

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

COMMERCE AND TOURISM
Senator Montford, Chair
Senator Gainer, Vice Chair

MEETING DATE: Monday, March 13, 2017

TIME: 4:00—6:00 p.m.

PLACE: Toni Jennings Committee Room, 110 Senate Office Building

MEMBERS: Senator Montford, Chair; Senator Gainer, Vice Chair; Senators Gibson, Hutson, Latvala, Passidomo, Rodriguez, and Young

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 236 Lee (Identical H 855, H 6023, Compare CS/CS/H 7005)	Sports Development; Repealing provisions relating to state funding for sports facility development by a unit of local government, or by a certified beneficiary or other applicant, on property owned by the local government, etc. CM 03/13/2017 Temporarily Postponed ATD AP RC	Temporarily Postponed
2	SB 600 Grimsley (Similar H 333, Compare CS/CS/H 7005)	Rural Economic Development Initiative; Requiring an analysis of the Rural Economic Development Initiative and rural areas of opportunity; revising legislative intent relating to the Rural Economic Development Initiative; revising the duties, responsibilities, and membership of the Rural Economic Development Initiative, etc. CM 03/13/2017 Favorable AG GO RC	Favorable Yeas 8 Nays 0
3	SB 936 Montford (Similar H 1415)	Regional Rural Development Grants; Revising the purpose of the Regional Rural Development Grants Program; deleting a provision authorizing the Department of Economic Opportunity to contract for the development of certain enterprise zone web portals or websites, etc. CM 03/13/2017 Favorable AP RC	Favorable Yeas 8 Nays 0
4	SB 364 Gainer	Recovery Fund for the Deepwater Horizon Incident; Revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe, etc. CM 02/21/2017 Temporarily Postponed CM 03/13/2017 Fav/CS ATD AP	Fav/CS Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Commerce and Tourism

Monday, March 13, 2017, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Commerce and Tourism

BILL: SB 236

INTRODUCER: Senator Lee

SUBJECT: Sports Development

DATE: March 10, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Askey	McKay	CM	Pre-meeting
2.			ATD	
3.			AP	
4.			RC	

I. Summary:

SB 236 repeals the Sports Development program created in 2014, under s. 288.11625, F.S., which thus far has not been funded by the Legislature. The bill also repeals law related to program funding and reporting requirements.

The bill takes effect July 1, 2017.

II. Present Situation:

Professional Sports in Florida

Florida currently has 10 major professional sports teams. The oldest major professional sports team in the state is the Miami Dolphins football franchise of the National Football League (NFL), beginning in 1966 as part of the now-defunct American Football League. The newest major professional sports team in the state is the Orlando Lions (Orlando City Soccer Club) in Major League Soccer (MLS). The club became the MLS's 21st franchise in 2015. Below is a summary table of information on major professional sports franchises in Florida:

Franchise	Sport	League	Year Founded	Facility	Facility Opened	County
Miami Dolphins	Football	NFL	1966	Hard Rock Stadium (previously Sun Life Stadium)	1987	Miami-Dade
Tampa Bay Buccaneers	Football	NFL	1976	Raymond James Stadium	1998	Hillsborough
Miami Heat	Basketball	NBA	1988	American Airlines Arena	1999	Miami-Dade

Orlando Magic	Basketball	NBA	1989	Amway Center	2010	Orange
Tampa Bay Lightning	Hockey	NHL	1992	Amalie Arena (previously Tampa Bay Times Forum)	1996	Hillsborough
Florida Panthers	Hockey	NHL	1993	BB&T Center	1998	Broward
Miami Marlins	Baseball	MLB	1993	Marlins Park	2012	Miami-Dade
Jacksonville Jaguars	Football	NFL	1995	EverBank Field	1995	Duval
Tampa Bay Rays	Baseball	MLB	1998	Tropicana Field	1990, occupied by Rays since 1998	Pinellas
Orlando City Soccer Club/ "Lions"	Soccer	MLS	2015	Orlando City Stadium	2017	Orange

In addition to the 10 major professional sports teams, Florida is also home to the MLB's Spring Training Grapefruit League, with 15 teams holding preseason training and exhibition games in the state.¹

State Incentives for Professional Sports Franchises

Professional Sports Franchise Program

The Professional Sports Franchise program provides the procedure by which professional sports franchises in Florida may be certified to receive state sales and use tax revenue to pay for the construction or renovation of a facility for a new or retained professional sports franchise.² Local governments, non-profit, and for-profit entities may apply to the program. Approved applicants are eligible to receive annual payments totaling \$2,000,004 from the state for not more than 30 years.³ The Department of Revenue (DOR) disburses the payments. The program is limited to eight certified facilities at one time.⁴

Currently, there are eight certified new or retained professional sports franchise facilities in Florida receiving distributions under the program. The facilities and the payment distribution for each are:

¹ For general information related to professional sports in Florida, see Florida Sports Foundation at <http://www.flasports.com/> (last visited March 8, 2017).

² Section 288.1162, F.S.

³ Section 212.20(6)(d)6.b., F.S.

⁴ Section 288.1162(6), F.S.

Facility name	Certified entity	Franchise	First Payment	Contract Expiration	Total payments as of March 2017
Hard Rock Stadium (previously Sun Life Stadium)	Dolphins Stadium/ South Florida Stadium	Florida (Miami) Marlins ⁵	06/1994	06/2023	\$47,500,095
Everbank Field	City of Jacksonville	Jacksonville Jaguars	06/1994	05/2024	\$45,666,758
Tropicana Field	City of St. Petersburg	Tampa Bay Rays	07/1995	06/2025	\$43,500,087
Amelie Arena (previously Tampa Bay Times Forum)	Tampa Bay Sports Authority	Tampa Bay Lightning	09/1995	08/2025	\$43,166,753
BB&T Center	Broward County	Florida Panthers	08/1996	07/2026	\$41,333,416
Raymond James Stadium	Hillsborough County	Tampa Bay Buccaneers	01/1997	12/2026	\$40,500,081
American Airlines Arena	BPL, LTD	Miami Heat	03/1998	03/2028	\$38,000,076
Amway Center	City of Orlando	Orlando Magic	02/2008	01/2038	\$18,333,370

(Information from the Department of Revenue)⁶

Sports Development Program

In 2014, the Legislature created the Sports Development program that authorizes distributions of state sales and use tax revenue to fund professional sports franchise facilities, up to an annual cap of \$13 million for all certified applicants.⁷ Applicants are evaluated and recommended by the Department of Economic Opportunity (DEO) and distributions must be approved by the Legislature. A facility cannot be a recipient of this program while receiving any distributions under another state sports facility program. Distributed funds are used for the construction or improvement of a professional sports facility. The maximum annual distribution for a single facility is \$3 million, and distributions can be made for up to 30 years for a potential maximum amount of \$90 million per certified applicant. No funding has been approved by the Legislature for this program.

The professional sport franchises that can participate in the program include the National Football League, the National Hockey League, the National Basketball League, Major and Minor League Baseball, Major League Soccer, The North American Soccer League, the Professional Rodeo Cowboys Association, and a promoter or host of a signature event administered by the

⁵ The Marlins franchise relocated from Sun Life Stadium to Marlins Park for the 2012 baseball season.

⁶ Department of Revenue, *Professional Sports Franchise distributions by Fiscal Year*, (March 8, 2017) (on file with the Senate Commerce and Tourism Committee).

⁷ Sections 212.20(6)(d)6.f. and 288.11625, F.S.

Breeders' Cup Limited or the National Association of Stock Car Auto Racing (NASCAR).⁸ In 2015 and 2016, three applicants were recommended by the DEO but distributions were not approved by the Legislature in either year. The facilities that were recommended include the Jacksonville Jaguars' EverBank Field, the Miami Dolphins' Hard Rock Stadium, and the Daytona International Speedway.⁹

Reports

Reports on both programs conducted by the Office of Program Policy Analysis and Government Accountability (OPPAGA) and the Office of Economic and Demographic Research (EDR) is required every three years, according to a timetable set forth in statute.¹⁰ The Sports Development program in s. 288.11625 is scheduled for its first report on January 1, 2018.

Sales and Use Tax

Chapter 212, F.S., contains the state's statutory provisions authorizing the levy and collection of Florida's sales and use tax, as well as the exemptions and credits applicable to certain items or uses under specified circumstances. A 6 percent sales and use tax is levied on tangible personal property and a limited number of services. Additionally, s. 212.20, F.S., contains statutory direction for the schedule of distributions approved pursuant to ss. 288.1162 and 288.11625, F.S.

Local Government Half-cent Sales Tax Program

The Local Government Half-cent Sales Tax Program is the largest source of state-shared revenue received by local governments. The program provides ad valorem and utility tax relief, in addition to providing eligible local governments revenues for local programs.¹¹ A local government may also pledge funds from the program for payment of principal and interest on any capital project.¹² Local Government Half-cent Sales Tax Program funds received by a county may be allocated for the purposes of ss. 288.1162 and 288.11625, F.S.

III. Effect of Proposed Changes:

SB 236 repeals s. 288.11625, F.S., the Sports Development program. The bill removes the ability of a qualified applicant to receive state funding for the construction, reconstruction, renovation, or improvement of professional sports facilities under the program.

The bill also amends:

- Section 212.20(6)(d)6.f., F.S., repealing language directing the Department of Revenue to make distributions related to s. 288.11625, F.S.;
- Sections 218.64(2) and 218.64(3)(c), F.S., repealing language authorizing the use of local government half-cent sales tax revenue relating to s. 288.11625, F.S.; and

⁸ Section

⁹ Law360, *3 Florida Stadiums Clear Hurdle to Renovation Tax Funds*, <https://www.law360.com/articles/754061/3-florida-stadiums-clear-hurdle-to-renovation-tax-funds>, (last visited March 8, 2017).

¹⁰ Section 288.0001, F.S.

¹¹ Office of Economic and Demographic Research, *2016 Local Government Financial Information Handbook*, (November 2016), available at: <http://edr.state.fl.us/Content/local-government/reports/lghih16.pdf>, (last visited on March 8, 2017).

¹² Section 218.64, F.S.

- Section 288.0001(2)(c), F.S., repealing language directing the OPPAGA and the EDR to provide an analysis of the program under s. 288.11625, F.S., every three years.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate. No state funding was authorized and no applicants were ever approved by the Legislature under the program being repealed.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 212.20, 218.64, and 288.0001.

This bill repeals section 288.11625 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Lee

20-00376-17

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A bill to be entitled
An act relating to sports development; repealing s.
288.11625, F.S., relating to state funding for sports
facility development by a unit of local government, or
by a certified beneficiary or other applicant, on
property owned by the local government; amending ss.
212.20, 218.64, and 288.0001, F.S.; conforming
provisions to changes made by the act; providing an
effective date.

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

Section 1. Section 288.11625, Florida Statutes, is repealed.

Section 2. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.9744 percent of the amount remitted by a sales tax dealer located

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within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.0966 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0810 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3653 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for

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Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute \$166,667 monthly to each applicant certified as a facility for a new or retained

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professional sports franchise pursuant to s. 288.1162. Up to \$41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.1162(5) or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 shall be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be made after certification and before July 1, 2000.

e. The department shall distribute up to \$83,333 monthly to each certified applicant as defined in s. 288.11631 for a

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120 facility used by a single spring training franchise, or up to
 121 \$166,667 monthly to each certified applicant as defined in s.
 122 288.11631 for a facility used by more than one spring training
 123 franchise. Monthly distributions begin 60 days after such
 124 certification or July 1, 2016, whichever is later, and continue
 125 for not more than 20 years to each certified applicant as
 126 defined in s. 288.11631 for a facility used by a single spring
 127 training franchise or not more than 25 years to each certified
 128 applicant as defined in s. 288.11631 for a facility used by more
 129 than one spring training franchise. A certified applicant
 130 identified in this sub-subparagraph may not receive more in
 131 distributions than expended by the applicant for the public
 132 purposes provided in s. 288.11631(3).

133 ~~f. Beginning 45 days after notice by the Department of~~
 134 ~~Economic Opportunity to the Department of Revenue that an~~
 135 ~~applicant has been approved by the Legislature and certified by~~
 136 ~~the Department of Economic Opportunity under s. 288.11625 or~~
 137 ~~upon a date specified by the Department of Economic Opportunity~~
 138 ~~as provided under s. 288.11625(6)(d), the department shall~~
 139 ~~distribute each month an amount equal to one-twelfth of the~~
 140 ~~annual distribution amount certified by the Department of~~
 141 ~~Economic Opportunity for the applicant. The department may not~~
 142 ~~distribute more than \$7 million in the 2014-2015 fiscal year or~~
 143 ~~more than \$13 million annually thereafter under this sub-~~
 144 ~~subparagraph.~~

145 f.g. Beginning December 1, 2015, and ending June 30, 2016,
 146 the department shall distribute \$26,286 monthly to the State
 147 Transportation Trust Fund. Beginning July 1, 2016, the
 148 department shall distribute \$15,333 monthly to the State

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149 Transportation Trust Fund.

