

By Senator Baxley

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1 A bill to be entitled
2 An act relating to the repeal of advisory bodies and
3 councils; repealing chapters 2003-287 and 2006-43,
4 Laws of Florida, relating to the membership, powers,
5 and duties of the Citrus/Hernando Waterways
6 Restoration Council; repealing s. 215.5586(4), F.S.,
7 relating to the advisory council for the My Safe
8 Florida Home Program; amending s. 267.0731, F.S.;
9 removing the requirement that the Division of
10 Historical Resources of the Department of State
11 annually convene an ad hoc committee for purposes of
12 administering the Great Floridians program; amending
13 s. 288.1251, F.S.; conforming a provision to changes
14 made by the act; repealing s. 288.1252, F.S., relating
15 to the Florida Film and Entertainment Advisory
16 Council; amending s. 288.1254, F.S.; conforming a
17 provision to changes made by the act; repealing s.
18 373.4597(3), F.S., relating to the Geneva Freshwater
19 Lens Task Force; repealing s. 376.86, F.S., relating
20 to the Brownfield Areas Loan Guarantee Council;
21 repealing s. 378.032(3), F.S., relating to
22 definitions; deleting a definition to conform to
23 changes made by the act; repealing s. 378.033, F.S.,
24 relating to the Nonmandatory Land Reclamation
25 Committee; amending s. 378.034, F.S.; modifying
26 procedures governing reclamation program applications
27 to conform to the repeal of the Nonmandatory Land
28 Reclamation Committee; repealing s. 379.2524, F.S.,
29 relating to the Sturgeon Production Working Group;

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30 amending s. 379.361, F.S.; deleting cross-references
31 to conform to changes made by the act; amending s.
32 379.367, F.S.; conforming a cross-reference to changes
33 made by the act; repealing s. 379.3671(4), F.S.,
34 relating to the Trap Certificate Technical Advisory
35 and Appeals Board; repealing s. 403.42, F.S., relating
36 to the Clean Fuel Florida Advisory Board; repealing s.
37 403.87, F.S., relating to the technical advisory
38 council for water and domestic wastewater operator
39 certification; repealing s. 408.910(11)(h), F.S.,
40 relating to technical advisory panels of Florida
41 Health Choices, Inc.; repealing s. 409.997(3), F.S.,
42 relating to the child welfare results-oriented
43 accountability program technical advisory panel;
44 repealing s. 411.226, F.S., relating to the Learning
45 Gateway; repealing s. 430.05, F.S., relating to the
46 Department of Elderly Affairs Advisory Council;
47 repealing s. 570.843, F.S., relating to the Florida
48 Young Farmer and Rancher Advisory Council; repealing
49 s. 571.24(7), F.S., relating to duties of the
50 Department of Agriculture and Consumer Services;
51 repealing s. 571.28, F.S., relating to the Florida
52 Agricultural Promotional Campaign Advisory Council;
53 repealing s. 595.701, F.S., relating to the Healthy
54 Schools for Healthy Lives Council; repealing s.
55 603.203, F.S., relating to the Tropical Fruit Advisory
56 Council; amending s. 603.204, F.S.; conforming a
57 provision to changes made by the act; repealing s.
58 1001.7065(4)(a)-(f), F.S., relating to the advisory

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59 board on online learning for preeminent state research
60 universities; repealing s. 1002.77, F.S., relating to
61 the Florida Early Learning Advisory Council; amending
62 s. 1002.83, F.S.; conforming a provision to changes
63 made by the act; providing an effective date.
64

65 Be It Enacted by the Legislature of the State of Florida:
66

67 Section 1. Chapters 2003-287 and 2006-43, Laws of Florida,
68 are repealed.

69 Section 2. Subsection (4) of section 215.5586, Florida
70 Statutes, is repealed.

71 Section 3. Subsection (1) of section 267.0731, Florida
72 Statutes, is amended to read:

73 267.0731 Great Floridians Program.—The division shall
74 establish and administer a program, to be entitled the Great
75 Floridians Program, which shall be designed to recognize and
76 record the achievements of Floridians, living and deceased, who
77 have made major contributions to the progress and welfare of
78 this state.

