiation for tax credits, procedures for
440 making the election in paragraph (4)(c), and the manner and form
441 of documentation required to claim tax credits awarded or
442 transferred under this section, determination of, qualification
443 for, and certification for tax credits, implementation of the
444 Florida Graduate Film Investment Fund in s. 288.1256, and
445 marketing requirements for tax credit recipients.

446 (b) The Department of Revenue may adopt rules pursuant to
447 ss. 120.536(1) and 120.54 to administer this section, including
448 rules governing the examination and audit procedures required to
449 administer this section and the manner and form of documentation

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

450 required to claim tax credits awarded or transferred under this
451 section.

452 (8) AUDIT AUTHORITY; REVOCATION AND FORFEITURE OF TAX
453 CREDITS; FRAUDULENT CLAIMS.--

454 (a) Audit authority.--The Department of Revenue may
455 conduct examinations and audits as provided in s. 213.34 to
456 verify that tax credits under this section have been received,
457 transferred, and applied according to the requirements of this
458 section. This information is subject to the confidentiality
459 requirements of chapter 213. If the Department of Revenue
460 determines that tax credits have not been received, transferred,
461 or applied as required by this section, it may, in addition to
462 the remedies provided in this subsection, pursue recovery of
463 such funds pursuant to the laws and rules governing the
464 assessment of taxes.

465 (b) Revocation of tax credits.--The Office of Tourism,
466 Trade, and Economic Development may revoke or modify any written
467 decision qualifying, certifying, or otherwise granting
468 eligibility for tax credits under this section if it is
469 discovered that the tax credit applicant submitted any false
470 statement, representation, or certification in any application,
471 record, report, plan, or other document filed in an attempt to
472 receive tax credits under this section. The Office of Film and
473 Entertainment shall immediately notify the Department of Revenue
474 of any revoked or modified orders affecting previously granted
475 tax credits. Additionally, the applicant must notify the
476 Department of Revenue of any change in its tax credit claimed.

477 (c) Forfeiture of tax credits.--A determination by the
478 Department of Revenue, as a result of an audit or examination by
479 the Department of Revenue or from information received from the
480 Office of Film and Entertainment, that an applicant received tax

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

481 credits pursuant to this section to which the applicant was not
482 entitled is grounds for forfeiture of previously claimed and
483 received tax credits. The applicant is responsible for returning
484 forfeited tax credits to the Department of Revenue, and such
485 funds shall be paid into the General Revenue Fund of the state.
486 Tax credits purchased in good faith are not subject to
487 forfeiture, unless the transferee submitted fraudulent
488 information in the purchase, or if the transferee failed to meet
489 the requirements in subsection (5).

490 (d) Fraudulent claims.--Any applicant who submits
491 information under this section that includes fraudulent
492 information is liable for reimbursement of the reasonable costs
493 and fees associated with the review, processing, investigation,
494 and prosecution of the fraudulent claim. An applicant that
495 obtains a credit payment under this section through a claim that
496 is fraudulent is liable for reimbursement of the credit amount
497 claimed plus a penalty in an amount double the credit amount
498 claimed and reimbursement of reasonable costs, which penalty is
499 in addition to any criminal penalty to which the applicant is
500 liable for the same acts. The applicant is also liable for costs
501 and fees incurred by the state in investigating and prosecuting
502 the fraudulent claim.

503 (9) ANNUAL REPORT.--The Office of Film and Entertainment
504 shall provide an annual report for the previous fiscal year, due
505 October 1, to the Governor, the President of the Senate, and the
506 Speaker of the House of Representatives outlining the return on
507 investment to the state on funds expended pursuant to this
508 section.

509 (10) REPEAL.--This section is repealed July 1, 2010,
510 except that the tax credit carryforward provided in this section
511 shall continue to be valid for the period specified.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

512 Section 2. Section 288.1256, Florida Statutes, is created
513 to read:

514 288.1256 Florida Graduate Film Investment Fund.--

515 (1) The Office of Film and Entertainment shall create and
516 administer a program, using moneys deposited into the Office of
517 Tourism, Trade, and Economic Development's Grants and Donations
518 Trust Fund pursuant to s. 288.1254(5)(f), to award either a
519 grant or a loan guarantee for films that are:

520 (a) Written, produced, and directed by Florida residents
521 who are graduates of an Office of Film and Entertainment
522 approved film program at a Florida institution of higher
523 education; and

524 (b) Determined by the Commissioner of Film and
525 Entertainment, with the advice of the Florida Film and
526 Entertainment Advisory Council, to be family friendly based on
527 the review of the script and a personal interview with the
528 director. Family friendly productions are those that have cross-
529 generational appeal; would be considered suitable for viewing by
530 children age 5 and older; are appropriate in theme, content, and
531 language for a broad family audience; embody a responsible
532 resolution of issues; and do not exhibit any act of smoking,
533 sex, nudity, or vulgar or profane language.