150 7. All other proceeds must remain in the General Revenue
 151 Fund.

152 Section 3. Subsection (2) and paragraph (c) of subsection
 153 (3) of section 218.64, Florida Statutes, are amended to read:

154 218.64 Local government half-cent sales tax; uses;
 155 limitations.—

156 (2) Municipalities shall expend their portions of the local
 157 government half-cent sales tax only for municipality-wide
 158 programs, ~~for reimbursing the state as required pursuant to s.~~
 159 ~~288.11625,~~ or for municipality-wide property tax or municipal
 160 utility tax relief. All utility tax rate reductions afforded by
 161 participation in the local government half-cent sales tax shall
 162 be applied uniformly across all types of taxed utility services.

163 (3) Subject to ordinances enacted by the majority of the
 164 members of the county governing authority and by the majority of
 165 the members of the governing authorities of municipalities
 166 representing at least 50 percent of the municipal population of
 167 such county, counties may use up to \$3 million annually of the
 168 local government half-cent sales tax allocated to that county
 169 for any of the following purposes:

170 ~~(e) Reimbursing the state as required under s. 288.11625.~~

171 Section 4. Paragraph (e) of subsection (2) of section
 172 288.0001, Florida Statutes, is amended to read:

173 288.0001 Economic Development Programs Evaluation.—The
 174 Office of Economic and Demographic Research and the Office of
 175 Program Policy Analysis and Government Accountability (OPPAGA)
 176 shall develop and present to the Governor, the President of the
 177 Senate, the Speaker of the House of Representatives, and the

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178 chairs of the legislative appropriations committees the Economic
179 Development Programs Evaluation.

180 (2) The Office of Economic and Demographic Research and
181 OPPAGA shall provide a detailed analysis of economic development
182 programs as provided in the following schedule:

183 ~~(e) Beginning January 1, 2018, and every 3 years~~
184 ~~thereafter, an analysis of the Sports Development Program~~
185 ~~established under s. 288.11625.~~

186 Section 5. This act shall take effect July 1, 2017.
187



The Florida Senate

Committee Agenda Request

To: Senator Bill Montford, Chair
Senate Committee on Commerce and Tourism

Subject: Committee Agenda Request

Date: January 13th, 2017

I respectfully request that **Senate Bill #236**, relating to Sports Development, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in blue ink that reads "Tom Lee".

Senator Tom Lee
Florida Senate, District 20

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Commerce and Tourism

BILL: SB 600

INTRODUCER: Senators Grimsley and Montford

SUBJECT: Rural Economic Development Initiative

DATE: March 10, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Askey	McKay	CM	Favorable
2.			AG	
3.			GO	
4.			RC	

I. Summary:

SB 600 makes several changes to the Rural Economic Development Initiative (REDI), most notably to the agency and organization members who collaborate with the REDI. The bill changes the membership to include:

- The executive director of the Department of Economic Opportunity or their designee, to serve as chair;
- The Secretary of Transportation or their designee;
- The Secretary of Environmental Protection or their designee;
- The Commissioner of Agriculture or their designee;
- The State Surgeon General or their designee;
- The Commissioner of Education or their designee;
- The President of Enterprise Florida, Inc., or their designee;
- The chair of the board of CareerSource Florida, Inc., or their designee;
- Five members from the private sector, three who are appointed by the executive director of the Department of Economic Opportunity, and one each appointed by the President of the Senate and the Speaker of the House of Representatives.

The bill requires that the report required of the REDI be submitted to the Department of Economic Opportunity, the President of the Senate, and the Speaker of the House of Representatives by September 1st of each year and expands the information to be included in the report. The bill adds the REDI to the list of required reports by the Office of Program Policy Analysis and Government Accountability and the Office of Economic and Demographic Research.

The bill makes conforming changes to address cross-references in numerous sections of the Florida Statutes.

The bill is effective upon becoming law.

II. Present Situation:

Rural Economic Development Initiative

The Rural Economic Development Initiative (REDI) was established in 1997 by the Legislature to encourage and facilitate the location and expansion of major economic development projects of significant scale in rural communities.¹ The REDI is responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems that affect the fiscal, economic, and community viability of Florida's economically distressed rural communities. The REDI works with local governments, community-based organizations, and private organizations that have an interest in the growth and development of these communities to find ways to balance environmental and growth management issues with local needs.

The REDI is administered by the Department of Economic Opportunity (DEO), but is a collaborative effort facilitated by a group of agencies and organizations. Numerous state agencies and organizations are required to participate in the REDI by designating a deputy secretary or higher-level staff person to serve as a REDI representative. Any such representative is required to have comprehensive knowledge of their agency's regulatory and service functions, and the state's economic goals, policies, and programs. The representatives are required to work with the REDI in the reviewing, evaluating, and proposing impact mitigation of any statute or rule that may have an adverse effect on rural communities. Additionally, representatives are to inform their agencies and organizations about the REDI and provide assistance to the REDI throughout the agency or organization. The agencies and organizations that are statutorily required to designate a representative are:²

- The Department of Transportation;
- The Department of Environmental Protection;
- The Department of Agriculture and Consumer Services;
- The Department of State;
- The Department of Health;
- The Department of Children and Families;
- The Department of Corrections;
- The Department of Education;
- The Department of Juvenile Justice;
- The Fish and Wildlife Conservation Commission;
- Each water management district;
- Enterprise Florida, Inc. (EFI);
- VISIT Florida;
- The Florida Regional Planning Council Association;
- The Agency for Health Care Administration; and
- The Institute for Food and Agricultural Sciences.

¹ Section 288.0656, F.S.

² Section 288.0656(6)(a), F.S.

The REDI can recommend up to three rural areas of opportunity (RAO) to the Governor, who can designate an RAO by executive order. The Governor, acting through the REDI, can waive criteria, requirements, or any similar provisions of any state economic development incentive in RAOs.³ A designation of RAO must be agreed upon by the DEO and the local governments included in the RAO.

RAOs, by the REDI recommendation and identification by EFI, may designate catalyst projects. These projects are to be confirmed by the DEO. All agencies and departments of the state are required to use all available tools and resource available to promote the creation and development of each catalyst project and the development of catalyst sites. For the purposes of this program, a catalyst project is a business locating or expanding in an RAO and serves as an economic generator of regional significance, and a catalyst site is one or more parcels of land in a RAO that is prioritized for economic development.

The REDI is required to submit a report to the DEO on all REDI activities to supplement the required annual report.⁴

III. Effect of Proposed Changes:

SB 600 makes several changes to the REDI, most notably to the agency and organization members who collaborate with the REDI. The bill changes the membership to include:

- The executive director of the DEO or their designee, to serve as chair;
- The Secretary of Transportation or their designee;
- The Secretary of Environmental Protection or their designee;
- The Commissioner of Agriculture or their designee;
- The State Surgeon General or their designee;
- The Commissioner of Education or their designee;
- The President of EFI or their designee;
- The chair of the board of CareerSource Florida, Inc., or their designee;
- Five members from the private sector, three who are appointed by the executive director of the DEO, and one each appointed by the President of the Senate and the Speaker of the House of Representatives.

In making their appointments, the executive director, the President, and the Speaker are to ensure that the diversity of the state's business community and the state's ethnic, racial, and gender diversity are reflected. Appointments are for two-year terms, beginning on July 1 and expiring on June 30, with initial appointments beginning in July 2017. The bill provides direction for appointee vacancies and removal. The bill removes the requirement related to REDI members needing comprehensive knowledge of their agency or organization and the state's economic policies and goals.

The bill authorizes the chair of the REDI to create ad hoc committees to address issues or projects. The chair is authorized to request the head of any state agency or organization to serve on the ad hoc committees, but is directed to consider requesting:

³ Sections 288.0656(7)(a) and 288.06561, F.S.

⁴ Section 288.0656(8), F.S.

- The executive director of FWC or their designee;
- The Secretary of State or their designee;
- The Secretary of Children and Families or their designee;
- The Secretary of Corrections or their designee;
- The Secretary of Juvenile Justice or their designee;
- The Secretary of Health Care Administration or their designee; and
- A board member of the Florida Regional Councils Association or their designee.

Additional changes to the program include:

- Clarifying the legislative intent of the REDI to include encouraging job creation, improved community infrastructure, the development and expansion of workforce, and improved access to healthcare;
- Expanding the definition of “rural area of opportunity” to include a rural community that faces competitive disadvantages including low labor force participation, low education levels, high unemployment, a district grade of “D” or “F” pursuant to s. 1008.34,⁵ high infant mortality rates, and high rates of diabetes and obesity;
- Clarifies that the REDI is to focus its efforts on the challenges of the state’s rural areas of opportunity and economically distressed rural communities, and that REDI is to work with private organizations that have an interest in the renewed prosperity and competitiveness of these communities;
- Clarifies that when undertaking outreach and capacity-building efforts, its purpose should be to improve rural communities’ ability to compete in a global economy;
- Requires that the report required of the REDI be submitted to the DEO, the President of the Senate, and the Speaker of the House of Representatives by September 1st of each year;
- Expands the information to be included in the report to include evaluation of organizational progress towards goals, REDI accomplishments, and issues affecting the performance of REDI programs and activities.

The bill adds the REDI to the list of required reports by the Office of Program Policy Analysis and Government Accountability and the Office of Economic and Demographic Research.⁶ These reports are to begin on January 1, 2020 and every three years after.

The bill makes conforming changes to address cross-references in sections 163.3177, 163.3187, 257.193, 288.019, 288.06561, 290.0055, 290.06561, 337.403, 339.2818, 339.2819, 339.63, 479.16, 627.6699, F.S.

The bill is effective upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

⁵ This section refers to the school grading system, school report cards, and district grades.

⁶ Section 288.0001, F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 288.0001, 288.0656, 163.3177, 163.3187, 257.193, 288.019, 288.06561, 290.0055, 290.06561, 337.403, 339.2818, 339.2819, 339.63, 479.16, and 627.6699.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Grimsley

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A bill to be entitled

An act relating to the Rural Economic Development Initiative; amending s. 288.0001, F.S.; requiring an analysis of the Rural Economic Development Initiative and rural areas of opportunity; amending s. 288.0656, F.S.; revising legislative intent relating to the Rural Economic Development Initiative; redefining the term "rural area of opportunity"; revising the duties, responsibilities, and membership of the Rural Economic Development Initiative; deleting a provision limiting the number of rural areas of opportunity that may be designated; revising reporting requirements; amending ss. 163.3177, 163.3187, 257.193, 288.019, 288.06561, 290.0055, 290.06561, 337.403, 339.2818, 339.2819, 339.63, 479.16, and 627.6699, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Paragraph (f) is added to subsection (2) of section 288.0001, Florida Statutes, to read:

288.0001 Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(2) The Office of Economic and Demographic Research and OPPAGA shall provide a detailed analysis of economic development programs as provided in the following schedule:

(f) By January 1, 2020, and every 3 years thereafter, an

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analysis of rural areas of opportunity and the Rural Economic Development Initiative (REDI) established under s. 288.0656.

Section 2. Section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(1) ~~(a)~~ Recognizing that rural communities and regions continue to face extraordinary challenges in their efforts to significantly improve their quality of life and economies, specifically in terms of personal income, education, infrastructure, access to healthcare, and job creation, average wages, and strong tax bases, it is the intent of the Legislature to encourage and facilitate:

(a) Job creation through the location and expansion of major economic development projects ~~of significant scale in such rural communities.~~

(b) Improved community infrastructure, including, but not limited to, roads, utilities, water and sewer facilities, and broadband.

(c) The development and expansion of a skilled workforce.

(d) Improved access to healthcare.

~~(2)(b)~~ The Rural Economic Development Initiative, known as "REDI," is created within the Department of Economic Opportunity, and the participation of state and regional agencies in this initiative is authorized.

~~(3)(2)~~ As used in this section, the term:

(a) "Catalyst project" means a business locating or expanding in a rural area of opportunity to serve as an economic generator of regional significance for the growth of a regional target industry cluster. The project must provide capital

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investment on a scale significant enough to affect the entire region and result in the development of high-wage and high-skill jobs.

(b) "Catalyst site" means a parcel or parcels of land within a rural area of opportunity that has been prioritized as a geographic site for economic development through partnerships with state, regional, and local organizations. The site must be reviewed by REDI and approved by the department for the purposes of locating a catalyst project.

(c) "Economic distress" means conditions affecting the fiscal and economic viability of a rural community, including such factors as low per capita income, low per capita taxable values, high unemployment, high underemployment, low weekly earned wages compared to the state average, low housing values compared to the state average, high percentages of the population receiving public assistance, high poverty levels compared to the state average, and a lack of year-round stable employment opportunities.

(d) "Rural area of opportunity" means a rural community, or a region composed of rural communities, designated by the Governor, which has been adversely affected by ~~an extraordinary economic event~~, severe or chronic economic distress and faces competitive disadvantages such as low labor force participation, low educational attainment levels, high unemployment, a district grade of "D" or "F" pursuant to s. 1008.34, high infant mortality rates, and high diabetes and obesity rates and which, ~~or a natural disaster or that~~ presents a unique economic development opportunity of regional impact.