79 (1) (a) The division shall nominate present or former
80 citizens of this state, living or deceased, who during their
81 lives have made major contributions to the progress of the
82 nation or this state and its citizens. Nominations shall be
83 submitted to the Secretary of State who shall select from those
84 nominated not less than two persons each year who shall be
85 honored with the designation "Great Floridian," provided no
86 person whose contributions have been through elected or
87 appointed public service shall be selected while holding any

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88 such office.

89 (b)~~(a)~~ To enhance public participation and involvement in
90 the identification of any person worthy of being nominated as a
91 Great Floridian, the division shall seek advice and assistance
92 from persons qualified through the demonstration of special
93 interest, experience, or education in the dissemination of
94 knowledge about the state's history.

95 ~~(b) Annually, the division shall convene an ad hoc~~
96 ~~committee composed of representatives of the Governor, each~~
97 ~~member of the Florida Cabinet, the President of the Senate, the~~
98 ~~Speaker of the House of Representatives, and the Secretary of~~
99 ~~State. This committee shall meet at least twice. The committee~~
100 ~~shall nominate not fewer than two persons whose names shall be~~
101 ~~submitted to the Secretary of State with the recommendation that~~
102 ~~they be honored with the designation "Great Floridian."~~

103 Section 4. Paragraph (a) of subsection (2) of section
104 288.1251, Florida Statutes, is amended to read:

105 288.1251 Promotion and development of entertainment
106 industry; Office of Film and Entertainment; creation; purpose;
107 powers and duties.—

108 (2) POWERS AND DUTIES.—

109 (a) The Office of Film and Entertainment, in performance of
110 its duties, shall:

111 1. ~~In consultation with the Florida Film and Entertainment~~
112 ~~Advisory Council,~~ Update the strategic plan every 5 years to
113 guide the activities of the Office of Film and Entertainment in
114 the areas of entertainment industry development, marketing,
115 promotion, liaison services, field office administration, and
116 information. The plan shall:

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- 117 a. Be annual in construction and ongoing in nature.
- 118 b. Include recommendations relating to the organizational
119 structure of the office.
- 120 c. Include an annual budget projection for the office for
121 each year of the plan.
- 122 d. Include an operational model for the office to use in
123 implementing programs for rural and urban areas designed to:
- 124 (I) Develop and promote the state's entertainment industry.
- 125 (II) Have the office serve as a liaison between the
126 entertainment industry and other state and local governmental
127 agencies, local film commissions, and labor organizations.
- 128 (III) Gather statistical information related to the state's
129 entertainment industry.
- 130 (IV) Provide information and service to businesses,
131 communities, organizations, and individuals engaged in
132 entertainment industry activities.
- 133 (V) Administer field offices outside the state and
134 coordinate with regional offices maintained by counties and
135 regions of the state, as described in sub-sub-subparagraph (II),
136 as necessary.
- 137 e. Include performance standards and measurable outcomes
138 for the programs to be implemented by the office.
- 139 f. Include an assessment of, and make recommendations on,
140 the feasibility of creating an alternative public-private
141 partnership for the purpose of contracting with such a
142 partnership for the administration of the state's entertainment
143 industry promotion, development, marketing, and service
144 programs.
- 145 2. Develop, market, and facilitate a working relationship

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146 between state agencies and local governments in cooperation with
147 local film commission offices for out-of-state and indigenous
148 entertainment industry production entities.

149 3. Implement a structured methodology prescribed for
150 coordinating activities of local offices with each other and the
151 commissioner's office.

152 4. Represent the state's indigenous entertainment industry
153 to key decisionmakers within the national and international
154 entertainment industry, and to state and local officials.

155 5. Prepare an inventory and analysis of the state's
156 entertainment industry, including, but not limited to,
157 information on crew, related businesses, support services, job
158 creation, talent, and economic impact and coordinate with local
159 offices to develop an information tool for common use.

160 6. Identify, solicit, and recruit entertainment production
161 opportunities for the state.