534 (2) Films that are deemed by the Office of Film and
535 Entertainment to contain obscene content as defined in s.
536 847.001(10) are not eligible for this program.

537 Section 3. Paragraph (j) is added to subsection (5) of
538 section 288.1252, Florida Statutes, to read:

539 288.1252 Florida Film and Entertainment Advisory Council;
540 creation; purpose; membership; powers and duties.--

541 (5) POWERS AND DUTIES.--The Florida Film and Entertainment
542 Advisory Council shall have all the powers necessary or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

543 convenient to carry out and effectuate the purposes and
544 provisions of this act, including, but not limited to, the power
545 to:

546 (j) Advise whether a film produced under s. 288.1256 meets
547 the criteria delineated in that section.

548 Section 4. Subsection (8) of section 220.02, Florida
549 Statutes, is amended to read:

550 220.02 Legislative intent.--

551 (8) It is the intent of the Legislature that credits
552 against either the corporate income tax or the franchise tax be
553 applied in the following order: those enumerated in s. 631.828,
554 those enumerated in s. 220.191, those enumerated in s. 220.181,
555 those enumerated in s. 220.183, those enumerated in s. 220.182,
556 those enumerated in s. 220.1895, those enumerated in s. 221.02,
557 those enumerated in s. 220.184, those enumerated in s. 220.186,
558 those enumerated in s. 220.1845, those enumerated in s. 220.19,
559 those enumerated in s. 220.185, those enumerated in s. 220.187,
560 those enumerated in s. 220.192, ~~and~~ those enumerated in s.
561 220.193, and those enumerated in s. 288.1254.

562 Section 5. Paragraph (z) is added to subsection (8) of
563 section 213.053, Florida Statutes, to read:

564 213.053 Confidentiality and information sharing.--

565 (8) Notwithstanding any other provision of this section,
566 the department may provide:

567 (z) Information relative to tax credits taken under s.
568 288.1254 to the Office of Film and Entertainment and the Office
569 of Tourism, Trade, and Economic Development.

570
571 Disclosure of information under this subsection shall be
572 pursuant to a written agreement between the executive director
573 and the agency. Such agencies, governmental or nongovernmental,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

574 shall be bound by the same requirements of confidentiality as
575 the Department of Revenue. Breach of confidentiality is a
576 misdemeanor of the first degree, punishable as provided by s.
577 775.082 or s. 775.083.

578 Section 6. Paragraph (q) is added to subsection (5) of
579 section 212.08, Florida Statutes, to read:

580 212.08 Sales, rental, use, consumption, distribution, and
581 storage tax; specified exemptions.--The sale at retail, the
582 rental, the use, the consumption, the distribution, and the
583 storage to be used or consumed in this state of the following
584 are hereby specifically exempt from the tax imposed by this
585 chapter.

586 (5) EXEMPTIONS; ACCOUNT OF USE.--

587 (q) Entertainment industry tax credit; requirement for
588 electronic funds transfer.--

589 1. For the fiscal years beginning July 1, 2007, and ending
590 June 30, 2010, a qualified production, as defined in s.
591 288.1254(2)(h), is eligible for tax credits against its state
592 sales and use tax liabilities as provided in s. 288.1254.

593 2. The credit shall be deducted from any sales and use tax
594 remitted by the dealer to the department by electronic funds
595 transfer and can only be deducted on a sales and use tax return
596 initiated through electronic data interchange. The dealer shall
597 separately state the credit on the electronic return. The net
598 amount of tax due and payable must be remitted by electronic
599 funds transfer. If the credit for the qualified expenditures is
600 larger than the amount owed on the sales and use tax return, the
601 amount of the credit may be carried forward to a succeeding
602 reporting period. A dealer may only obtain a credit using the
603 method described in this subparagraph. A dealer is not
604 authorized to obtain a credit by applying for a refund.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