(e) "Rural community" means:

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1. A county with a population of 75,000 or fewer.

2. A county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer.

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in paragraph (c) and verified by the department.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

~~(4)(3)~~ REDI ~~is shall be~~ responsible for coordinating and focusing the efforts and resources of state and regional agencies on the challenges of the state's rural areas of opportunity and economically distressed rural communities. REDI shall work ~~problems which affect the fiscal, economic, and community viability of Florida's economically distressed rural communities, working~~ with local governments, community-based organizations, and private organizations that have an interest in the renewed prosperity and competitiveness of growth and development ~~of these communities to find ways to balance environmental and growth management issues with local needs~~.

~~(5)(4)~~ REDI shall review and evaluate the impact of statutes and rules on rural communities and shall work to

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minimize any adverse impact and undertake outreach and capacity-building efforts to improve rural communities' ability to compete in a global economy.

~~(6)(5) REDI shall facilitate better access to state resources by promoting direct access and referrals to appropriate state and regional agencies and statewide organizations. REDI may undertake outreach, capacity-building, and other advocacy efforts to improve conditions in rural communities. These activities may include sponsorship of conferences and achievement awards.~~

(7) (a) REDI shall consist of the following members:

1. The executive director of the Department of Economic Opportunity or his or her designee, who shall serve as the chair.

2. The Secretary of Transportation or his or her designee.

3. The Secretary of Environmental Protection or his or her designee.

4. The Commissioner of Agriculture or his or her designee.

5. The State Surgeon General or his or her designee.

6. The Commissioner of Education or his or her designee.

7. The President of Enterprise Florida, Inc., or his or her designee.

8. The chair of the board of directors of CareerSource Florida, Inc., or his or her designee.

9. The chair of the board of the regional economic development organization for each of the rural areas of opportunity or his or her designee.

10. Five members from the private sector, three of whom shall be appointed by the executive director of the Department

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of Economic Opportunity, one of whom shall be appointed by the President of the Senate, and one of whom shall be appointed by the Speaker of the House of Representatives.

(b) In making their appointments, the executive director, the President of the Senate, and the Speaker of the House of Representatives shall ensure that the appointments reflect the diversity of Florida's business community and are representative of the economic development goals in subsection (1).

(c) The executive director, the President of the Senate, and the Speaker of the House of Representatives shall consider appointees who reflect the state's racial, ethnic, and gender diversity and who are from rural communities.

(d) Each appointed member shall be appointed to a 2-year term, which begins on July 1 and expires on June 30.

(e) Initial appointments shall be made by July 1, 2017.

(f) A vacancy shall be filled for the remainder of an unexpired term and filled in the same manner as the original appointment.

(g) An appointed member may be removed by the appointing officer for cause. Absence of a member from three consecutive meetings results in automatic removal.

(h) The chair may request the head of any state agency or organization to serve on an ad hoc committee as needed to address issues or projects relating to rural areas of opportunity and economically distressed rural communities. The chair shall consider requesting the following individuals to serve on an ad hoc committee:

1. The executive director of the Fish and Wildlife Conservation Commission or his or her designee.

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178 2. The Secretary of State or his or her designee.
 179 3. The Secretary of Children and Families or his or her
 180 designee.
 181 4. The Secretary of Corrections or his or her designee.
 182 5. The Secretary of Juvenile Justice or his or her
 183 designee.
 184 6. The Secretary of Health Care Administration or his or
 185 her designee.
 186 7. A board member of the Florida Regional Councils
 187 Association or his or her designee.
 188 (6) (a) By August 1 of each year, the head of each of the
 189 following agencies and organizations shall designate a deputy
 190 ~~secretary or higher level staff person from within the agency or~~
 191 ~~organization to serve as the REDI representative for the agency~~
 192 ~~or organization.~~
 193 1. ~~The Department of Transportation.~~
 194 2. ~~The Department of Environmental Protection.~~
 195 3. ~~The Department of Agriculture and Consumer Services.~~
 196 4. ~~The Department of State.~~
 197 5. ~~The Department of Health.~~
 198 6. ~~The Department of Children and Families.~~
 199 7. ~~The Department of Corrections.~~
 200 8. ~~The Department of Education.~~
 201 9. ~~The Department of Juvenile Justice.~~
 202 10. ~~The Fish and Wildlife Conservation Commission.~~
 203 11. ~~Each water management district.~~
 204 12. ~~Enterprise Florida, Inc.~~
 205 13. ~~CareerSource Florida, Inc.~~
 206 14. ~~VISIT Florida.~~

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207 ~~15. The Florida Regional Planning Council Association.~~
 208 ~~16. The Agency for Health Care Administration.~~
 209 ~~17. The Institute of Food and Agricultural Sciences (IFAS).~~
 210
 211 ~~An alternate for each designee shall also be chosen, and the~~
 212 ~~names of the designees and alternates shall be sent to the~~
 213 ~~executive director of the department.~~
 214 (i) (b) Each REDI member from a state agency or organization
 215 representative must have comprehensive knowledge of his or her
 216 agency's functions, both regulatory and service in nature, and
 217 of the state's economic goals, policies, and programs. This
 218 person shall be the primary point of contact for his or her
 219 agency with REDI on issues and projects relating to rural areas
 220 of opportunity and economically distressed rural communities and
 221 with regard to expediting project review, shall ensure a prompt
 222 effective response to problems arising with regard to rural
 223 issues, and shall work closely with the other REDI members
 224 representatives in the identification of opportunities for
 225 preferential awards of program funds and allowances and waiver
 226 of program requirements when necessary to encourage and
 227 facilitate long-term private capital investment and job
 228 creation. The member shall also ensure that each district office
 229 or facility of his or her agency or organization is informed
 230 about REDI and shall provide assistance throughout the agency in
 231 the implementation of REDI activities.
 232 ~~(c) The REDI representatives shall work with REDI in the~~
 233 ~~review and evaluation of statutes and rules for adverse impact~~
 234 ~~on rural communities and the development of alternative~~
 235 ~~proposals to mitigate that impact.~~

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~~(d) Each REDI representative shall be responsible for ensuring that each district office or facility of his or her agency is informed about the Rural Economic Development Initiative and for providing assistance throughout the agency in the implementation of REDI activities.~~

~~(8)(7)~~ (a) ~~REDI may recommend to the Governor up to three rural areas of opportunity.~~ The Governor may by executive order designate ~~up to three~~ rural areas of opportunity which will establish these areas as priority assignments for REDI, ~~as well as to allow~~ The Governor may, acting through REDI, ~~to~~ waive criteria, requirements, or similar provisions of any economic development incentive. Such incentives shall include, but are not limited to, the Qualified Target Industry Tax Refund Program under s. 288.106, the Quick Response Training Program under s. 288.047, the Quick Response Training Program for participants in the welfare transition program under s. 288.047(8), transportation projects under s. 339.2821, the brownfield redevelopment bonus refund under s. 288.107, and the rural job tax credit program under ss. 212.098 and 220.1895.

(b) Designation as a rural area of opportunity under this subsection shall be contingent upon the execution of a memorandum of agreement among the department; the governing body of the county; and the governing bodies of any municipalities to be included within a rural area of opportunity. Such agreement shall specify the terms and conditions of the designation, including, but not limited to, the duties and responsibilities of the county and any participating municipalities to take actions designed to facilitate the retention and expansion of existing businesses in the area, as well as the recruitment of

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new businesses to the area.

(c) Each rural area of opportunity may designate catalyst projects, provided that each catalyst project is specifically recommended by REDI, identified as a catalyst project by Enterprise Florida, Inc., and confirmed as a catalyst project by the department. All state agencies and departments shall use all available tools and resources to the extent permissible by law to promote the creation and development of each catalyst project and the development of catalyst sites.

~~(9)(8)~~ Before September 1 of each year, REDI shall submit a ~~report~~ to the department, the Governor, the President of the Senate, and the Speaker of the House of Representatives a complete and detailed report, including, but not limited to on all REDI activities for the previous fiscal year as a supplement to the department's annual report required under s. 20.60. This supplementary report must include:

(a) A description of the operations of ~~status report on~~ all projects currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section, the dollar amount of such awards, ~~and~~ the names of the recipients, and an evaluation of progress toward achieving organizational goals and specific performance outcomes, as established by the department.

(b) A description of the accomplishments of REDI and identification of major trends, initiatives, or developments affecting the performance of a program or activity coordinated through REDI.

(c) A description of all waivers of program requirements granted.

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294 (d)~~(e)~~ Information as to the economic impact of the
 295 projects coordinated by REDI.
 296 (e)~~(d)~~ Recommendations based on the review and evaluation
 297 of statutes and rules having an adverse impact on rural
 298 communities and proposals to mitigate such adverse impacts.
 299 Section 3. Paragraph (e) of subsection (7) of section
 300 163.3177, Florida Statutes, is amended to read:
 301 163.3177 Required and optional elements of comprehensive
 302 plan; studies and surveys.—
 303 (7)
 304 (e) This subsection does not confer the status of rural
 305 area of opportunity, or any of the rights or benefits derived
 306 from such status, on any land area not otherwise designated as
 307 such pursuant to s. 288.0656(8) ~~s. 288.0656(7)~~.
 308 Section 4. Subsection (3) of section 163.3187, Florida
 309 Statutes, is amended to read:
 310 163.3187 Process for adoption of small-scale comprehensive
 311 plan amendment.—
 312 (3) If the small scale development amendment involves a
 313 site within a rural area of opportunity as defined under s.
 314 288.0656(3) (d) ~~s. 288.0656(2) (d)~~ for the duration of such
 315 designation, the 10-acre limit listed in subsection (1) shall be
 316 increased by 100 percent to 20 acres. The local government
 317 approving the small scale plan amendment shall certify to the
 318 state land planning agency that the plan amendment furthers the
 319 economic objectives set forth in the executive order issued
 320 under s. 288.0656(8) ~~s. 288.0656(7)~~, and the property subject to
 321 the plan amendment shall undergo public review to ensure that
 322 all concurrency requirements and federal, state, and local

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323 environmental permit requirements are met.
 324 Section 5. Subsection (2) of section 257.193, Florida
 325 Statutes, is amended to read:
 326 257.193 Community Libraries in Caring Program.—
 327 (2) The purpose of the Community Libraries in Caring
 328 Program is to assist libraries in rural communities, as defined
 329 in s. 288.0656(3) ~~s. 288.0656(2)~~ and subject to the provisions
 330 of s. 288.06561, to strengthen their collections and services,
 331 improve literacy in their communities, and improve the economic
 332 viability of their communities.
 333 Section 6. Section 288.019, Florida Statutes, is amended to
 334 read:
 335 288.019 Rural considerations in grant review and evaluation
 336 processes.—Notwithstanding any other law, and to the fullest
 337 extent possible, the member agencies and organizations of the
 338 Rural Economic Development Initiative (REDI) as defined in s.
 339 288.0656(7) (a) ~~s. 288.0656(6) (a)~~ shall review all grant and loan
 340 application evaluation criteria to ensure the fullest access for
 341 rural counties as defined in s. 288.0656(3) ~~s. 288.0656(2)~~ to
 342 resources available throughout the state.
 343 (1) Each REDI agency and organization shall review all
 344 evaluation and scoring procedures and develop modifications to
 345 those procedures which minimize the impact of a project within a
 346 rural area.
 347 (2) Evaluation criteria and scoring procedures must provide
 348 for an appropriate ranking based on the proportionate impact
 349 that projects have on a rural area when compared with similar
 350 project impacts on an urban area.
 351 (3) Evaluation criteria and scoring procedures must

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recognize the disparity of available fiscal resources for an equal level of financial support from an urban county and a rural county.

(a) The evaluation criteria should weight contribution in proportion to the amount of funding available at the local level.

(b) In-kind match should be allowed and applied as financial match when a county is experiencing financial distress through elevated unemployment at a rate in excess of the state's average by 5 percentage points or because of the loss of its ad valorem base.

(4) For existing programs, the modified evaluation criteria and scoring procedure must be delivered to the department for distribution to the REDI agencies and organizations. The REDI agencies and organizations shall review and make comments. Future rules, programs, evaluation criteria, and scoring processes must be brought before a REDI meeting for review, discussion, and recommendation to allow rural counties fuller access to the state's resources.

Section 7. Section 288.06561, Florida Statutes, is amended to read:

288.06561 Reduction or waiver of financial match requirements.—Notwithstanding any other law, the member agencies and organizations of the Rural Economic Development Initiative (REDI), as defined in s. 288.0656(7)(a) ~~s. 288.0656(6)(a)~~, shall review the financial match requirements for projects in rural areas as defined in s. 288.0656(3) ~~s. 288.0656(2)~~.

(1) Each agency and organization shall develop a proposal to waive or reduce the match requirement for rural areas.

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(2) Agencies and organizations shall ensure that all proposals are submitted to the department for review by the REDI agencies.

(3) These proposals shall be delivered to the department for distribution to the REDI agencies and organizations. A meeting of REDI agencies and organizations must be called within 30 days after receipt of such proposals for REDI comment and recommendations on each proposal.