162 7. Assist rural communities and other small communities in
163 the state in developing the expertise and capacity necessary for
164 such communities to develop, market, promote, and provide
165 services to the state's entertainment industry.

166 Section 5. Section 288.1252, Florida Statutes, is repealed.

167 Section 6. Paragraph (b) of subsection (4) of section
168 288.1254, Florida Statutes, is amended to read:

169 288.1254 Entertainment industry financial incentive
170 program.—

171 (4) TAX CREDIT ELIGIBILITY; TAX CREDIT AWARDS; QUEUES;
172 ELECTION AND DISTRIBUTION; CARRYFORWARD; CONSOLIDATED RETURNS;
173 PARTNERSHIP AND NONCORPORATE DISTRIBUTIONS; MERGERS AND
174 ACQUISITIONS.—

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175 (b) *Tax credit eligibility.*—

176 1. General production queue.—Ninety-four percent of tax
177 credits authorized pursuant to subsection (6) in any state
178 fiscal year must be dedicated to the general production queue.
179 The general production queue consists of all qualified
180 productions other than those eligible for the commercial and
181 music video queue or the independent and emerging media
182 production queue. A qualified production that demonstrates a
183 minimum of \$625,000 in qualified expenditures is eligible for
184 tax credits equal to 20 percent of its actual qualified
185 expenditures, up to a maximum of \$8 million. A qualified
186 production that incurs qualified expenditures during multiple
187 state fiscal years may combine those expenditures to satisfy the
188 \$625,000 minimum threshold.

189 a. An off-season certified production that is a feature
190 film, independent film, or television series or pilot is
191 eligible for an additional 5 percent tax credit on actual
192 qualified expenditures. An off-season certified production that
193 does not complete 75 percent of principal photography due to a
194 disruption caused by a hurricane or tropical storm may not be
195 disqualified from eligibility for the additional 5 percent
196 credit as a result of the disruption.

197 b. If more than 45 percent of the sum of total tax credits
198 initially certified and awarded after April 1, 2012, total tax
199 credits initially certified after April 1, 2012, but not yet
200 awarded, and total tax credits available for certification after
201 April 1, 2012, but not yet certified has been awarded for high-
202 impact television series, then no high-impact television series
203 is eligible for tax credits under this subparagraph. Tax credits

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204 initially certified for a high-impact television series after
205 April 1, 2012, may not be awarded if the award will cause the
206 percentage threshold in this sub-subparagraph to be exceeded.
207 This sub-subparagraph does not prohibit the award of tax credits
208 certified before April 1, 2012, for high-impact television
209 series.

210 c. Subject to sub-subparagraph b., first priority in the
211 queue for tax credit awards not yet certified shall be given to
212 high-impact television series and high-impact digital media
213 projects. For the purposes of determining priority between a
214 high-impact television series and a high-impact digital media
215 project, the first position must go to the first application
216 received. Thereafter, priority shall be determined by
217 alternating between a high-impact television series and a high-
218 impact digital media project on a first-come, first-served
219 basis. However, if the Office of Film and Entertainment receives
220 an application for a high-impact television series or high-
221 impact digital media project that would be certified but for the
222 alternating priority, the office may certify the project as
223 being in the priority position if an application that would
224 normally be the priority position is not received within 5
225 business days.

226 d. A qualified production for which at least 67 percent of
227 its principal photography days occur within a region designated
228 as an underutilized region at the time that the production is
229 certified is eligible for an additional 5 percent tax credit.

230 e. A qualified production that employs students enrolled
231 full-time in a film and entertainment-related or digital media-
232 related course of study at an institution of higher education in

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233 this state is eligible for an additional 15 percent tax credit
234 on qualified expenditures that are wages, salaries, or other
235 compensation paid to such students. The additional 15 percent
236 tax credit is also applicable to persons hired within 12 months
237 after graduating from a film and entertainment-related or
238 digital media-related course of study at an institution of
239 higher education in this state. The additional 15 percent tax
240 credit applies to qualified expenditures that are wages,
241 salaries, or other compensation paid to such recent graduates
242 for 1 year after the date of hiring.