605 Section 7. Section 288.1255, Florida Statutes, is
606 repealed.

607 Section 8. This act shall take effect July 1, 2007.

608

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

610 Remove the entire title and insert:

611 A bill to be entitled

612 An act relating to entertainment industry economic
613 development; amending s. 288.1254, F.S.; revising the
614 entertainment industry financial incentive program to
615 provide corporate income tax and sales and use tax credits
616 to qualified entertainment entities rather than
617 reimbursements from appropriations; revising provisions
618 relating to definitions, creation and scope, application
619 procedures, approval process, eligibility, required
620 documents, qualified and certified productions, and annual
621 reports; providing duties and responsibilities of the
622 Office of Film and Entertainment, the Office of Tourism,
623 Trade, and Economic Development, and the Department of
624 Revenue relating to the tax credits; providing criteria
625 and limitations for awards of tax credits; providing a
626 total amount available for tax credits; providing for
627 uses, allocations, election, distributions, and
628 carryforward of the tax credits; providing for use of
629 consolidated returns; providing for partnership and
630 noncorporate distributions of tax credits; providing for
631 succession of tax credits; providing requirements for
632 transfer of tax credits; requiring a purchaser of
633 transferred tax credits to pay a percentage of the amount
634 paid to fund specified film education grants; providing
635 priority allocation of tax credits; providing for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

636 withdrawal of tax credit eligibility; establishing queues;
637 authorizing the Office of Tourism, Trade, and Economic
638 Development to adopt rules, policies, and procedures;
639 authorizing the Department of Revenue to adopt rules and
640 conduct audits; providing for revocation and forfeiture of
641 tax credits; providing liability for reimbursement of
642 certain costs and fees associated with a fraudulent claim;
643 requiring an annual report to the Governor and the
644 Legislature; providing for future repeal; creating s.
645 288.1256, F.S.; establishing the Florida Graduate Film
646 Investment Fund; requiring administration by the Office of
647 Film and Entertainment; providing for deposit of funds;
648 requiring that funds be used for certain family-friendly
649 films; amending s. 288.1252, F.S.; requiring the Florida
650 Film and Entertainment Advisory Council to advise on films
651 produced under the Florida Graduate Film Investment Fund;
652 amending s. 220.02, F.S.; including tax credits enumerated
653 in s. 288.1254, F.S., in the order of application of
654 credits against certain taxes; amending s. 213.053, F.S.;
655 authorizing the Department of Revenue to provide tax
656 credit information to the Office of Film and Entertainment
657 and the Office of Tourism, Trade, and Economic
658 Development; amending s. 212.08, F.S.; requiring
659 electronic funds transfer for the entertainment industry
660 tax credit; providing procedures; repealing s. 288.1255,
661 F.S., to remove the requirement that annual funding for
662 the entertainment industry financial incentive program be
663 subject to legislative appropriation; providing an
664 effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

667

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council

3/15/2007 10:15:00AM

Location: 404 HOB

PCB EEIC 07-02 : Creating the Federal Grants Trust Fund within the Department of Highway Safety and Motor Vehicles

<input checked="" type="checkbox"/> Favorable	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
3/15/2007 10:15:00AM

Location: 404 HOB

PCB EEIC 07-03 : Model Transportation Systems

Favorable With Amendments

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis			X		
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION X (Y/N) 3/15
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative Glorioso offered the following:

Amendment

Remove lines 206-281 and insert:

7 (e) The department shall perform a cost benefit-value for
8 money analysis of the proposed public-private partnership that
9 demonstrates the cost effectiveness and overall public benefit
10 at two points in time:

11 (1) Prior to moving forward with the procurement, and if
12 the procurement moves forward,

13 (2) Prior to awarding the contract.

14 (d) After the public notification period has expired, the
15 department shall rank the proposals in order of preference. In
16 ranking the proposals the department may consider factors,
17 including, but not limited to, professional qualifications,
18 general business terms, innovative engineering or cost-reduction
19 terms, finance plans, and the need for state funds to deliver
20 the project. If the department is not satisfied with the results
21 of the negotiations, the department may, at its sole discretion,

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

22 terminate negotiations with the proposer. If these negotiations
23 are unsuccessful, the department may go to the second-ranked and
24 lower-ranked firms, in order, using this same procedure. If only
25 one proposal is received, the department may negotiate in good
26 faith and, if the department is not satisfied with the results
27 of the negotiations, the department may, at its sole discretion,
28 terminate negotiations with the proposer. Notwithstanding this
29 subsection, the department may, at its discretion, reject all
30 proposals at any point in the process up to completion of a
31 contract with the proposer.