(4) Waivers and reductions must be requested by the county or community, and such county or community must have three or more of the factors identified in s. 288.0656(3)(c) ~~s. 288.0656(2)(e)~~.

(5) Any other funds available to the project may be used for financial match of federal programs when there is fiscal hardship, and the match requirements may not be waived or reduced.

(6) When match requirements are not reduced or eliminated, donations of land, though usually not recognized as an in-kind match, may be permitted.

(7) To the fullest extent possible, agencies and organizations shall expedite the rule adoption and amendment process if necessary to incorporate the reduction in match by rural areas in fiscal distress.

(8) REDI shall include in its annual report an evaluation on the status of changes to rules, number of awards made with waivers, and recommendations for future changes.

Section 8. Paragraph (d) of subsection (6) of section 290.0055, Florida Statutes, is amended to read:

290.0055 Local nominating procedure.—

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(6)

(d)1. The governing body of a jurisdiction which has nominated an application for an enterprise zone that is at least 15 square miles and less than 20 square miles and includes a portion of the state designated as a rural area of opportunity under s. 288.0656(8) ~~s. 288.0656(7)~~ may apply to the department to expand the boundary of the existing enterprise zone by not more than 3 square miles.

2. The governing body of a jurisdiction which has nominated an application for an enterprise zone that is at least 20 square miles and includes a portion of the state designated as a rural area of opportunity under s. 288.0656(8) ~~s. 288.0656(7)~~ may apply to the department to expand the boundary of the existing enterprise zone by not more than 5 square miles.

3. An application to expand the boundary of an enterprise zone under this paragraph must be submitted by December 31, 2013.

4. Notwithstanding the area limitations specified in subsection (4), the department may approve the request for a boundary amendment if the area continues to satisfy the remaining requirements of this section.

5. The department shall establish the initial effective date of an enterprise zone designated under this paragraph.

Section 9. Section 290.06561, Florida Statutes, is amended to read:

290.06561 Designation of rural enterprise zone as catalyst site.—Notwithstanding s. 290.0065(1), the Department of Economic Opportunity, upon request of the host county, shall designate as a rural enterprise zone any catalyst site as defined in s.

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288.0656(3)(b) ~~s. 288.0656(2)(b)~~ that was approved before January 1, 2010, and that is not located in an existing rural enterprise zone. The request from the host county must include the legal description of the catalyst site and the name and contact information for the county development authority responsible for managing the catalyst site. The designation shall provide businesses locating within the catalyst site the same eligibility for economic incentives and other benefits of a rural enterprise zone designated under s. 290.0065. The reporting criteria for a catalyst site designated as a rural enterprise zone under this section are the same as for other rural enterprise zones. Host county development authorities may enter into memoranda of agreement, as necessary, to coordinate their efforts to implement this section.

Section 10. Paragraph (h) of subsection (1) of section 337.403, Florida Statutes, is amended to read:

337.403 Interference caused by utility; expenses.—

(1) If a utility that is placed upon, under, over, or within the right-of-way limits of any public road or publicly owned rail corridor is found by the authority to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor, the utility owner shall, upon 30 days' written notice to the utility or its agent by the authority, initiate the work necessary to alleviate the interference at its own expense except as provided in paragraphs (a)-(j). The work must be completed within such reasonable time as stated in the notice or such time as agreed to by the authority and the utility owner.

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468 (h) If a municipally owned utility or county-owned utility
 469 is located in a rural area of opportunity, as defined in s.
 470 288.0656(3) ~~s. 288.0656(2)~~, and the department determines that
 471 the utility is unable, and will not be able within the next 10
 472 years, to pay for the cost of utility work necessitated by a
 473 department project on the State Highway System, the department
 474 may pay, in whole or in part, the cost of such utility work
 475 performed by the department or its contractor.

476 Section 11. Subsection (7) of section 339.2818, Florida
 477 Statutes, is amended to read:

478 339.2818 Small County Outreach Program.—

479 (7) Subject to a specific appropriation in addition to
 480 funds annually appropriated for projects under this section, a
 481 municipality within a rural area of opportunity or a rural area
 482 of opportunity community designated under s. 288.0656(8) (a) ~~s.~~
 483 ~~288.0656(7) (a)~~ may compete for the additional project funding
 484 using the criteria listed in subsection (4) at up to 100 percent
 485 of project costs, excluding capacity improvement projects.

486 Section 12. Paragraph (c) of subsection (4) of section
 487 339.2819, Florida Statutes, is amended to read:

488 339.2819 Transportation Regional Incentive Program.—

489 (4)

490 (c) The department shall give priority to projects that:

491 1. Provide connectivity to the Strategic Intermodal System
 492 developed under s. 339.64.

493 2. Support economic development and the movement of goods
 494 in rural areas of opportunity designated under s. 288.0656(8) ~~s.~~
 495 ~~288.0656(7)~~.

496 3. Are subject to a local ordinance that establishes

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497 corridor management techniques, including access management
 498 strategies, right-of-way acquisition and protection measures,
 499 appropriate land use strategies, zoning, and setback
 500 requirements for adjacent land uses.

501 4. Improve connectivity between military installations and
 502 the Strategic Highway Network or the Strategic Rail Corridor
 503 Network.

504

505 The department shall also consider the extent to which local
 506 matching funds are available to be committed to the project.

507 Section 13. Paragraph (b) of subsection (5) of section
 508 339.63, Florida Statutes, is amended to read:

509 339.63 System facilities designated; additions and
 510 deletions.—

511 (5)

512 (b) A facility designated part of the Strategic Intermodal
 513 System pursuant to paragraph (a) that is within the jurisdiction
 514 of a local government that maintains a transportation
 515 concurrency system shall receive a waiver of transportation
 516 concurrency requirements applicable to Strategic Intermodal
 517 System facilities in order to accommodate any development at the
 518 facility which occurs pursuant to a building permit issued on or
 519 before December 31, 2017, but only if such facility is located:

520 1. Within an area designated pursuant to s. 288.0656(8) ~~s.~~
 521 ~~288.0656(7)~~ as a rural area of opportunity;

522 2. Within a rural enterprise zone as defined in s.
 523 290.004(5); or

524 3. Within 15 miles of the boundary of a rural area of
 525 opportunity or a rural enterprise zone.

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526 Section 14. Subsection (16) of section 479.16, Florida
 527 Statutes, is amended to read:
 528 479.16 Signs for which permits are not required.—The
 529 following signs are exempt from the requirement that a permit
 530 for a sign be obtained under this chapter but are required to
 531 comply with s. 479.11(4)-(8), and subsections (15)-(20) may not
 532 be implemented or continued if the Federal Government notifies
 533 the department that implementation or continuation will
 534 adversely affect the allocation of federal funds to the
 535 department:
 536 (16) Signs placed by a local tourist-oriented business
 537 located within a rural area of opportunity as defined in s.
 538 288.0656(3) ~~s. 288.0656(2)~~ which are:
 539 (a) Not more than 8 square feet in size or more than 4 feet
 540 in height;
 541 (b) Located only in rural areas on a facility that does not
 542 meet the definition of a limited access facility, as defined in
 543 s. 334.03;
 544 (c) Located within 2 miles of the business location and at
 545 least 500 feet apart;
 546 (d) Located only in two directions leading to the business;
 547 and
 548 (e) Not located within the road right-of-way.
 549 A business placing such signs must be at least 4 miles from any
 550 other business using this exemption and may not participate in
 551 any other directional signage program by the department.
 552
 553 If the exemptions in subsections (15)-(20) are not implemented
 554

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555 or continued due to notification from the Federal Government
 556 that the allocation of federal funds to the department will be
 557 adversely impacted, the department shall provide notice to the
 558 sign owner that the sign must be removed within 30 days after
 559 receipt of the notice. If the sign is not removed within 30 days
 560 after receipt of the notice by the sign owner, the department
 561 may remove the sign, and the costs incurred in connection with
 562 the sign removal shall be assessed against and collected from
 563 the sign owner.
 564 Section 15. Paragraph (d) of subsection (14) of section
 565 627.6699, Florida Statutes, is amended to read:
 566 627.6699 Employee Health Care Access Act.—
 567 (14) SMALL EMPLOYERS ACCESS PROGRAM.—
 568 (d) *Eligibility.*—
 569 1. Any small employer that is actively engaged in business,
 570 has its principal place of business in this state, employs up to
 571 25 eligible employees on business days during the preceding
 572 calendar year, employs at least 2 employees on the first day of
 573 the plan year, and has had no prior coverage for the last 6
 574 months may participate.
 575 2. Any municipality, county, school district, or hospital
 576 employer located in a rural community as defined in s.
 577 288.0656(3) ~~s. 288.0656(2)~~ may participate.
 578 3. Nursing home employers may participate.
 579 4. Each dependent of a person eligible for coverage is also
 580 eligible to participate.
 581
 582 Any employer participating in the program must do so until the
 583 end of the term for which the carrier providing the coverage is

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584 obligated to provide such coverage to the program. Coverage for
585 a small employer group that ceases to meet the eligibility
586 requirements of this section may be terminated at the end of the
587 policy period for which the necessary premiums have been paid.

588 Section 16. This act shall take effect upon becoming a law.



The Florida Senate

Committee Agenda Request

To: Senator Bill Montford, Chair
Committee on Commerce and Tourism

Subject: Committee Agenda Request

Date: February 13, 2017

I respectfully request that **Senate Bill #600**, relating to Rural Economic Development Initiative, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in cursive script that reads "Denise Grimsley".

Senator Denise Grimsley
Florida Senate, District 26

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17
Meeting Date

600
Bill Number (if applicable)

Topic REDI

Amendment Barcode (if applicable)

Name Grace Lovett

Job Title Dir of Legislative Affairs

Address PL 10 The Capitol
Street
Tallahassee FL 32399
City State Zip

Phone 850 617 7700

Email grace.lovett@freshfromflorida.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FL Dept. of Agriculture & Consumer Services

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17
Meeting Date

600
Bill Number (if applicable)

Topic Rural Economic Dev. Initiative

Amendment Barcode (if applicable)

Name Adam Basford

Job Title Dir. Legislative Affairs

Address 310 @ @ @ @ @ W College
Street

Phone 222-2557

Tallahassee
City

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Farm Bureau

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

600

Meeting Date

Bill Number (if applicable)

Topic Rural Economic Development Initiative

Amendment Barcode (if applicable)

Name Jett Hendry

Job Title Executive Director

Address 3200 Commonwealth Blvd, #7

Phone 850-443-7103

Street

Tallahassee

FL

32303

City

State

Zip

Email jhendry@iag.fsu.edu

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing North Florida Economic Development Partnership (NFEPP)

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17

Meeting Date

SB 600

Bill Number (if applicable)

Topic Rural Economic Development Initiative

Amendment Barcode (if applicable)

Name Richard Williams

Job Title Executive Director

Address 4636 Hwy 90 E, Suite A

Street

Phone 850-557-2441

Marianna, Fl.

City

State

32446

Zip

Email richardw@opportunityFlorida.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Opportunity Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17

Meeting Date

SB 600

Bill Number (if applicable)

Topic Rural Economic Development

Name Jim Spratt

Job Title _____

Address

PO Box 10011

Street

TLH

City

FL

State

32302

Zip

Phone

850 228-1286

Email

Jim.spratt@fla.gov

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Associated Industries of Florida

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

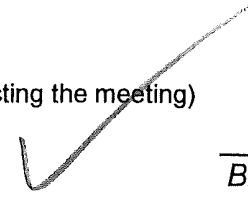
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17

Meeting Date



6000

Bill Number (if applicable)

Topic Rural Economic Development Initiative Amendment Barcode (if applicable)

Name Chris Doolin

Job Title DIRECTOR - SMALL COUNTY COALITION

Address 1118-B Thomasville Road
Street

Phone 850-508-5492

Tallahassee Fla. 32303
City State Zip

Email cdoolin@nettally.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing SMALL COUNTY COALITION

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/2017

Meeting Date

SB 600

Bill Number (if applicable)

Topic Regional Economic Development Initiative ✓ Amendment Barcode (if applicable)

Name Darryl Register

Job Title Executive Director

Address 20 E Macclenny Ave
Street

Phone 904-226-4780

Macclenny
City

FL
State

32063
Zip

Email dregister@bakerchamberfl.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Baker County Development Commission

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

COMMITTEE: Commerce and Tourism
ITEM: SB 600
FINAL ACTION: Favorable
MEETING DATE: Monday, March 13, 2017
TIME: 4:00—6:00 p.m.
PLACE: 110 Senate Office Building

[illegible]

CODES: FAV=Favorable
UNF=Unfavorable
-R=Reconsidered

RCS=Replaced by Committee Substitute
RE=Replaced by Engrossed Amendment
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed
VA=Vote After Roll Call
VC=Vote Change After Roll Call

WD=Withdrawn
OO=Out of Order
AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Commerce and Tourism

BILL: SB 936

INTRODUCER: Senator Montford

SUBJECT: Regional Rural Development Grants

DATE: March 10, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Askey	McKay	CM	Favorable
2. _____	_____	AP	_____
3. _____	_____	RC	_____

I. Summary:

SB 936 changes the Regional Rural Development Grants Program in s. 288.018, F.S. Regarding the program, the bill:

- Removes the local match requirement;
- Increases the amount of funds that can be expended by the program to \$1 million;
- Specifies that the maximum amount that can be awarded in rural areas of opportunity is to be awarded to Opportunity Florida, Florida's Heartland REDI, Inc., and the North Florida Economic Development Partnership;
- Increases the maximum amount that can be awarded to \$250,000 from \$150,000;
- Provides that grants used for technical assistance can be used to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses; and
- Repeals the authority of the DEO to contract for the development of an enterprise zone web portal or websites for enterprise zones.

