



Committee on Economic Development

**Thursday, March 15, 2007
8:30 a.m. – 10:00 a.m.
Reed Hall**

Committee Action

**Marco Rubio
Speaker**

**Rep. Don Davis
Chair**

COMMITTEE MEETING REPORT
Committee on Economic Development

3/15/2007 8:30:00AM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Don Davis (Chair)			X
Gary Aubuchon	X		
Marti Coley	X		
Michael Grant	X		
Dick Kravitz	X		
John Legg	X		
Seth McKeel	X		
Frank Peterman	X		
Ari Porth	X		
Betty Reed	X		
Totals:	9	0	1

COMMITTEE MEETING REPORT
Committee on Economic Development

3/15/2007 8:30:00AM

Location: Reed Hall (102 HOB)

HB 323 : Professional Sports Franchises

Favorable With Amendments

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Marti Coley	X				
Michael Grant	X				
Dick Kravitz	X				
John Legg	X				
Seth McKeel	X				
Frank Peterman	X				
Ari Porth	X				
Betty Reed	X				
Don Davis (Chair)					X
Total Yeas: 9		Total Nays: 0			

Appearances:

George Burgess - Proponent
 Miami-Dade County
 111 NW 1st Street
 Miami FL 33128
 Phone: (305) 375-5311

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N) 3/15/07
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Committee on Economic
2 Development
3 Representative Lopez-Cantera offered the following:

Amendment (with directory and title amendments)

Remove lines 23-30 and insert:

(3) As used in this section, the term:

9 (c) "Force majeure event" means a flood, fire, or other
10 casualty, a war, a revolution, civil commotion, an act of a
11 public enemy, an embargo, an act of government in its sovereign
12 capacity, or a labor difficulty, including, without limitation,
13 a strike, a lockout, or any circumstance beyond the reasonable
14 control of the professional sports franchise affected.

15 (4) Prior to certifying an applicant as a "facility for a
16 new professional sports franchise" or a "facility for a retained
17 professional sports franchise," the Office of Tourism, Trade,
18 and Economic Development must determine that:

19 (h) An ~~Ne~~ applicant previously certified under any
20 provision of this section who has received funding under such
21 certification is not shall be eligible for an additional
22 certification, except as provided in subsections (9) and (10).

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

23 (i) The applicant has provided a signed agreement for the
24 benefit of and enforceable by the Department of Revenue from the
25 applicant or the current owner of the professional sports
26 franchise that formed the basis for the applicant's
27 certification pursuant to this section that guarantees that, if
28 the professional sports franchise ceases playing at least 90
29 percent of its home games in this state, including preseason,
30 regular season, and postseason games, unless the cessation is a
31 result of a force majeure event, the guarantor will pay the
32 Department of Revenue each year thereafter the excess, if any,
33 of:

34 1. the amount distributed pursuant to s. 212.20(6)(d)7.b.
35 to the applicant under s. 288.1162 during such year over

36 2. the amount of the revenues generated by the taxes
37 imposed under chapter 212 with respect to the use and operation
38 of the certified facility during such year.

39
40 Within 60 days after the professional sports franchise ceases
41 playing at least 90 percent of its home games in the state, the
42 guarantor shall provide the Department of Revenue with an
43 annuity contract issued by a person authorized to issue such
44 contracts in this state that will secure the guarantor's
45 obligation to make the payments as required by this paragraph.
46 The guarantee of the applicant or current owner of the
47 professional sports franchise will be returned upon substitution
48 of the guarantee of any successor applicant or owner of the
49 professional sports franchise whose ownership has been approved
50 by the governing authority of the league in which the
51 professional sports franchise exists.

52
53 ===== D I R E C T O R Y A M E N D M E N T =====

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

54 Remove line 18 and insert:

55 Section 1. Paragraph (c) is added to subsection (3),
56 paragraph (h) of subsection (4) is amended and paragraph (i) is
57 added to that subsection and subsections

58

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

60 Remove lines 3-5 and insert:

61 Amending s. 288.1162, F.S.; providing a definition of a force
62 majeure event; providing an exception to a provision prohibiting
63 certain persons who have previously received funding from
64 receiving additional funds; providing additional requirements
65 for certification;

COMMITTEE MEETING REPORT
Committee on Economic Development

3/15/2007 8:30:00AM

Location: Reed Hall (102 HOB)

HB 445 : Tax on Sales, Use, and Other Transactions

Favorable With Amendments

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Marti Coley	X				
Michael Grant	X				
Dick Kravitz	X				
John Legg	X				
Seth McKeel	X				
Frank Peterman	X				
Ari Porth	X				
Betty Reed	X				
Don Davis (Chair)			X		
Total Yeas: 9		Total Nays: 0			

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N) 3/15/07
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Committee on Economic
 2 Development
 3 Representative Altman offered the following:

Amendment (with title amendment)

Remove lines 30-93 and insert:

8 Section 1. Subsection (34) is added to section 212.02,
 9 Florida Statutes, to read:

10 212.02 Definitions.--The following terms and phrases when
 11 used in this chapter have the meanings ascribed to them in this
 12 section, except where the context clearly indicates a different
 13 meaning:

14 (34) "Fractional aircraft ownership program" means a
 15 program that meets the requirements set forth in Federal
 16 Aviation Administration Regulation Title 14, chapter I, part 91,
 17 subpart K, C.F.R.