32 (7) The department may lend funds from the Toll Facilities
33 Revolving Trust Fund, as outlined in s. 338.251, to private
34 entities that construct projects on the State Highway System
35 containing toll facilities that are approved under this section.
36 To be eligible, a private entity must comply with s. 338.251 and
37 must provide an indication from a nationally recognized rating
38 agency that the senior bonds for the project will be investment
39 grade, or must provide credit support such as a letter of credit
40 or other means acceptable to the department, to ensure that the
41 loans will be fully repaid. The state's liability for the
42 funding of a facility is limited to the amount approved for that
43 specific facility in the department's 5-year work program
44 adopted pursuant to s. 339.135.

45 ~~(8) A fixed guideway transportation system authorized by~~
46 ~~the department to be wholly or partially within the department's~~
47 ~~right of way pursuant to a lease granted under s. 337.251 may~~
48 ~~operate at any safe speed.~~

49 (8) The department may use innovative finance techniques
50 associated with a public-private partnership under this section
51 of law, including, but not limited to Federal loans as provided

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

52 in Title 23 and Title 49 Code of Federal Regulations, commercial
53 bank loans, and hedges against inflation from commercial banks
54 or other private sources.

55 (9) The department may enter into public-private
56 partnership agreements that include extended terms providing
57 annual payments for performance based on the availability of
58 service or the facility being open to traffic or based on the
59 level of traffic using the facility. In addition to other
60 provisions in the section the following provisions shall apply:

61 (a) The annual payments under such agreement shall be
62 included in the Department's Tentative Work Program developed
63 under s. 339.135 and the Long-Range Transportation Plan for the
64 applicable MPO developed under s.339.175. The Department shall
65 ensure annual payments on multi-year public-private partnership
66 agreements are prioritized ahead of new capacity projects in the
67 development and update of the Tentative Work Program.

68 (b) The annual payments are subject to annual appropriation by
69 the Legislature as provided in the General Appropriations Act in
70 support of the first year of the Tentative Work Program.

71 (10) Prior to entering such agreement where funds are
72 committed from the State Transportation Trust Fund the project
73 must be prioritized as follows:

74 (a) The department, in coordination with the local
75 Metropolitan Planning Organization (MPO) shall prioritize
76 projects included in the Strategic Intermodal System (SIS) cost
77 feasible 10-year and long-range cost feasible plans.

78 (b) The department, in coordination with the local MPO or
79 local government where there is no MPO, shall prioritize
80 projects included for facilities not on the SIS included in the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

81 MPO cost feasible Transportation Improvement Plan and Long-Range
82 Transportation Plan.
83

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION X (Y/N) 3/15
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative Glorioso offered the following:

4
5 **Amendment**

6 Remove line 332 and insert:
7 body authorization or pursuant to department administrative
8 rule.
9

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N) 3/15
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER _____

1 Council/Committee hearing bill: Economic Expansion and
 2 Infrastructure Council
 3 Representative Glorioso offered the following:

Amendment

Remove lines 300-308 and insert:

7 (a) If the revenue-producing project is on the State
 8 Highway System, notwithstanding s. 339.135 (4) (a), any excess
 9 toll revenue shall be used for capacity improvements of the
 10 State Highway System or up to 50 percent of the project cost on
 11 public transit capital improvements authorized under Title 49,
 12 U.S.C. and specified in s. 341.051.

13 (b) If the revenue-producing project is on the county road
 14 system, any excess toll revenue shall be used for capacity
 15 improvements of state or county roads, or transit facility
 16 within the county or counties in which the revenue-producing
 17 project is located.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

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

→ Sub Am to Am 4
by Rep M. Davis
Offered

1 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative Glorioso offered the following:

Amendment

Remove lines 104-129 and insert:

7 (d) The private firm shall provide information as part of
8 the proposal submitted to the department, which shall include,
9 but not be limited to:

10 1. An investment grade traffic and revenue study prepared
11 by an internationally recognized traffic and revenue expert that
12 is accepted by the national bond rating agencies, and

13 2. A finance plan that identifies the project cost,
14 revenues by source, financing, major assumptions, internal rate
15 of return on private investments, and whether any government
16 funds are assumed to deliver a cost feasible project, along with
17 a total cash flow analysis beginning with the project
18 implementation and extending for the term of the agreement.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

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

*Reconsidered -
 Negative roll call
 vote taken -*

1 Council/Committee hearing bill: Economic Expansion and
 2 Infrastructure Council
 3 Representative M. Davis offered the following:

Substitute Amendment to Amendment 4

On page 5, between lines 129 & 130, insert:

6 6. An investment grade traffic and revenue study prepared
 7 by an internationally recognized traffic and revenue expert that
 8 is accepted by the national bond rating agencies, and

9 7. A finance plan that identifies the project cost,
 10 revenues by source, financing, major assumptions, internal rate
 11 of return on private investments, and whether any government
 12 funds are assumed to deliver a cost feasible project, along with
 13 a total cash flow analysis beginning with the project
 14 implementation and extending for the term of the agreement.
 15
 16

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Council/Committee hearing bill: Economic Expansion and
 2 Infrastructure Council
 3 Representative Glorioso offered the following:

Substitute Amendment to Amendment No. 4

Remove lines 104-129 and insert:

7 d) The private firm shall provide an investment grade
 8 traffic and revenue study prepared by an internationally
 9 recognized traffic and revenue expert that is accepted by the
 10 national bond rating agencies, and a finance plan that
 11 identifies the project cost, revenues by source, financing,
 12 major assumptions, internal rate of return on private
 13 investments, and whether any government funds are assumed to
 14 deliver a cost feasible project, along with a total cash flow
 15 analysis beginning with the project implementation and extending
 16 for the term of the agreement. The amount of the toll or fares
 17 included in the provisions of agreements under this section,
 18 shall be consistent with projections included in these
 19 proposals. Specific elements to be described shall include, but
 20 are not limited to, the following:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

21 1. The estimate of ridership and a forecast of annual toll
22 revenues. The method of producing the estimates shall be
23 described in sufficient detail to allow the projections to be
24 verified. Assumptions used in the process shall be clearly
25 indicated.

26 2. Forecasts shall be provided of any additional sources
27 of revenue anticipated from the proposed facility with clearly
28 stated assumptions, and data and methods used to develop the
29 forecasts. Sources for revenue might include the receipts from
30 advertising, station concessions, royalties, and licenses.

31 3. The amount of associated real estate development and
32 supplemental revenue sources that will be used to supplement
33 operations.

34 4. If subsidies will be required in the early years of a
35 facility's operation, the source, amount, how they are to be
36 used and the years in which they will be needed shall be
37 specified. Appropriate contact information and supporting
38 documentation must be provided for each type of fund source for
39 analysis and review by the department.

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41

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

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

*3/15 Roll Call
5-9*

1 Council/Committee hearing bill: Economic Expansion and
 2 Infrastructure Council
 3 Representative Bucher offered the following:

Amendment

Between lines 118 and 119 insert:

7 (e) The department shall include provisions in the
 8 agreement with the public-private partnership that limit the
 9 private entity's internal rate of return to a maximum of 10
 10 percent. At such point in the operation of the facility the
 11 internal rate of return exceeds 10 percent, the agreement shall
 12 be re-evaluated pursuant to paragraph (d) of this subsection,
 13 and the toll rates shall be adjusted to a reduced rate that
 14 maintains the 10 percent internal rate of return to the private
 15 entity.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT (Y/N) 3/15 5-9

WITHDRAWN _____ (Y/N)

OTHER _____

Roll call

1 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative Bucher offered the following:
4

Amendment

Between lines 292 and 293 insert:

7 (a) Public-private partnership agreements under this
8 section shall be limited to a term that provides a maximum of 5
9 years in addition to the number of years required for the
10 private entity to recover a return on investment as determined
11 by the provisions in paragraph (d) subsection (2).
12

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT (Y/N) 3/15

WITHDRAWN _____ (Y/N)

OTHER _____

Voice Vote

1 Council/Committee hearing bill: Economic Expansion and

2 Infrastructure Council

3 Representative Bucher offered the following:

4
5 **Amendment**

6 Remove lines 297-308 and insert:

7 13) Notwithstanding s. 338.165 F.S., excess tolls from
8 projects under this section shall be used for capacity projects
9 as follows:

10 (a) If the revenue-producing project is on the State
11 Highway System, 90 percent of the excess toll revenues shall be
12 used for transportation projects on the State Highway System
13 within the county or counties from which it was collected. The
14 remaining 10 percent may be used as needed on the state highway
15 system.