The bill takes effect July 1, 2017.

II. Present Situation:

Regional Rural Development Grant Program

The Regional Rural Development Grant Program was established to provide funding, through matching grants, to build the professional capacity of regional economic development organizations in Florida.¹ Additionally, grants from the program may be used by an economic development organization to provide technical assistance to businesses within the rural counties and communities that the organization serves. The Department of Economic Opportunity (DEO)

¹ Section 288.018, F.S.

may approve annual grants to regionally based economic development organizations for the purposes of the grant program. The maximum amount any organization can receive is \$50,000, or \$150,000 in a rural area of opportunity, and it must be matched by an equivalent amount of non-state resources. The DEO may expend up to \$750,000 each fiscal year from funds appropriated to the Rural Community Development Revolving Loan Fund for the matching grant program. The DEO is authorized to contract with Enterprise Florida, Inc., to administer this program.

To be approved, an applying organization must need assistance and provide to the DEO:

- Documentation of official commitments of support from all the local governments represented by the organization;
- Proof that each local government has made financial or in-kind commitment to the organization;
- Proof that private sector financial or in-kind commitments have been made to the organization;
- Proof that the organization is in existence and actively involved in economic development activities in the region; and
- The manner in which the organization coordinates its efforts with those of other local and state organizations.

Additionally, the program authorizes the DEO to contact for the development of an enterprise zone web portal or websites for each enterprise zone to market the program for job creation in disadvantaged urban and rural enterprise zones.

Rural Areas of Opportunity

A Rural Area of Opportunity (RAO) is a rural community, or region of rural communities, designated by the Governor that has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster or that presents a unique economic development opportunity of regional impact.² By executive order, the Governor may designate up to three RAOs, establishing each region as a priority assignment for Rural Economic Development Initiative agencies. This allows the Governor to waive criteria of any economic development incentive including the Qualified Target Industry Tax Refund Program,³ the Quick Response Training Program and the Quick Response Training Program for participants in the welfare transition program,⁴ transportation projects,⁵ the Brownfield Redevelopment Bonus Refund,⁶ and the Rural Job Tax Credit program.⁷

The currently designated RAOs are:

- **Northwestern RAO:** consisting of Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington counties, and the City of Freeport in Walton County;

² Section 288.0656(1)(d), F.S.

³ Section 288.106, F.S.

⁴ Section 288.047, F.S.

⁵ Section 339.2821, F.S.

⁶ Section 288.107, F.S.

⁷ Sections 212.098 and 220.1895, F.S.

- **South Central RAO:** consisting of DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay (Palm Beach County), and Immokalee (Collier County); and
- **North Central RAO:** consisting of Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, and Union counties.

Regional Economic Development Organizations

Three regional economic development organizations that operate in the state coincide with the current RAOs. These public/private 501c(6) organizations provide economic development support to the local governments that represent the RAOs. Opportunity Florida⁸ serves the Northwestern RAO, Florida's Heartland Rural Economic Development Initiative, Inc.,⁹ serves the South Central RAO, and the North Florida Economic Development Partnership¹⁰ serves the North Central RAO.

Rural Community Development Revolving Loan Fund Program

The Rural Community Development Revolving Loan Fund Program was created to facilitate the use of existing federal, state, and local financial resources by providing local governments with financial assistance to further promote the economic viability of rural communities.¹¹ The program has received an annual appropriation of \$1.17 million for several consecutive fiscal years.¹² These funds may be used to finance initiatives directed toward maintaining or developing the economic base of rural communities, especially initiatives addressing employment opportunities for residents of these communities. The program requires all repayments of principal and interest to be returned to the loan fund and made available for loans to other applicants. Up to \$750,000 of the annual allocation may be expended for the Regional Rural Development Grant Program.¹³

Rural Economic Development Initiative

The Rural Economic Development Initiative (REDI) was established in 1997 by the Legislature to encourage and facilitate the location and expansion of major economic development projects of significant scale in rural communities.¹⁴ The REDI is responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems that affect the fiscal, economic, and community viability of Florida's economically distressed rural communities.¹⁵ The REDI works with local governments, community-based organizations, and private organizations that have an interest in the growth and development of these communities to find ways to balance environmental and growth management issues with local needs.

⁸ See generally, Opportunity Florida, available at <http://www.opportunityflorida.com/>, (last visited March 8, 2017).

⁹ See generally, Florida's Heartland REDI, Inc., available at <http://flaheartland.com/>, (last visited March 8, 2017). This organization is not directly related to the REDI program administered by the DEO pursuant to s. 288.0656, F.S.

¹⁰ See generally, North Florida Economic Development Partnership, available at <http://nflp.org/>, (last visited March 8, 2017).

¹¹ Section 288.065, F.S.

¹² Chapters 2016-66, 2015-232, 2014-51, and 2013-40, Laws of Fla.

¹³ Section 288.018(4), F.S.

¹⁴ Section 288.0656, F.S.

¹⁵ Agencies required to participate in the REDI are found in s. 288.0656(6)(a), F.S.

The Governor, acting through the REDI, can waive criteria, requirements, or any similar provisions of any state economic development incentive in RAOs. While not explicitly listed in statute, the matching requirement in the Regional Rural Development Grants Program is likely able to be waived.¹⁶

Florida Enterprise Zones

The Florida Enterprise Zone Program offered a variety of sales tax credits, refunds, exemptions, and corporate income tax credits to businesses within certain geographic regions to encourage economic growth and investment in distressed areas. The program was administered by the DEO and sunset on December 31, 2015.

Enterprise Florida, Inc.

Enterprise Florida, Inc., (EFI) serves as the principal economic development organization for the state. Among its numerous duties, EFI markets the state for business creation, expansion, and retention. Additionally, EFI contracts with DEO to manage some of the various programs housed in the Division of Strategic Business Development, including the Regional Rural Development Grants Program.

III. Effect of Proposed Changes:

SB 936 changes the Regional Rural Development Grants Program in s. 288.018, F.S. Regarding the program, the bill:

- Removes the match requirement of equivalent amounts non-state resources for grants, and removes all references to matching in the section;
- Increases the amount of funds from the Rural Community Development Revolving Loan Fund program that can be expended by the grants program to \$1 million from \$750,000;
- Specifies that the maximum amount that can be awarded in RAOs is to be awarded to the three regional economic development organizations serving the RAOs, specifically Opportunity Florida, Florida's Heartland REDI, Inc., and the North Florida Economic Development Partnership;
- Increases the maximum amount that can be awarded to \$250,000 from \$150,000;
- Clarifies that the purpose of the program is to build the professional capacity of regional economic development organizations;
- Provides that building professional capacity includes hiring and compensating professional staff to develop, directly provide, or facilitate the delivery of necessary economic development services, including technical assistance, education and leadership development, marketing and project recruitment, and other professional services deemed important for rural economic development;
- Provides that grants used for technical assistance to businesses can be used to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses; and
- Repeals the authority of the DEO to contract for the development of an enterprise zone web portal or websites for enterprise zones, and directions for the contents of any such websites.

¹⁶ Section 288.018(1), F.S.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate. The bill increases the maximum amount of funds that can be awarded to an organization, but not the overall funding for the program. Additionally, the bill increases the amount of funds that can be expended from the Rural Community Development Revolving Loan Fund, decreasing the amount of funds specifically dedicated to loans under that program.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

SB 936 specifies by name which regional economic development organizations serving RAOs may receive the larger maximum grant amount. Several situations could arise requiring statutory change, including if one or more of the organizations changed name, or another organization began to be the primary economic development representative for one of the regions.

VIII. Statutes Affected:

This bill substantially amends section 288.018 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Montford

3-00814A-17

2017936__

A bill to be entitled

An act relating to regional rural development grants; amending s. 288.018, F.S.; revising the purpose of the Regional Rural Development Grants Program; revising the entities an economic development organization may assist with a grant; providing a maximum amount for grants received by specified economic development organizations; deleting a provision authorizing the Department of Economic Opportunity to contract for the development of certain enterprise zone web portals or websites; increasing the maximum amount the department may expend from funds appropriated to the Rural Community Development Revolving Loan Fund for certain expenses; providing an effective date.

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

Section 1. Subsections (1), (3), and (4) of section 288.018, Florida Statutes, are amended to read:

288.018 Regional Rural Development Grants Program.—

(1) The department shall establish a ~~matching~~ grant program to provide funding to regionally based economic development organizations representing rural counties and communities for the purpose of building the professional capacity of the regional economic development ~~their~~ organizations. Building the professional capacity of these organizations shall include the hiring and compensating of professional staff to develop, directly provide, or facilitate the delivery of necessary economic development services, including technical assistance,

3-00814A-17

2017936__

education and leadership development, marketing and project recruitment, and other professional services deemed important for rural economic development. Such ~~matching~~ grants may also be used by an economic development organization to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses within the rural counties and communities that it serves. The department is authorized to approve, on an annual basis, grants to such regionally based economic development organizations. The maximum amount an organization may receive in any year ~~is will be~~ \$50,000, or \$250,000 for each of the three regional economic development organizations serving the rural areas of opportunity as defined by executive order of the Governor. The three organizations include the North Florida Economic Development Partnership, Opportunity Florida, and Florida's Heartland \$150,000 in a rural area of opportunity recommended by the Rural Economic Development Initiative, Inc and designated by the Governor, and must be matched each year by an equivalent amount of nonstate resources.

~~(3) The department may also contract for the development of an enterprise zone web portal or websites for each enterprise zone which will be used to market the program for job creation in disadvantaged urban and rural enterprise zones. Each enterprise zone web page should include downloadable links to state forms and information, as well as local message boards that help businesses and residents receive information concerning zone boundaries, job openings, zone programs, and neighborhood improvement activities.~~

(3)(4) The department may expend up to \$1 million \$750,000

3-00814A-17

2017936__

59 each fiscal year from funds appropriated to the Rural Community
60 Development Revolving Loan Fund for the purposes outlined in
61 this section. The department may contract with Enterprise
62 Florida, Inc., for the administration of the purposes specified
63 in this section. Funds released to Enterprise Florida, Inc., for
64 this purpose shall be released quarterly and shall be calculated
65 based on the applications in process.

66 Section 2. This act shall take effect July 1, 2017.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

March 13, 2017

Meeting Date

SB 936

Bill Number (if applicable)

Topic Rural Development Grants

Amendment Barcode (if applicable)

Name Carolyn Johnson

Job Title Policy Director

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FLORIDA CHAMBER of Commerce

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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3/13/2017

Meeting Date

936

Bill Number (if applicable)

Topic Rural Regional Development Grants

Amendment Barcode (if applicable)

Name Jeff Hendry

Job Title Executive Director, North Florida Economic Development Partnership

Address 3200 Commonwealth Blvd., #7

Phone 850-443-7103

Street

Tallahassee, FL

City

State

32303

Zip

Email jhendry@iog.fsu.edu

Speaking: ☐ For ☐ Against ☒ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing NFEDP

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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3/13/17

Meeting Date

936

Bill Number (if applicable)

Topic Regional Rural Development Grants

Amendment Barcode (if applicable)

Name Chris Doolin

Job Title DIRECTOR - SMALL COUNTY COALITION

Address 1118-B THOMASVILLE ROAD

Phone 850-508-5492

Street

Tallahassee

City

FLA.

State

32303

Zip

Email cdoolin@nettally.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☒ Against
(The Chair will read this information into the record.)

