

1989

Session Law 89-251

Florida Senate & House of Representatives

Follow this and additional works at: <https://ir.law.fsu.edu/staff-analysis>



Part of the Legislation Commons

Recommended Citation

House of Representatives, Florida Senate &, "Session Law 89-251" (1989). *Staff Analysis*. 1044.
<https://ir.law.fsu.edu/staff-analysis/1044>

This Article is brought to you for free and open access by the Florida Legislative Documents at Scholarship Repository. It has been accepted for inclusion in Staff Analysis by an authorized administrator of Scholarship Repository. For more information, please contact efarrell@law.fsu.edu.

H 1616 GENERAL BILL by Guber; Cosgrove and others (Identical S 708)

Louis Wolfson II Media History: designates Louis Wolfson II Media History Center, Inc., in Miami, as an official state moving image center & archive. Creates 15.0396. Effective Date: 06/28/89.

03/29/89 HOUSE Prefiled
04/04/89 HOUSE Introduced, referred to Small Business & Economic Development -HJ 152; Subreferred to Subcommittee on Film Industry; On subcommittee agenda—Small Business & Economic Development, 04/06/89, 1:15 pm, 217-HOB
04/06/89 HOUSE Subcommittee Recommendation: Favorable
04/10/89 HOUSE On Committee agenda—Small Business & Economic Development, 04/12/89, 3:30 pm, 212-HOB
04/12/89 HOUSE Preliminary Committee Action by Small Business & Economic Development: Favorable
04/19/89 HOUSE Comm. Report: Favorable by Small Business & Economic Development, placed on Calendar -HJ 248
04/25/89 HOUSE Placed on Special Order Calendar; Read second time -HJ 270
04/27/89 HOUSE Read third time; Passed; YEAS 114 NAYS 0 -HJ 282
04/28/89 SENATE In Messages
05/05/89 SENATE Received, referred to Governmental Operations -SJ 271
05/11/89 SENATE On Committee agenda—Governmental Operations, 05/17/89, 9:00 am, Room-H-(428)—Not considered
05/12/89 SENATE Extension of time granted Committee Governmental Operations
05/18/89 SENATE On Committee agenda—Governmental Operations, 05/22/89, 9:00 am, Room-H-(428)
05/22/89 SENATE Comm. Report: Favorable by Governmental Operations, placed on Calendar -SJ 403
06/01/89 SENATE Substituted for SB 708; Passed; YEAS 34 NAYS 0 -SJ 763
06/01/89 Ordered enrolled
06/13/89 Signed by Officers and presented to Governor
06/28/89 Approved by Governor; Chapter No. 89-251

B
I
L
L

H
I
S
T
O
R
Y

NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

STORAGE NAME: h1616-f.sbe
DATE: June 6, 1989

HOUSE OF REPRESENTATIVES
SMALL BUSINESS AND ECONOMIC DEVELOPMENT
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 1616
RELATING TO: Secretary of State - Louis Wolfson II Media History Center
SPONSOR(S): Representative Guber
EFFECTIVE DATE: Upon Becoming a Law
DATE BECAME LAW: June 28, 1989
CHAPTER #: 89-251, Laws of Florida
COMPANION BILL(S): SB 708
OTHER COMMITTEES OF REFERENCE: None

I. SUMMARY:

A. PRESENT SITUATION:

Article IV, section 4., of the Florida Constitution states that the Secretary of State shall keep the records of the official acts of the legislative and executive departments. As a result, chapter 15, F.S., contains a listing of officially-adopted state legislative acts.

The Louis Wolfson II Media History Center was established in 1986 and is named after Louis Wolfson II who served in the Florida Legislature from 1963-1972. The center is designed to collect, preserve, catalog, and make accessible Florida's history and heritage through film and video materials. Metropolitan Dade County has designated the center as its official respository for film and video.

B. EFFECT OF PROPOSED CHANGES:

This bill designates the Louis Wolfson II Media History Center as an official state moving image center and archive of the State of Florida.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None.

D. FISCAL COMMENTS:

III. LONG RANGE CONSEQUENCES:

This bill is consistent with the State Comprehensive Plan as addressed in s. 187.201(1)(b)8. which directs the state to "promote educational and cultural enrichment and recreational activities outside traditional systems through the increased use of community and educational facilities and develop creative alternatives to educational programs in order to serve a larger segment of the population". In addition, the bill supports s. 187.201(24)(b)3. which directs the state to "promote awareness of historic places and

STORAGE NAME: h1616-f.sbe

DATE: June 6, 1989

PAGE: 3

cultural and historical activities".

IV. COMMENTS:

This bill does not specifically address the issues discussed at the Legislative Issues Conference.

V. SIGNATURES:

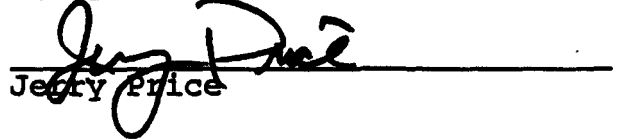
SUBSTANTIVE COMMITTEE:

Prepared by:



Lee Ann Barron

Staff Director:



Jerry Price

APPROPRIATIONS:

Prepared by:

Frank Morgan

Staff Director:

Dr. James Zingale

REVISED: _____

BILL NO. HB 1616

DATE: May 17, 1989

Page 1

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Tinney <i>let</i></u>	<u>Stengle <i>as</i></u>	1. <u>GO</u>	<u>Favorable</u>
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Designation of an Official
State Moving Image Center
and Archive

BILL NO. AND SPONSOR:

HB 1616 by
Representative Guber, et al.