243 f. A qualified production for which 50 percent or more of
244 its principal photography occurs at a qualified production
245 facility, or a qualified digital media project or the digital
246 animation component of a qualified production for which 50
247 percent or more of the project's or component's qualified
248 expenditures are related to a qualified digital media production
249 facility, is eligible for an additional 5 percent tax credit on
250 actual qualified expenditures for production activity at that
251 facility.

252 g. A qualified production is not eligible for tax credits
253 provided under this paragraph totaling more than 30 percent of
254 its actual qualified expenses.

255 2. Commercial and music video queue.—Three percent of tax
256 credits authorized pursuant to subsection (6) in any state
257 fiscal year must be dedicated to the commercial and music video
258 queue. A qualified production company that produces national or
259 regional commercials or music videos may be eligible for a tax
260 credit award if it demonstrates a minimum of \$100,000 in
261 qualified expenditures per national or regional commercial or

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262 music video and exceeds a combined threshold of \$500,000 after
263 combining actual qualified expenditures from qualified
264 commercials and music videos during a single state fiscal year.
265 After a qualified production company that produces commercials,
266 music videos, or both reaches the threshold of \$500,000, it is
267 eligible to apply for certification for a tax credit award. The
268 maximum credit award shall be equal to 20 percent of its actual
269 qualified expenditures up to a maximum of \$500,000. If there is
270 a surplus at the end of a fiscal year after the Office of Film
271 and Entertainment certifies and determines the tax credits for
272 all qualified commercial and video projects, such surplus tax
273 credits shall be carried forward to the following fiscal year
274 and are available to any eligible qualified productions under
275 the general production queue.

276 3. Independent and emerging media production queue.—Three
277 percent of tax credits authorized pursuant to subsection (6) in
278 any state fiscal year must be dedicated to the independent and
279 emerging media production queue. This queue is intended to
280 encourage independent film and emerging media production in this
281 state. Any qualified production, excluding commercials,
282 infomercials, or music videos, which demonstrates at least
283 \$100,000, but not more than \$625,000, in total qualified
284 expenditures is eligible for tax credits equal to 20 percent of
285 its actual qualified expenditures. If a surplus exists at the
286 end of a fiscal year after the Office of Film and Entertainment
287 certifies and determines the tax credits for all qualified
288 independent and emerging media production projects, such surplus
289 tax credits shall be carried forward to the following fiscal
290 year and are available to any eligible qualified productions

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291 under the general production queue.

292 4. Family-friendly productions.—A certified theatrical or
293 direct-to-video motion picture production or video game
294 determined by the Commissioner of Film and Entertainment, ~~with~~
295 ~~the advice of the Florida Film and Entertainment Advisory~~
296 ~~Council,~~ to be family-friendly, based on review of the script
297 and review of the final release version, is eligible for an
298 additional tax credit equal to 5 percent of its actual qualified
299 expenditures. Family-friendly productions are those that have
300 cross-generational appeal; would be considered suitable for
301 viewing by children age 5 or older; are appropriate in theme,
302 content, and language for a broad family audience; embody a
303 responsible resolution of issues; and do not exhibit or imply
304 any act of smoking, sex, nudity, or vulgar or profane language.

305 Section 7. Subsection (3) of section 373.4597, Florida
306 Statutes, is repealed.

307 Section 8. Section 376.86, Florida Statutes, is repealed.

308 Section 9. Subsection (3) of section 378.032, Florida
309 Statutes, is repealed.

310 Section 10. Section 378.033, Florida Statutes, is repealed.

311 Section 11. Subsections (5), (6), (7), (9), and (10) of
312 section 378.034, Florida Statutes, are amended to read:

313 378.034 Submission of a reclamation program request;
314 procedures.—

315 (5) (a) The department staff shall, by February 1 of each
316 year, present to the secretary ~~committee~~ for his or her ~~its~~
317 consideration those reclamation program applications received by
318 the preceding November 1.

319 (b) The department staff shall recommend an order of

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320 priority for the reclamation program applications that is
321 consistent with subsection (6).