Representing SMALL COUNTY COALITION

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/2017

Meeting Date

SB 936

Bill Number (if applicable)

Topic Regional Rural Development Grants

Amendment Barcode (if applicable)

Name Darryl Register

Job Title Executive Director -

Address 20 E. Macclenny Ave

Street

Phone 904-226-4780

Macclenny

City

FL

State

32063

Zip

Email dregister@bakerchamberfl
.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Baker County Development Commission

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

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APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17

Meeting Date

SB 936

Bill Number (if applicable)

Topic Regional Rural Development Grants

Amendment Barcode (if applicable)

Name Richard Williams

Job Title Executive Director

Address 4636 Hwy 90E, Suite A
Street

Phone 850-557-2441

Marianna FL 32446
City State Zip

Email richard.w@opportunity
florida.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Opportunity Florida

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

COMMITTEE: Commerce and Tourism
ITEM: SB 936
FINAL ACTION: Favorable
MEETING DATE: Monday, March 13, 2017
TIME: 4:00—6:00 p.m.
PLACE: 110 Senate Office Building

[illegible]

CODES: FAV=Favorable
UNF=Unfavorable
-R=Reconsidered

RCS=Replaced by Committee Substitute
RE=Replaced by Engrossed Amendment
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TP=Temporarily Postponed
VA=Vote After Roll Call
VC=Vote Change After Roll Call

WD=Withdrawn
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AV=Abstain from Voting

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Commerce and Tourism

BILL: CS/SB 364

INTRODUCER: Committee on Commerce and Tourism and Senator Gainer and others

SUBJECT: Recovery Fund for the Deepwater Horizon Incident

DATE: March 14, 2017

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Little	McKay	CM	Fav/CS
2. _____	_____	ATD	_____
3. _____	_____	AP	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 364 appropriates 75 percent of Florida's economic damage settlement funds to Triumph Gulf Coast, Inc., a nonprofit corporation, which is responsible for creating and administering a program to assist with economic recovery in the eight counties disproportionately affected by the Deepwater Horizon oil spill. The bill requires Triumph Gulf Coast, Inc., to invest the settlement funds with the State Board of Administration.

The bill adds two members to the board of directors of Triumph Gulf Coast, Inc., with the Senate President and the Speaker of the House of Representatives each appointing an individual from one of the lesser populated counties within the disproportionately affected counties.

II. Present Situation:

Deepwater Horizon Oil Spill

On April 20, 2010, an offshore drilling rig, known as Deepwater Horizon, exploded in the Gulf of Mexico.¹ The explosion claimed the lives of 11 crewmembers² and caused nearly 5 million

¹ Campbell Robertson, *Gulf Spill Is the Largest of Its Kind, Scientists Say*, The New York Times, Aug. 2, 2010, available at <http://www.nytimes.com/2010/08/03/us/03spill.html> (last visited March 10, 2017).

² Bradley Blackburn, *BP Oil Spill: Families Gather to Honor 11 Who Died, Express Frustration with BP, Transocean*, ABC News, May 25, 2010, available at <http://abcnews.go.com/WN/bp-oil-spill-transocean-holds-memorial-11-lost/story?id=10739080> (last visited March 10, 2017).

barrels of crude oil to spill into the Gulf of Mexico.³ The five states bordering the Gulf of Mexico (Alabama, Florida, Louisiana, Mississippi, and Texas) were quickly determined to have experienced the most devastating economic and environmental effects of the oil spill.⁴

On July 6, 2012, President Obama signed into law the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies the Gulf Coast States Act of 2012 (RESTORE Act) in an effort to provide a mechanism for funding restoration of the Gulf Coast region.⁵ The RESTORE Act required 80 percent of administrative and civil penalties paid by responsible parties⁶ under provisions of the federal Clean Water Act to be deposited into the Gulf Coast Restoration Trust Fund.⁷ The RESTORE Act set forth the following framework for allocation of the Trust Fund:

- 35 percent equally divided among the five states;
- 30 percent to the Gulf Coast Ecosystem Restoration Council;
- 30 percent to the Oil Spill Restoration Impact;
- 2.5 percent to the Gulf Coast Ecosystem Restoration Science Observation Monitoring and Technology Program; and
- 2.5 percent to Centers of Excellence.⁸

In addition to penalties imposed under the Clean Water Act, responsible parties were liable for Natural Resource Damage Assessment Penalties under the Oil Pollution Act of 1990 and criminal penalties asserted by the National Fish and Wildlife Foundation.⁹ The funds awarded to the Gulf States were determined pursuant to a consent decree, approving a \$20.8 billion settlement of a civil lawsuit filed by the United States and the five Gulf States against parties responsible for the oil spill.¹⁰

Economic Loss Claims

In an agreement separate from the civil lawsuit, BP also agreed to pay a total of \$4.9 billion to the five Gulf States and up to \$1 billion to local government entities for economic damage claims related to the oil spill.¹¹ Pursuant to the economic damages settlement agreement, Florida will

³ Robertson, *supra* note 1.

⁴ Exec. Order No. 13554, 75 Fed. Reg. 62313, (October 5, 2010), available at <https://obamawhitehouse.archives.gov/the-press-office/2010/10/05/executive-order-13554-gulf-coast-ecosystem-restoration-task-force> (last visited March 10, 2017).

⁵ Pub. L. No. 112-141 (113th Congress). Codified at 33 U.S.C. 1321.

⁶ Transocean Ltd., British Petroleum (BP), and The Halliburton Company were among the parties found to be responsible.

⁷ The remaining 20 percent of the administrative and civil penalties are required to be deposited into the federal Oil Spill Liability Trust Fund, which funds removal costs or damages resulting from discharges of oil. See 33 U.S.C. 1321.

⁸ A table of Projected BP Annual Deposits into the Gulf Coast Restoration Trust Fund is available at https://www.treasury.gov/services/restore-act/Documents/BP_Estimated_Deposits_Schedule_June302016.pdf (last visited March 10, 2017).

⁹ Consent Decree, In re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico on April 20, 2010 (no. 2179, M.D.L., April 4, 2016), available as document no. 15, at <https://www.justice.gov/enrd/file/838066/download> (last visited March 10, 2017).

¹⁰ A flowchart of the funds awarded in the approved settlement is available at <http://www.oceanconservancy.org/places/gulf-of-mexico/spill-funds-flowchart-spring.pdf> (last visited March 10, 2017).

¹¹ Attorney General Pam Bondi, *Deepwater Horizon Oil Spill Settlement Fact Sheet* [http://myfloridalegal.com/webfiles.nsf/WF/KMAN-9Y2H9C/\\$file/BP+Fact+Sheet.pdf](http://myfloridalegal.com/webfiles.nsf/WF/KMAN-9Y2H9C/$file/BP+Fact+Sheet.pdf) (last visited March 10, 2017).

receive a total of \$2 billion over an 18-year period.¹² Attorney General Pam Bondi received BP's initial settlement payment of \$400 million in July of 2016, and the funds were placed into the state General Revenue Fund.¹³ Subsequent settlement payments are scheduled to be paid annually to the state in the amount of \$106,666,666 from 2019 until 2033.¹⁴

Florida Legislation

Disbursement of Funds

In 2011, the Legislature began to address the negative economic and environmental impacts of the oil spill.¹⁵ Section 377.43, F.S., was created to provide a mechanism for the disbursement of funds received by the state for damages associated with the oil spill.¹⁶ Section 377.43, F.S., ensures that 75 percent of “[a]ny funds received by the state from any governmental or private entity for damages caused by the Deepwater Horizon oil spill...” are utilized for the benefit of the eight counties disproportionately affected by the oil spill.¹⁷ The eight disproportionately affected counties are: Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Walton County, and Wakulla County.¹⁸ Section 377.43, F.S., designates the Department of Environmental Protection (DEP) as the lead agency for expending funds directed to environmental restoration and the Department of Economic Opportunity (DEO) as the lead agency for expending funds directed to economic incentives and diversification efforts.¹⁹

Gulf Coast Economic Corridor Act

In 2013, the Legislature created the “Gulf Coast Economic Corridor Act” (the Act) to provide a long-term source of funding for economic recovery and enhancement efforts in the Gulf Coast region. The Act was intended to help businesses, individuals, and local governments recover from the Deepwater Horizon oil spill.²⁰ The Act created Triumph Gulf Coast, Inc. (Triumph Gulf Coast), a nonprofit corporation, administratively housed under the DEO.²¹

Triumph Gulf Coast, Inc.

Triumph Gulf Coast must create and administer a “Recovery Fund” to be utilized as a long-term source of revenue for the disproportionately affected counties.²² Triumph Gulf Coast is tasked with investing the principal of the Recovery Fund, which is derived from “75 percent of all funds recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster, after payment of reasonable and necessary attorney fees, costs, and

¹² Consent Decree, In re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico on April 20, 2010 (no. 2179, M.D.L., April 4, 2016), available as document no. 15435-2.

¹³ Court settlement funds negotiated by the state are placed in the General Revenue Fund pursuant to s. 216.216, F.S.

¹⁴ Document no. 15435-2, *supra* note 8.

¹⁵ Chapter 2011-142, Laws of Fla.

¹⁶ See ss. 377.43(2) and (3), F.S.

¹⁷ Section 377.43(3), F.S.

¹⁸ Section 377.43(1), F.S.

¹⁹ Section 377.43(5), F.S.

²⁰ Section 288.8011, F.S.

²¹ Sections 288.8013(1), F.S.

²² The “Recovery Fund” is defined as, “a trust account established by Triumph Gulf Coast, Inc., for the benefit of the disproportionately affected counties.” Section 288.2012(3), F.S.

expenses....”²³ The Recovery Fund is required to decline over a 30-year period, in equal amounts each year. Any funds remaining after 30 years will revert to the State Treasury.²⁴

The duties of Triumph Gulf Coast include:

- Responsibly and prudently managing all funds received and ensuring that the use of funds is in accordance with applicable laws, bylaws, and contractual requirements;
- Administering the program set forth by the Act;
- Monitoring, reviewing, and annually evaluating awardees and their projects or programs to determine whether awards should be continued, terminated, reduced, or increased; and
- Operating in a transient manner, providing public access to information, notice of meetings, awards, and the status of projects and programs.²⁵

Triumph Gulf Coast is required to competitively procure one or more money managers to invest the funds.²⁶ While Triumph Gulf Coast is permitted to hire or contract for staff deemed necessary to execute the program, the corporation is required to retain all of the following staff members:

- An independent certified public accountant;
- An independent financial advisor;
- An economic advisor; and
- A legal advisor.²⁷

Board of Directors

Triumph Gulf Coast is comprised of a 5-member board of directors (the board).²⁸ Each of the Trustees of the State Board of Administration,²⁹ the President of the Senate, and the Speaker of the House of Representatives, appoint an individual from the private sector to serve as a board member.³⁰ To achieve staggered terms, the initial board members appointed by the President of the Senate and the Speaker of the House of Representatives will serve for a period of 5 years.³¹ All other initially appointed, and subsequently appointed, board members will serve for a term of 4 years.³² The board annually elects a chairperson, who is responsible for the official seal of Triumph Gulf Coast and ensuring that records are properly recorded and maintained.³³ The board is required to meet at least quarterly, upon the call of the chairperson or at the request of a majority of the membership. A majority of the board members constitutes a quorum, and board members cannot vote by proxy.³⁴

²³ Sections 288.8013(2) and (3), F.S.

²⁴ Section 288.8013(3), F.S.

²⁵ Section 288.8016, F.S.

²⁶ Section 288.8013(4)(b), F.S.

²⁷ Section 288.8014(9)(a), F.S.

²⁸ Section 288.8014(2), F.S.

²⁹ The State Board of Administration Trustees are the Governor, the Attorney General, and the Chief Financial Officer. See FLA. CONST. art. IV, s.4.

³⁰ Section 288.8014(2), F.S.

³¹ In 2014, the Legislature amended the length of the terms and specified the initial terms would begin once the Legislature appropriated funds to the Recovery Fund. See ch. 2014-218, Laws of Fla.

³² Section 288.8014(3), F.S.

³³ Section 288.8014(2), F.S.

³⁴ Section 288.8014(7), F.S.

The board is required to formulate an investment policy governing the investment of the principal of the Recovery Fund, under the advice of the financial advisor, and in consultation with the State Board of Administration.³⁵ The board's powers include the ability to:

- Make and enter into contracts;
- Make expenditures;
- Adopt, use, and alter a common corporate seal;
- Adopt, amend, and repeal bylaws; and
- Use the state seal.³⁶

The board may also request the presence of, and consult with, the executive director of the DEO, the secretary of the DEP, the chair of the Committee of 8 Disproportionately Affected Counties, and any retained staff. However, these individuals are not able to vote on any matters before the board.³⁷

Triumph Gulf Coast and board members are subject to public records and meeting requirements.³⁸ Board members and staff must adhere to the same standards of conduct as public officers and employees and are required to file financial disclosure forms.³⁹ Board members are required to serve uncompensated, except for travel and per diem expenses. Additionally, each board member must agree to refrain from having any direct interest in any contract, program, project, or other benefit arising from an award from the Recovery Fund during the term of appointment to the board and for 2 years following the end of the appointment.⁴⁰ It is a misdemeanor of the first degree for a board member to violate these requirements.⁴¹

Awards

Under the Act, Triumph Gulf Coast is permitted to make awards from available earnings and principal, for projects or programs that prioritize economic recovery, diversification, and enhancement of the disproportionately affected counties. Triumph Gulf Coast may award any of the following projects or programs:

- Ad valorem tax reduction;
- Payment of impact fees;
- Administrative funding for economic development organizations;
- Local match requirements for certain economic incentives programs;
- Economic development projects;
- Infrastructure projects that are shown to enhance economic development;
- Grants to local governments to establish and maintain equipment and trained personnel for local action plans of response to disasters;

³⁵ Section 288.8013(4)(a), F.S.