16 (b) If the revenue-producing project is on the county road
17 system, 90 percent of the excess toll revenues shall be used for
18 transportation projects on any state or county road within the
19 county or counties from which it was collected. The remaining
20 10 percent may be used as needed on any state or county road.
21

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N)
FAILED TO ADOPT X (Y/N) 3/15
WITHDRAWN ___ (Y/N)
OTHER _____

Voice vote

1 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative Cusack offered the following:
4

Amendment (with title amendments)

Remove lines 48-281 and insert:

7 The department may advance projects programmed in the adopted 5-
8 year work program using funds provided by public-private
9 partnerships or private entities to be reimbursed from
10 department funds for the project as programmed in the adopted
11 work program. The department shall by rule establish an
12 application fee for the submission of unsolicited proposals
13 under this section. The fee must be sufficient to pay the costs
14 of evaluating the proposals. The department may engage the
15 services of private consultants to assist in the evaluation.
16 Before approval, the department must determine that the proposed
17 project:

- 18 (a) Is in the public's best interest;
- 19 (b) Would not require state funds to be used unless the
- 20 project is on the State Highway System; and

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

21 (c) Would have adequate safeguards in place to ensure that
22 no additional costs or service disruptions would be realized by
23 the traveling public and citizens of the state in the event of
24 default or cancellation of the agreement by the department.

25
26 The department shall ensure that all reasonable costs to the
27 state, related to transportation facilities that are not part of
28 the State Highway System, are borne by the private entity. The
29 department shall also ensure that all reasonable costs to the
30 state and substantially affected local governments and
31 utilities, related to the private transportation facility, are
32 borne by the private entity for transportation facilities that
33 are owned by private entities. For projects on the State Highway
34 System, the department may use state resources to participate in
35 funding and financing the project as provided for under the
36 department's enabling legislation.

37 (2) Agreements entered into pursuant to this section may
38 authorize the private entity to impose tolls or fares for the
39 use of the facility. The following provisions shall apply to
40 such agreements:

41 (a) With the exception of the Florida Turnpike System, the
42 department may lease existing toll facilities or develop new
43 toll facilities through a public-private partnership. The
44 agreement with the public-private partnership must ensure that
45 the toll facility is properly operated, maintained, and renewed
46 in accordance with department standards.

47 (b) The amount of toll or fare revenues shall be regulated
48 by the department pursuant to s. 338.165(3). The regulations
49 governing the future increase of toll or fare revenues shall be
50 included in the agreement with the public-private partnership.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

51 (c) The department shall include provisions in the
52 agreement with the public-private partnership that ensure a
53 portion of excess revenues from tolled projects are returned to
54 the department over the life of the public-private partnership
55 agreement. In the case of a lease of an existing toll facility
56 the department shall receive a portion of funds upon closing on
57 the agreements and also include provisions for payment of a
58 portion of excess revenues over the life of the public-private
59 partnership in the agreement. However, the amount and use of
60 toll or fare revenues shall be regulated by the department to
61 avoid unreasonable costs to users of the facility.

62 (d) The amount of the toll or fares included in the
63 provisions of agreements under this section, shall be consistent
64 with operating revenue projections included in these proposals.
65 Elements to be described shall include, but are not limited to,
66 the following:

67 1. The estimate of ridership and a forecast of annual toll
68 revenues. The method of producing the estimates shall be
69 described in sufficient detail to allow the projections to be
70 verified. Assumptions used in the process shall be clearly
71 indicated.

72 2. Forecasts shall be provided of any additional sources
73 of revenue anticipated from the proposed facility with clearly
74 stated assumptions, and data and methods used to develop the
75 forecasts. Sources for revenue might include the receipts from
76 advertising, station concessions, royalties, and licenses.

77 3. The amount of associated real estate development and
78 supplemental revenue sources that will be used to supplement
79 operations.

80 4. If subsidies will be required in the early years of a

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

81 facility's operation, the source, amount, how they are to be
82 used and the years in which they will be needed shall be
83 specified.

84 Appropriate contact information and supporting documentation
85 must be provided for each type of fund source for analysis and
86 review by the department.

87 5. A total cash flow analysis beginning with project
88 implementation and extending for a 30 year period.

89 (3) Each private transportation facility constructed
90 pursuant to this section shall comply with all requirements of
91 federal, state, and local laws; state, regional, and local
92 comprehensive plans; department rules, policies, procedures, and
93 standards for transportation facilities; and any other
94 conditions which the department determines to be in the public's
95 best interest.