322 (c) The recommendation of the department staff shall
323 include an estimate of the cost of each reclamation program or
324 land acquisition.

325 ~~(6) The committee shall recommend approval, modification,~~
326 ~~or denial of the reclamation program applications, associated~~
327 ~~cost estimates, and the department staff's recommended~~
328 ~~prioritized list.~~ Recommendations on the order of priority shall
329 be based, among other criteria, on the following criteria;
330 however, department staff ~~the committee~~ may give greater weight
331 to one or more of the criteria depending on the overall needs of
332 the nonmandatory land reclamation program:

333 (a) Whether health and safety hazards exist; and, if so,
334 such hazards shall be given the greatest weight;

335 (b) Whether the economic or environmental utility or the
336 aesthetic value of the land will return naturally within a
337 reasonable period of time;

338 (c) Whether there is a reasonable geographic and applicant
339 diversity in light of previously awarded reclamation contracts,
340 reclamation program applications before the committee, and the
341 remaining eligible lands;

342 (d) Whether reclamation is in the public interest;

343 (e) Whether the land has been naturally reclaimed or is
344 eligible for acquisition by the state for hunting, fishing, or
345 other outdoor recreation purposes or for wildlife preservation;

346 (f) Whether the land is to be reclaimed for agricultural
347 use and the applicant has agreed to maintain the land in
348 agricultural use for at least 5 years after the completion of

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349 the reclamation;

350 (g) Whether the program, alone or in conjunction with other
351 reclamation programs, will provide a substantial regional
352 benefit;

353 (h) Whether the program, alone or in conjunction with other
354 reclamation programs, will benefit regional drainage patterns;

355 (i) Whether the land is publicly owned and will be
356 reclaimed for public purposes;

357 (j) Whether the program includes a donation or agreement to
358 sell a portion of the program application area to the state for
359 outdoor recreational or wildlife habitat protection purposes;

360 (k) Whether the program is cost-effective in achieving the
361 goals of the nonmandatory land reclamation program; and

362 (l) Whether the program will reclaim lands described in
363 subsection (2).

364 (7) The prioritized list developed by department staff
365 ~~approved by the committee~~ may contain more reclamation program
366 applications than there are funds available during the year.

367 ~~(9) The committee recommendations shall be submitted to the~~
368 ~~secretary by April 1 of each year for final agency action By~~
369 June 1 of each ~~that~~ year, - the secretary shall approve, in whole
370 or in part, the list of reclamation program applications in the
371 order of priority in which the applications are presented by
372 department staff.

373 (10) Any approved reclamation program application that was
374 not funded shall, at the request of the applicant, be considered
375 by department staff ~~the committee at its next meeting called for~~
376 ~~that purpose~~, together with other reclamation program
377 applications received by November 1 of the next year.

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378 Section 12. Section 379.2524, Florida Statutes, is
379 repealed.

380 Section 13. Paragraph (b) of subsection (4) of section
381 379.361, Florida Statutes, is amended to read:

382 379.361 Licenses.—

383 (4) SPECIAL ACTIVITY LICENSES.—

384 (b) The Fish and Wildlife Conservation Commission is
385 authorized to issue special activity licenses in accordance with
386 this section ~~and s. 379.2524,~~ to permit the importation and
387 possession of wild anadromous sturgeon. The commission is also
388 authorized to issue special activity licenses, in accordance
389 with this section ~~and s. 379.2524,~~ to permit the importation,
390 possession, and aquaculture of native and nonnative anadromous
391 sturgeon until best management practices are implemented for the
392 cultivation of anadromous sturgeon pursuant to s. 597.004. The
393 special activity license shall provide for specific management
394 practices to protect native populations of saltwater species.

395 Section 14. Paragraph (b) of subsection (2) of section
396 379.367, Florida Statutes, is amended to read:

397 379.367 Spiny lobster; regulation.—

398 (2)

399 (b) Twenty-five dollars of the \$125 fee for a spiny lobster
400 endorsement required under subparagraph (a)1. must be used only
401 for trap retrieval as provided in s. 379.2424. The remainder of
402 the fees collected under paragraph (a) shall be deposited as
403 follows:

404 1. Fifty percent of the fees collected shall be deposited
405 in the Marine Resources Conservation Trust Fund for use in
406 enforcing the provisions of paragraph (a) through aerial and

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407 other surveillance and trap retrieval.