³⁶ Section 288.8015, F.S.

³⁷ See s. 288.8014(9), F.S.

³⁸ Section 288.8014(1), F.S.

³⁹ These standards of conduct include restrictions on employment of relatives, voting conflicts, and standards of conduct for public officers, which include prohibitions on self-dealing, solicitation of gifts, and postemployment restrictions. See ss. 288.8014(4) and (9), F.S.

⁴⁰ Section 288.8014(5), F.S.

⁴¹ Punishable by a fine of up to \$1,000 and up to one-year imprisonment. See ss. 775.082 and 775.083, F.S.

- Grants to support programs of excellence that prepare students for future occupations and careers at K-20 institutions; or
- Grants to Visit Florida for advertising and promoting tourism, the Fresh From Florida program, or other related content.⁴²

Triumph Gulf Coast must establish an application and scoring process for all awards. The scoring process should lead to the selection of projects or programs that “have the potential to generate increased economic activity in the disproportionately affected counties.”⁴³ Awards may not finance 100 percent of a project or program, and an awardee is prohibited from receiving all of the available funds in any given calendar year. A one-to-one private-sector match may be required if applicable and deemed prudent by the board.⁴⁴ The application and scoring process should give priority to projects or programs that meet the following criteria:

- Generate maximum economic benefits;
- Expand household income above the national average;
- Expand or establish new high growth industries;
- Leverage or enhance key regional assets, including research facilities and military bases;
- Partner with local governments, convention and visitor bureaus, chambers of commerce, school districts, or educational institutions;
- Have investment commitments from private equity or venture capital funds;
- Provide or encourage seed-stage investments;
- Provide advice or technical assistance to companies on restructuring existing management, operations, or production in order to attract business opportunities;
- Benefit the environment in addition to the economy; and
- Provide outcome measures for programs of excellence.⁴⁵

Contracts for awards must include provisions that require the awardee to submit a performance report to Triumph Gulf Coast. Contracts must also include provisions that allow for recovery of an award if the awardee does not meet performance expectations or the awardee is determined to have given fraudulent information to obtain the award.⁴⁶

Administrative Costs

Earnings generated by investments and interest of the Recovery Fund are required to be utilized for awards and administrative costs under the program. Administrative costs include management fees for investments, audit expenses, travel and per diem expenses, staff salaries, and other allowable costs. Administrative costs are limited to 2.25 percent of the earnings each calendar year.⁴⁷ Management fees for investments are limited to 150 basis points.⁴⁸

⁴² See s. 288.8017(1), F.S.

⁴³ Section 288.8017(2), F.S.

⁴⁴ Section 288.8017(3), F.S.

⁴⁵ See s. 288.8017(2), F.S.

⁴⁶ Section 288.8014(4), F.S.

⁴⁷ Section 288.8013(3).

⁴⁸ Section 288.2013(4)(c), F.S.

Auditing and Reporting

Triumph Gulf Coast is required to report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on June 30 and December 30 of each year. The report should provide the financial status of the Recovery Fund and its investments, including a detailed list of approved awards, submitted applications, and any reasons for approval or denial. The report must also include information on the program's established priorities and the application selection process.⁴⁹

Triumph Gulf Coast is also required to have two annual audits – one of the investment of the Recovery Fund by an independent certified public accountant,⁵⁰ and one of the Recovery Fund and Triumph Gulf Coast by the Auditor General. The Act requires Triumph Gulf Coast to provide the Auditor General details or supplemental data necessary to perform the audit.⁵¹

III. Effect of Proposed Changes:

The bill defines “settlement agreement” as “the agreement between the gulf states and the BP entities with respect to economic claims arising from the Deepwater Horizon incident.” Adding the definition clarifies that the Act relates to the \$2 billion of economic damage settlement funds negotiated by the Attorney General.⁵²

The bill appropriates economic damage settlement funds to Triumph Gulf Coast. After reasonable and necessary payment of attorney fees, costs, and reasonable expenses, the bill requires settlement funds received by the state prior to June 30, 2017, to be transferred to the Recovery Fund no later than August 1, 2017. The bill also creates a recurring appropriation to Triumph Gulf Coast to ensure that settlement funds received by the state on or after July 1, 2017, are transferred to the Recovery Fund within 30 days of receipt by the state.

The bill removes the requirements that Triumph Gulf Coast retain an independent financial advisor and an economic advisor. The bill also removes provisions requiring Triumph Gulf Coast to consult with a money manager and a financial advisor in order to develop an investment policy. Instead, the bill requires Triumph Gulf Coast to consult with, and invest the settlement funds with, the State Board of Administration. The bill also removes provisions relating to investment fees and revises the limit on administrative fees to 0.75% of the principal in a calendar year, rather than 2.25% of the earnings.

As of the effective date of the bill, the number of members on the board increases from five to seven, with the Senate President and the Speaker of the House of Representatives each appointing a new member. The bill requires newly appointed board members to be from the private sector and from one of the four least populous counties within the disproportionately affected counties, as estimated by the March 2017 county population estimates released by the

⁴⁹ Section 288.8013(5), F.S.

⁵⁰ Section 288.8013(4), F.S.

⁵¹ Section 288.8013(6), F.S.

⁵² See *supra*, note 8.

United States Census Bureau,⁵³ so that two such counties are represented on the board. The appointment of additional members will provide further representation among the disproportionately affected counties. Based on the April 1, 2016, county population estimates published by the Office of Economic and Demographic Research, the new members would be individuals from the private sector from two of the following counties: Gulf County, Franklin County, Wakulla County, or Walton County.⁵⁴

The bill removes the requirement that K-20 institutions have a “home campus” within the disproportionately affected counties in order receive grant awards for programs of excellence, and allows K-20 institutions to be eligible for such awards so long as the institution has a campus within the disproportionately affected counties. The bill likely increases the number of K-20 institutions that may be eligible for such grant awards.

The bill repeals s. 377.43, F.S., relating to the disbursement of funds received by the state for damages associated with the Deepwater Horizon Oil Spill.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

⁵³ A table of the United States Census Bureau anticipates county population and demographic components of population change may be released in March of 2017. See <https://www.census.gov/programs-surveys/popest/about/schedule.html> (last visited March 14, 2017).

⁵⁴ See Office of Economic and Demographic Research, *Florida Population Estimates for Counties and Municipalities*, (April 1, 2016), available at http://edr.state.fl.us/Content/population-demographics/data/2016_Pop_Estimates.pdf (last visited March 14, 2017).

C. Government Sector Impact:

The bill reduces General Revenue funds by \$300 million in Fiscal Year 2017-2018. Seventy-five percent of future economic damage settlement payments received by the state will be transferred from General Revenue to the Recovery Fund.

VI. Technical Deficiencies:

Line 73 of the bill refers to moneys received *before* June 30, 2017 and line 78 of the bill refers to moneys received *on or after* July 1, 2017. The language inadvertently does not provide guidance for a scenario in which the state receives settlement funds on June 30, 2017.

VII. Related Issues:

Line 68 of the bill relates to 75 percent of the moneys after “reasonable and necessary payment of attorney fees, costs, and related expenses.” The Attorney General negotiated fees, costs, and expenses in an agreement separate from the settlement for economic damages. Without a deduction of these funds, Triumph Gulf Coast will receive 75 percent of the total amount of moneys received before June 30, 2017.

The bill is unclear as to the term limits of the newly appointed board members. Section 288.8014(3), F.S., identifies the term limits for the five initially appointed board members, as ending either 4 or 5 years after the Legislature appropriates funds the Recovery Fund and provides that “[t]hereafter, each member of the board of directors shall serve for a term of 4 years.” Lines 150-158 of the bill increase the number of board members as of the effective date of the act. If the newly appointed board members are meant to serve terms of 4 years, the terms may not end at the same time as the initially appointed board members serving 4-year terms.⁵⁵ In addition, if the newly appointed members serve 4-year terms, the Senate President and the Speaker of the House of Representatives will be required to make subsequent appointments to the board in back-to-back years. For example, the 4-year terms of the newly appointed members would end in 2021, while the serving 5-year terms of the initially appointed members end in 2022.

Line 156 of the bill references population estimates that the United States Census Bureau has not yet published. Until this data is released, the four least populous disproportionately affected counties, from which the two new board members will be appointed, are unidentified in the bill.

VIII. Statutes Affected:

This bill creates section 288.8012(5) of the Florida Statutes. This bill amends section 288.8013 of the Florida Statutes. This bill repeals section 377.43 of the Florida Statutes.

⁵⁵ The bill provides that the board membership increases to seven members upon becoming law, and s. 288.8014(3), F.S., provides that the initially appointed members’ terms end 4 years after the Legislature appropriates funds to the Recovery Fund. The date the Legislature appropriates funds may differ from the date the act becomes law.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Commerce and Tourism on March 13, 2017:

The committee substitute:

- Requires Triumph Gulf Coast to invest with the State Board of Administration;
- Limits administrative costs to 0.75% of the principal in a calendar year and removes provisions relating to management fees for investment services;
- Removes provisions requiring Triumph Gulf Coast to develop an investment policy and provisions requiring Triumph Gulf Coast to hire certain staff members;
- Increases the number of board members to include representation from the lesser populated counties within the disproportionately affected counties;
- Allows additional K-20 institutions to be considered for awards from Triumph Gulf Coast by removing the requirement that the institution must have a “home campus” within the disproportionately affected counties;
- Repeals s. 377.43, F.S., related to the disbursement of funds received for damages caused by the Deepwater Horizon Oil Spill; and
- Changes the effective date to “upon becoming law” and directs the Division of Law Revision and Information to revise the act accordingly.

- B. **Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/13/2017	.	
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	.	

The Committee on Commerce and Tourism (Gainer) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (5) is added to section 288.8012,
Florida Statutes, to read:

288.8012 Definitions.—As used in ss. 288.80-288.8017, the
term:

(5) "Settlement agreement" means the agreement between the
gulf states and the BP entities with respect to economic claims



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arising from the Deepwater Horizon incident.

Section 2. Subsections (2), (3), and (4) of section 288.8013, Florida Statutes, are amended to read:

288.8013 Triumph Gulf Coast, Inc.; Recovery Fund; creation; investment.—

(2)(a) Triumph Gulf Coast, Inc., must create and administer the Recovery Fund for the benefit of the disproportionately affected counties. The principal of the fund shall derive from 75 percent of all moneys received by the state pursuant to the settlement agreement ~~funds recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster,~~ after payment of reasonable and necessary attorney fees, costs, and expenses, including such attorney fees, costs, and expenses pursuant to s. 16.0155.

(b)1. After reasonable and necessary payment of attorney fees, costs, and related expenses, 75 percent of the remaining moneys received by the state before June 30, 2017, pursuant to the settlement agreement is appropriated to Triumph Gulf Coast, Inc., and shall be transferred to the Recovery Fund no later than August 1, 2017.

2. Seventy-five percent of the moneys received by the state pursuant to the settlement agreement on or after July 1, 2017, is appropriated to the Triumph Gulf Coast, Inc., and shall be transferred to the Recovery Fund no later than 30 days after such funds are received by the state.

~~(3) The Recovery Fund must be maintained as a long-term and stable source of revenue, which shall decline over a 30-year period in equal amounts each year. Triumph Gulf Coast, Inc., shall establish a trust account at a federally insured financial~~



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institution to hold funds and make deposits and payments, and shall consult with the State Board of Administration and invest moneys from the settlement agreement in appropriate State Board of Administration funds. Earnings generated by investments and interest of the fund, plus the amount of principal available each year, shall be available to make awards pursuant to this act and pay administrative costs. Earnings must ~~shall~~ be accounted for separately from principal funds set forth in subsection (2). Administrative costs are limited to 0.75 ~~2.25~~ percent of the principal earnings in a calendar year. Administrative costs include payment of investment fees, travel and per diem expenses of board members, audits, salary or other costs for employed or contracted staff, including required staff under s. 288.8014(9), and other-allowable costs. Triumph Gulf Coast, Inc., shall cause an annual audit to be conducted of the investments of the Recovery Fund by the independent certified public accountant retained as required in s. 288.8014. Any funds remaining in the Recovery Fund after 30 years shall revert to the State Treasury.

(4) Triumph Gulf Coast, Inc., shall invest and reinvest the principal of the Recovery Fund in accordance with s. 617.2104, in such a manner not to subject the funds to state or federal taxes, and consistent with an investment policy statement adopted by the corporation.