96 (4) The department may exercise any power possessed by it,
97 including eminent domain, with respect to the development and
98 construction of state transportation projects to facilitate the
99 development and construction of transportation projects pursuant
100 to this section. The department may provide services to the
101 private entity. Agreements for maintenance, law enforcement, and
102 other services entered into pursuant to this section shall
103 provide for full reimbursement for services rendered for
104 projects not on the State Highway System.

105 (5) Except as herein provided, the provisions of this
106 section are not intended to amend existing laws by granting
107 additional powers to, or further restricting, local governmental
108 entities from regulating and entering into cooperative
109 arrangements with the private sector for the planning,
110 construction, and operation of transportation facilities.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

111 (6) The procurement of public-private partnerships by the
112 department shall follow the provisions of this section. The
113 following sections, s.337.025, s.337.11, s.337.14, s.337.141,
114 s.337.145, s. 337.175, s.337.18, s.337.185, s.337.19, s.337.221,
115 and s.337.251 shall not apply to procurements under this section
116 of law unless a provision is included in the procurement
117 documents. The department shall ensure that generally accepted
118 business practices for exemptions provided by this subsection
119 are part of the procurement process or are included in the
120 agreement with the public-private partnership.

121 (a) The department may request proposals from private
122 entities for public-private transportation projects or, if the
123 department receives an unsolicited proposal, the department
124 shall publish a notice in the Florida Administrative Weekly and
125 a newspaper of general circulation at least once a week for 2
126 weeks stating that the department has received the proposal and
127 will accept, for 120 ~~60~~ days after the initial date of
128 publication, other proposals for the same project purpose. A
129 copy of the notice must be mailed to each local government in
130 the affected area.

131 (b) Public-private partnerships shall be qualified by the
132 department as part of the procurement process as outlined in the
133 procurement documents provided such process ensures the private
134 firm meets at least the minimum department standards for
135 qualification in department rule for professional engineering
136 services and road and bridge contracting prior to submitting a
137 proposal under the procurement.

138 (c) The department shall ensure that procurement documents
139 include provisions for performance of the private entity and
140 payment of subcontractors including, but not limited to, surety

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

141 bonds, letters of credit, parent company guarantees, and lender
142 and equity partner guarantees. The department shall balance the
143 structure of the security package for the public-private
144 partnership that ensures performance and payment of
145 subcontractors with the cost of the security to ensure the most
146 efficient pricing.

147 (d) After the public notification period has expired, the
148 department shall rank the proposals in order of preference. In
149 ranking the proposals the department may consider factors,
150 including, but not limited to, professional qualifications,
151 general business terms, innovative engineering or cost-reduction
152 terms, finance plans, and the need for state funds to deliver
153 the project. If the department is not satisfied with the results
154 of the negotiations, the department may, at its sole discretion,
155 terminate negotiations with the proposer. If these negotiations
156 are unsuccessful, the department may go to the second-ranked and
157 lower-ranked firms, in order, using this same procedure. If only
158 one proposal is received, the department may negotiate in good
159 faith and, if the department is not satisfied with the results
160 of the negotiations, the department may, at its sole discretion,
161 terminate negotiations with the proposer. Notwithstanding this
162 subsection, the department may, at its discretion, reject all
163 proposals at any point in the process up to completion of a
164 contract with the proposer.

165 (d) The department shall perform a cost benefit for money
166 analysis of the proposed public-private partnership that
167 demonstrates the cost effectiveness and public benefit at two
168 points in time:

169 (1) Prior to moving forward with the procurement, and if
170 the procurement moves forward,

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

171 (2) Prior to awarding the contract.

172 (e) After the public notification period has expired, the
173 department shall rank the proposals in order of preference. In
174 ranking the proposals the department may consider factors,
175 including, but not limited to, professional qualifications,
176 general business terms, innovative engineering or cost-reduction
177 terms, finance plans, and the need for state funds to deliver
178 the project. If the department is not satisfied with the results
179 of the negotiations, the department may, at its sole discretion,
180 terminate negotiations with the proposer. If these negotiations
181 are unsuccessful, the department may go to the second-ranked and
182 lower-ranked firms, in order, using this same procedure. If only
183 one proposal is received, the department may negotiate in good
184 faith and, if the department is not satisfied with the results
185 of the negotiations, the department may, at its sole discretion,
186 terminate negotiations with the proposer. Notwithstanding this
187 subsection, the department may, at its discretion, reject all
188 proposals at any point in the process up to completion of a
189 contract with the proposer.