I. SUMMARY:

A. Present Situation:

Section 20.10, F.S., creates the Department of State and designates the Secretary of State as the agency head. Among the seven divisions created within the department are the Division of Cultural Affairs, the Division of Historical Resources, and the Division of Library and Information Services.

Chapter 15, F.S., provides some of the official duties of the Secretary of State. State Symbols are also designated and described in this chapter. Additionally, the official state air fair, state festival, state litter control symbol, state railroad museums, state transportation museum, and state opera program are designated.

The Florida State Archives is created by s. 257.35, F.S., within the Division of Library and Information Services for the preservation of public records defined in s. 119.011, F.S., 1988 Supp. The archives also preserves and stores other materials which have been determined to have significant historical or other value. Many items in the archives originate in the private sector. The R. A. Gray Building in Tallahassee houses the archives, along with the State Library and the Museum of Florida History.

The Florida State Archives maintains records in four designated areas: the Government Records Collection, the Manuscript Collection, the Florida Photographic Collection, and the Genealogy Collection. In addition to manuscripts and other paper records, the archives contains photographs, audio recordings, films, slides, and machine-readable records. All of the items are available for public scrutiny. Of the estimated 27,000 cubic feet of materials currently stored in the archives, access to less than 5 percent is restricted according to statutory exemptions or special terms and conditions which accompanied items donated by the public.

Louis Wolfson II (D-Miami) served in the Florida House of Representatives from 1963-72. His father, Mitchell Wolfson, founded WTVJ, Channel 4 in Miami, the first television station to broadcast in Florida, and the 16th to broadcast in the nation, in 1949. The Louis Wolfson II Media History Center Inc. was created as a nonprofit corporation in 1985. According to s. 617.01(2), F.S., a corporation "not-for-profit" means that no part of the income of the corporation is distributable to the corporation's directors or officers. The law does allow, however, for officers and directors of not-for-profit corporations to be paid reasonable compensation for their services.

The Louis Wolfson II Media History Center Inc. was created by the Miami-Dade Public Library, Miami-Dade Community College, and the University of Miami as a joint effort to organize, preserve, and provide public access to, more than 3 million feet of 16 mm news film that was donated by WTVJ in Miami. The more than 3,000 hours of film that was donated contains news stories produced by WTVJ between 1949 and 1980. Most of the news stories cover events that occurred throughout Florida, although many of them include events that affected south Florida specifically. All three institutions help support the center, which is housed in the main branch of the Miami-Dade Public Library, located on Flagler Street in Miami. The executive director of the center is paid by the University of Miami and Miami-Dade Community College; his benefits and space for the center, however, are provided by Dade County. The center owns the copyrights associated with the donated film, so it may receive license fees as part of its collection becomes available for rebroadcast, after the film has been converted to videotape and the original film has been preserved.

The center is governed by a ten-member executive board consisting of representatives of the University of Miami, the Miami-Dade Public Library, Miami-Dade Community College, and the Wolfson family. In addition, there is an advisory board that consults with the executive board regarding activities of the center. The advisory board consists of 35 to 40 members, some of whom represent Florida International University, Florida film makers, the University of South Florida, libraries, or the television industry.

The center has received a grant of approximately \$62,000 from the National Historic Preservations and Records Commission to hire three archival technicians for 1 year. The technicians will catalog and convert as much of the original film collection as possible to videotapes. The original film is reportedly very fragile; some of the news stories are "spliced" together with masking tape. Once the conversion has been accomplished, the center hopes to automate the records of its collection so that statewide access to its news stories would be available for research purposes. In addition, the center would like to provide copies of its collection on videotape to library patrons.

The center is currently involved in presenting regular seminars and showings of its collection to the public through Miami-Dade Public Library. The center has received \$10,000 annually since 1985 from both the University of Miami and Miami-Dade Community College to defray operating expenses.

B. Effect of Proposed Changes:

The Louis Wolfson II Media History Center Inc., located in Miami, would be designated as an official state moving image center and archive of the State of Florida.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

Indeterminable.

III. COMMENTS:

The Louis Wolfson II Media History Center Inc. has submitted a budget request for \$150,000 to purchase film and video equipment (\$100,000); preservation supplies, including film cans, splicing tape, and film cleaning solution (\$30,000); and a computer system,

including film/video cataloging and database management software and hardware (\$20,000). The Senate Appropriations bill currently includes \$35,000 in line item 557A from the Educational Enhancement Trust Fund for the center.

It is not clear how statutorily designating the Louis Wolfson II Media History Center Inc. as an official state moving image center and archive would affect the current corporate structure and governance of the center. The bill would not require the center to conform with state purchasing or employment requirements, nor would the bill establish requirements for governing the center.

In many cases in which not-for-profit corporate entities operate on behalf of the state, or operate with the use of state monies, a contract between a state agency to which the entity is attached and the corporate entity delineates the responsibilities of the corporate entity to the state. The bill would not require any such contractual arrangement.

IV. AMENDMENTS:

None.