18 Section 2. Subsection (19) is added to section 212.08,
 19 Florida Statutes, to read:

20 212.08 Sales, rental, use, consumption, distribution, and
 21 storage tax; specified exemptions.--The sale at retail, the
 22 rental, the use, the consumption, the distribution, and the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

23 storage to be used or consumed in this state of the following
24 are hereby specifically exempt from the tax imposed by this
25 chapter.

26 (19) FRACTIONAL AIRCRAFT OWNERSHIP PROGRAMS.--Also exempt
27 from the tax imposed by this chapter is the sale or use of:

28 (a) Aircraft for primary use in a fractional aircraft
29 ownership program.

30 (b) Any parts or labor used in the completion,
31 maintenance, repair, or overhaul of aircraft for primary use in
32 a fractional aircraft ownership program.

33 (c) A fractional ownership interest in aircraft pursuant
34 to a fractional aircraft ownership program, including amounts
35 paid by the fractional owner as monthly management or
36 maintenance fees.

37
38 The exemptions provided in paragraphs (a) and (b) are not
39 allowed unless the purchaser or lessee furnishes the dealer with
40 a certificate stating that the lease, purchase, repair, or
41 maintenance to be exempted is for the exclusive use of the
42 purchaser or lessee and that the purchaser or lessee otherwise
43 qualifies for the exemption as provided in this subsection. If a
44 purchaser or lessee makes tax-exempt purchases on a continual
45 basis, the purchaser or lessee may tender the certificate once
46 and allow the dealer to keep the certificate on file. The
47 purchaser or lessee shall inform the dealer that has a
48 certificate on file when the purchaser or lessee no longer
49 qualifies for the exemption. The department shall determine the
50 format of the certificate.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

55 Remove lines 3-9 and insert:

56
57 transactions; amending s. 212.02, F.S.; defining the term
58 "fractional aircraft ownership program"; amending s. 212.08,
59 F.S.; providing exemptions for the sale or use of an aircraft
60 for primary use pursuant to a fractional aircraft ownership
61 program, for the parts and labor used in the maintenance,
62 repair, and overhaul associated with aircraft sold or used
63 pursuant to such a program, and for the sale or use of a
64 fractional ownership interest pursuant to such a program;

COMMITTEE MEETING REPORT
Committee on Economic Development

3/15/2007 8:30:00AM

Location: Reed Hall (102 HOB)

HB 841 : Economic Development Incentives

<input checked="" type="checkbox"/> Favorable	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Marti Coley	X				
Michael Grant	X				
Dick Kravitz	X				
John Legg	X				
Seth McKeel	X				
Frank Peterman	X				
Ari Porth	X				
Betty Reed	X				
Don Davis (Chair)			X		
Total Yeas: 9		Total Nays: 0			

Appearances:

David Shepp (Lobbyist) - Proponent
 City of Lakeland
 2910 Winter Lake Road
 Lakeland FL 33803
 Phone: (863) 581-4250

Mark Jeffries (Lobbyist) - Proponent
 Orange County
 201 S. Rosalind Avenue - Fifth Floor
 Orlando FL 32801
 Phone: (407) 466-9565

Jim Cameron (Lobbyist) - Proponent
 Daytona Beach Chamber of Commerce

COMMITTEE MEETING REPORT
Committee on Economic Development

3/15/2007 8:30:00AM

Location: Reed Hall (102 HOB)

HB 1079 : Professional Sports Franchise Facilities

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Marti Coley	X				
Michael Grant	X				
Dick Kravitz	X				
John Legg	X				
Seth McKeel				X	
Frank Peterman	X				
Ari Porth	X				
Betty Reed	X				
Don Davis (Chair)			X		
Total Yeas: 8		Total Nays: 0			

COMMITTEE MEETING REPORT
Committee on Economic Development

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Location: Reed Hall (102 HOB)

Summary:

Committee on Economic Development

Thursday March 15, 2007 08:30 am

HB 323 Favorable With Amendments Yeas: 9 Nays: 0

HB 445 Favorable With Amendments Yeas: 9 Nays: 0

HB 841 Favorable Yeas: 9 Nays: 0

HB 1079 Favorable Yeas: 8 Nays: 0