190 (7) The department may lend funds from the Toll Facilities
191 Revolving Trust Fund, as outlined in s. 338.251, to private
192 entities that construct projects on the State Highway System
193 containing toll facilities that are approved under this section.
194 To be eligible, a private entity must comply with s. 338.251 and
195 must provide an indication from a nationally recognized rating
196 agency that the senior bonds for the project will be investment
197 grade, or must provide credit support such as a letter of credit
198 or other means acceptable to the department, to ensure that the
199 loans will be fully repaid. The state's liability for the
200 funding of a facility is limited to the amount approved for that

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

201 specific facility in the department's 5-year work program
202 adopted pursuant to s. 339.135.

203 ~~(8) A fixed guideway transportation system authorized by~~
204 ~~the department to be wholly or partially within the department's~~
205 ~~right of way pursuant to a lease granted under s. 337.251 may~~
206 ~~operate at any safe speed.~~

207 (8) The department may use innovative finance techniques
208 associated with a public-private partnership under this section
209 of law, including, but not limited to Federal loans as provided
210 in Title 23 and Title 49 Code of Federal Regulations, commercial
211 bank loans, and hedges against inflation from commercial banks
212 or other private sources.

213 (9) The department may enter into public-private
214 partnership agreements that include extended terms providing
215 annual payments for performance based on the availability of
216 service or the facility being open to traffic or based on the
217 level of traffic using the facility. In addition to other
218 provisions in the section the following provisions shall apply:

219 (a) The annual payments under such agreement shall be
220 included in the Department's Tentative Work Program developed
221 under s. 339.135 and the Long-Range Transportation Plan for the
222 applicable MPO developed under s.339.175. The Department shall
223 ensure annual payments on multi-year public-private partnership
224 agreements are prioritized ahead of new capacity projects in the
225 development and update of the Tentative Work Program.

226 (b) The annual payments are subject to annual
227 appropriation by the Legislature as provided in the General
228 Appropriations Act in support of the first year of the Tentative
229 Work Program.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 8 (for drafter's use only)

231
232 ===== T I T L E A M E N D M E N T =====
233 Remove lines 3-14 and insert:
234 F.S.; revising legislative intent; providing the Department of
235 Transportation authority to lease existing toll facilities;
236 providing for the disposition of excess toll revenues; providing
237 for the distribution of toll revenues; providing for regulation
238 of toll rates; providing that Public-Private Partnerships are
239 not subject to certain requirements of chapter 337, F.S. ;
240 extending the unsolicited private proposal advertisement period;
241 providing for innovative financing techniques for Public-Private
242 Partnerships;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 9 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN (Y/N) 3/15

OTHER _____

1 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative Cusack offered the following:

5 **Amendment (with title amendment)**

6 Remove lines 83-85 and insert:

7 (a) Leasing of existing toll facilities is prohibited.

8 The department may develop new toll facilities through a public-
9 private partnership. The agreement

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

12 Remove lines 4-6 and insert:

13 eligible for public-private partnerships; providing for the
14 disposition of excess

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 10 (for drafter's use only)

Bill No. PCB EEIC 07-03

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 3/15
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Council/Committee hearing bill: Economic Expansion and
 2 Infrastructure Council
 3 Representative Glorioso offered the following:

Amendment

6 Remove lines 83-88 and insert:

7 (a) With the exception of the Florida Turnpike System, the
 8 department may lease existing toll facilities through public-
 9 private partnerships. If the agreement for leasing an existing
 10 toll facility does not include provisions for additional
 11 capacity, the project and the provisions of the agreement must
 12 be approved by the Legislature. The agreement with the public-
 13 private partnership must ensure that the toll facility is
 14 properly operated, maintained, and renewed in accordance with
 15 department standards.

16 (b) The Department may develop new toll facilities or
 17 increase capacity on existing toll facilities through public-
 18 private partnerships. The agreement with the public-private
 19 partnership must ensure that the toll facility is properly
 20 operated, maintained, and renewed in accordance with department
 21 standards.

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COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
3/15/2007 10:15:00AM

Location: 404 HOB

Summary:

Economic Expansion & Infrastructure Council

Thursday March 15, 2007 10:15 am

HB 121	Favorable	Yeas: 14	Nays: 0
HB 211	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 1325	Favorable with Council Substitute	Yeas: 14	Nays: 0
PCB EEIC 07-02	Favorable	Yeas: 14	Nays: 0
PCB EEIC 07-03	Favorable With Amendments	Yeas: 13	Nays: 0

Committee meeting was reported out: Thursday, March 15, 2007 5:45:27PM