408 2. Fifty percent of the fees collected shall be deposited
409 as provided in s. 379.3671(4) ~~s. 379.3671(5)~~.

410 Section 15. Subsection (4) of section 379.3671, Florida
411 Statutes, is repealed.

412 Section 16. Section 403.42, Florida Statutes, is repealed.

413 Section 17. Section 403.87, Florida Statutes, is repealed.

414 Section 18. Paragraph (h) of subsection (11) of section
415 408.910, Florida Statutes, is repealed.

416 Section 19. Subsection (3) of section 409.997, Florida
417 Statutes, is repealed.

418 Section 20. Section 411.226, Florida Statutes, is repealed.

419 Section 21. Section 430.05, Florida Statutes, is repealed.

420 Section 22. Section 570.843, Florida Statutes, is repealed.

421 Section 23. Subsection (7) of section 571.24, Florida
422 Statutes, is repealed.

423 Section 24. Section 571.28, Florida Statutes, is repealed.

424 Section 25. Section 595.701, Florida Statutes, is repealed.

425 Section 26. Section 603.203, Florida Statutes, is repealed.

426 Section 27. Section 603.204, Florida Statutes, is amended
427 to read:

428 603.204 South Florida Tropical Fruit Plan.—The Commissioner
429 of Agriculture, ~~in consultation with the Tropical Fruit Advisory~~
430 ~~Council,~~ shall develop and update a South Florida Tropical Fruit
431 Plan, which shall identify problems and constraints of the
432 tropical fruit industry, propose possible solutions to such
433 problems, and develop planning mechanisms for orderly growth of
434 the industry, including:

435 (1) Criteria for tropical fruit research, service, and

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436 management priorities.

437 (2) Proposed legislation that may be required.

438 (3) Plans relating to other tropical fruit programs and
439 related disciplines in the State University System.

440 (4) Potential tropical fruit products in terms of market
441 and needs for development.

442 (5) Evaluation of production and fresh fruit policy
443 alternatives, including, but not limited to, setting minimum
444 grades and standards, promotion and advertising, development of
445 production and marketing strategies, and setting minimum
446 standards on types and quality of nursery plants.

447 (6) Evaluation of policy alternatives for processed
448 tropical fruit products, including, but not limited to, setting
449 minimum quality standards and development of production and
450 marketing strategies.

451 (7) Research and service priorities for further development
452 of the tropical fruit industry.

453 (8) Identification of state agencies and public and private
454 institutions concerned with research, education, extension,
455 services, planning, promotion, and marketing functions related
456 to tropical fruit development, and delineation of contributions
457 and responsibilities. The recommendations in the plan relating
458 to education or research shall be submitted to the Institute of
459 Food and Agricultural Sciences.

460 (9) Business planning, investment potential, financial
461 risks, and economics of production and use.

462 Section 28. Paragraphs (a), (b), (c), (d), (e), and (f) of
463 subsection (4) of section 1001.7065, Florida Statutes, are
464 repealed.

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465 Section 29. Section 1002.77, Florida Statutes, is repealed.

466 Section 30. Subsection (11) of section 1002.83, Florida
467 Statutes, is amended to read:

468 1002.83 Early learning coalitions.—

469 (11) Each early learning coalition shall establish terms
470 for all appointed members of the coalition. The terms must be
471 staggered and must be a uniform length that does not exceed 4
472 years per term. Coalition chairs shall be appointed for 4 years
473 ~~in conjunction with their membership on the Early Learning~~
474 ~~Advisory Council~~ pursuant to s. 20.052. Appointed members may
475 serve a maximum of two consecutive terms. When a vacancy occurs
476 in an appointed position, the coalition must advertise the
477 vacancy.

478 Section 31. This act shall take effect July 1, 2020.