~~(a) The board of directors shall formulate an investment policy governing the investment of the principal of the Recovery Fund. The policy shall pertain to the types, kinds, or nature of investment of any of the funds, and any limitations, conditions or restrictions upon the methods, practices, or procedures for~~



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~~investment, reinvestments, purchases, sales, or exchange transactions, provided such policies shall not conflict with nor be in derogation of any state constitutional provision or law. The policy shall be formulated with the advice of the financial advisor in consultation with the State Board of Administration.~~

~~(b) Triumph Gulf Coast, Inc., must competitively procure one or more money managers, under the advice of the financial advisor in consultation with the State Board of Administration, to invest the principal of the Recovery Fund. The applicant manager or managers may not include representatives from the financial institution housing the trust account for the Recovery Fund. The applicant manager or managers must present a plan to invest the Recovery Fund to maximize earnings while prioritizing the preservation of Recovery Fund principal. Any agreement with a money manager must be reviewed by Triumph Gulf Coast, Inc., for continuance at least every 5 years. Plans should include investment in technology and growth businesses domiciled in, or that will be domiciled in, this state or businesses whose principal address is in this state.~~

~~(c) Costs and fees for investment services shall be deducted from the earnings as administrative costs. Fees for investment services shall be no greater than 150 basis points.~~

~~(d) Annually, Triumph Gulf Coast, Inc., shall cause an audit to be conducted of the investment of the Recovery Fund by the independent certified public accountant retained in s. 288.8014. The expense of such audit shall be paid from earnings for administrative purposes.~~

Section 3. Subsections (2) and (9) of section 288.8014, Florida Statutes, are amended to read:



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288.8014 Triumph Gulf Coast, Inc.; organization; board of directors.—

(2) Triumph Gulf Coast, Inc., initially shall be governed by a five-member ~~5-member~~ board of directors. Each of the Trustees of the State Board of Administration, the President of the Senate, and the Speaker of the House of Representatives shall ~~each~~ appoint one member from the private sector. As of the effective date of this act, the number of board members increases to seven, with the President of the Senate and the Speaker of the House of Representatives each appointing an additional private sector member from one of the four least populous disproportionately affected counties as identified by the United States Census Bureau in its March 2017 estimates of county population, so that two such counties are represented on the board. The board of directors shall annually elect a chairperson from among the board's members. The chairperson may be removed by a majority vote of the members. His or her successor shall be elected to serve for the balance of the removed chairperson's term. The chairperson is responsible to ensure records are kept of the proceedings of the board of directors and is the custodian of all books, documents, and papers filed with the board; the minutes of meetings of the board; and the official seal of Triumph Gulf Coast, Inc.

(9)(a) Triumph Gulf Coast, Inc., is permitted to hire or contract for all staff necessary to the proper execution of its powers and duties to implement this act. The corporation is required to retain:

1. An independent certified public accountant licensed in this state pursuant to chapter 473 to inspect the records of and



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to annually audit the expenditure of the funds earnings and
available principal disbursed by Triumph Gulf Coast, Inc.; and

~~2. An independent financial advisor to assist Triumph Gulf
Coast, Inc., in the development and implementation of a
strategic plan consistent with the requirements of this act.~~

~~3. An economic advisor who will assist in the award
process, including the development of priorities, allocation
decisions, and the application and process; will assist the
board in determining eligibility of award applications and the
evaluation and scoring of applications; and will assist in the
development of award documentation.~~

2.4. A legal advisor with expertise in not-for-profit
investing and contracting and who is a member of The Florida Bar
to assist with contracting and carrying out the intent of this
act.

(b) Triumph Gulf Coast, Inc., shall require all employees
of the corporation to comply with the code of ethics for public
employees under part III of chapter 112. Retained staff under
paragraph (a) must agree to refrain from having any direct
interest in any contract, franchise, privilege, project,
program, or other benefit arising from an award by Triumph Gulf
Coast, Inc., during the term of his or her appointment and for 2
years after the termination of such appointment.

(c) Retained staff under paragraph (a) shall be available
to consult with the board of directors and shall attend meetings
of the board of directors. These individuals shall not be
permitted to vote on any matter before the board.

Section 4. Subsection (2) of section 288.8015, Florida
Statutes, is amended to read:



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288.8015 Board of directors; powers.—In addition to the powers and duties prescribed in chapter 617 and the articles and bylaws adopted in compliance with that chapter, the board of directors may:

(2) Make expenditures including any necessary administrative expenditure ~~from earnings~~ consistent with its powers.

Under no circumstances may the credit of the State of Florida be pledged on behalf of Triumph Gulf Coast, Inc.

Section 5. Subsections (1) and (3) of section 288.8017, Florida Statutes, are amended to read:

288.8017 Awards.—

(1) Triumph Gulf Coast, Inc., shall make awards from available funds ~~earnings and principal~~ derived under s. 288.8013(2) to projects or programs that meet the priorities for economic recovery, diversification, and enhancement of the disproportionately affected counties, ~~notwithstanding s. 377.43~~. Awards may be provided for:

(a) Ad valorem tax reduction within disproportionately affected counties;

(b) Payment of impact fees adopted pursuant to s. 163.31801 and imposed within disproportionately affected counties;

(c) Administrative funding for economic development organizations located within the disproportionately affected counties;

(d) Local match requirements of ss. 288.0655, 288.0659, 288.1045, and 288.106 for projects in the disproportionately affected counties;



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(e) Economic development projects in the disproportionately affected counties;

(f) Infrastructure projects that are shown to enhance economic development in the disproportionately affected counties;

(g) Grants to local governments in the disproportionately affected counties to establish and maintain equipment and trained personnel for local action plans of response to respond to disasters, such as plans created for the Coastal Impacts Assistance Program;

(h) Grants to support programs of excellence that prepare students for future occupations and careers at K-20 institutions that have ~~home~~ campuses in the disproportionately affected counties. Eligible programs include those that increase students' technology skills and knowledge; encourage industry certifications; provide rigorous, alternative pathways for students to meet high school graduation requirements; strengthen career readiness initiatives; fund high-demand programs of emphasis at the bachelor's and master's level designated by the Board of Governors; and, similar to or the same as talent retention programs created by the Chancellor of the State University System and the Commission of Education, encourage students with interest or aptitude for science, technology, engineering, mathematics, and medical disciplines to pursue postsecondary education at a state university within the disproportionately affected counties; and

(i) Grants to the tourism entity created under s. 288.1226 for the purpose of advertising and promoting tourism, Fresh From Florida, or related content on behalf of one or all of the



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disproportionately affected counties.

(3) Triumph Gulf Coast, Inc., may make awards as applications are received or may establish application periods for selection. Awards may not be used to finance 100 percent of any project or program. Triumph Gulf Coast, Inc., may require a one-to-one private-sector match or higher for an award, if applicable and deemed prudent by the board of directors. An awardee may not receive all of the ~~earnings or~~ available funds principal in any given year.

Section 6. Section 377.43, Florida Statutes, is repealed.

Section 7. The Division of Law Revision and Information is directed to replace the phrase "the effective date of this act" where it occurs in this act with the date the act becomes effective.

Section 8. This act shall take effect upon becoming a law.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to the Recovery Fund for the Deepwater Horizon incident; amending s. 288.8012, F.S.; defining the term "settlement agreement"; amending s. 288.8013, F.S.; revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe; deleting a requirement that the Recovery Fund be maintained as a



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long-term, stable source of revenue, for a specified period; requiring Triumph Gulf Coast, Inc., to consult with the State Board of Administration and to invest moneys from the settlement agreement in certain funds; revising the limit on administrative costs; deleting provisions requiring the board of directors of Triumph Gulf Coast, Inc., to formulate a specified investment policy for the Recovery Fund; deleting provisions requiring Triumph Gulf Coast, Inc., to competitively procure one or more money managers to invest the principal of the Recovery Fund; deleting a provision limiting costs and fees for investment services and requiring such costs and fees to be deducted from earnings as administrative costs; amending s. 288.8014, F.S.; increasing the number of members of the board of directors of Triumph Gulf Coast, Inc., as of a specified date; providing for the appointment of the new members; requiring that the new members be residents of certain disproportionately affected counties; revising the duties of the independent certified public accountant that Triumph Gulf Coast, Inc., is required to retain; deleting provisions requiring Triumph Gulf Coast, Inc., to retain an independent financial advisor and an economic advisor; amending s. 288.8015, F.S.; deleting a provision specifying that expenditures made by the board are made from earnings; amending s. 288.8017, F.S.; revising the source for awards made by Triumph Gulf Coast, Inc.; conforming a provision to changes made by



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272 the act; requiring that K-20 institutions have a
273 campus, rather than their home campus, in a
274 disproportionately affected county as a condition of
275 eligibility for its students to receive certain
276 grants; revising annual restrictions on awards;
277 repealing s. 377.43, F.S., relating to the
278 disbursement of funds received for damages caused by
279 the Deepwater Horizon oil spill; providing a directive
280 to the Division of Law Revision and Information;
281 providing an effective date.

By Senators Gainer, Broxson, and Montford

2-00613-17

2017364__

A bill to be entitled

An act relating to the Recovery Fund for the Deepwater Horizon incident; amending s. 288.8012, F.S.; defining the term "settlement agreement"; amending s. 288.8013, F.S.; revising the funding source of the principal of the Recovery Fund for the Deepwater Horizon incident; requiring that certain funds be transferred to the Recovery Fund within a specified timeframe; providing an effective date.

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

Section 1. Subsection (5) is added to section 288.8012, Florida Statutes, to read:

288.8012 Definitions.—As used in ss. 288.80-288.8017, the term:

(5) "Settlement agreement" means the agreement between the gulf states and the BP entities with respect to economic claims arising from the Deepwater Horizon incident.

Section 2. Subsection (2) of section 288.8013, Florida Statutes, is amended to read:

288.8013 Triumph Gulf Coast, Inc.; Recovery Fund; creation; investment.—

(2) (a) Triumph Gulf Coast, Inc., must create and administer the Recovery Fund for the benefit of the disproportionately affected counties. The principal of the fund shall derive from 75 percent of all moneys received by the state pursuant to the settlement agreement ~~funds recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster~~, after payment of reasonable and necessary attorney fees, costs, and expenses, including such attorney fees, costs, and expenses pursuant to s. 16.0155.

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

2-00613-17

2017364__

(b)1. After reasonable and necessary payment of attorney fees, costs, and related expenses, 75 percent of the remaining moneys received by the state before June 30, 2017, pursuant to the settlement agreement is appropriated to Triumph Gulf Coast, Inc., and shall be transferred to the Recovery Fund no later than August 1, 2017.

2. Seventy-five percent of the moneys received by the state pursuant to the settlement agreement on or after July 1, 2017, is appropriated to Triumph Gulf Coast, Inc., and shall be transferred to the Recovery Fund no later than 30 days after such funds are received by the state.

Section 3. This act shall take effect July 1, 2017.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17

Meeting Date

364

Bill Number (if applicable)

Topic TRUMP

Amendment Barcode (if applicable)

Name KIM WILMES

Job Title PRESIDENT & CEO

Address PO BOX 370
Street

Phone 850.635.2350

NICEVILLE FL 32588
City State Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FLORIDA'S GREAT NORTHWEST

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17

Meeting Date

5B 364

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Warren Weager

Job Title Restore Coordinator (Gulf County)

Address 1000 Cecil G Cost Blvd

Phone 850-899-7337

Street

Port St Joe

FL

32456

City

State

Zip

Email wweager@gulfcounty-fl.gov

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Gulf County

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

SB 364
Bill Number (if applicable)

Topic SB 364 - TRIUMPH GULF COAST

Amendment Barcode (if applicable)

Name DAN ROWE

Job Title EXECUTIVE DIRECTOR BAY COUNTY TDC

Address 17001 PCB PARKWAY

Phone 850 819-5196

Street

PANAMA CITY BEACH FL 32413

City

State

Zip

Email drowe@visitpanamacitybeach.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing BAY Co. TDC / PANAMA CITY BEACH CVB

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/13/17

Meeting Date

Bill Number (if applicable)

Topic BP Settlement Agreement - Triumph

Amendment Barcode (if applicable)

Name Adam Albrighton

Job Title Attorney

Address 2906 W 11th St
Street

Phone

Panama City
City

FL
State

32401
Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-13-17

Meeting Date

S. 364

Bill Number (if applicable)

Topic

Trunigh

Amendment Barcode (if applicable)

Name

Richard Gentry

Job Title

Address

2305 BRAEBURN CIR.

Phone

850-251-1837

Street

Tallahassee

FL

32309

City

State

Zip

Email

RGENTRY@comcast.net

Speaking:

☐

For

☐

Against

☐

Information

Waive Speaking:

☐

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

Escambia County

Appearing at request of Chair:

☐

Yes

☒

No

Lobbyist registered with Legislature:

☒

Yes

☐

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

COMMITTEE: Commerce and Tourism
ITEM: SB 364
FINAL ACTION: Favorable with Committee Substitute
MEETING DATE: Monday, March 13, 2017
TIME: 4:00—6:00 p.m.
PLACE: 110 Senate Office Building

[illegible]

CODES: FAV=Favorable
UNF=Unfavorable
-R=Reconsidered

RCS=Replaced by Committee Substitute
RE=Replaced by Engrossed Amendment
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed
VA=Vote After Roll Call
VC=Vote Change After Roll Call

WD=Withdrawn
OO=Out of Order
AV=Abstain from Voting

CourtSmart Tag Report

Room: EL 110 **Case No.:**
Caption: Senate Commerce and Tourism Committee

Type:
Judge:

Started: 3/13/2017 4:04:03 PM
Ends: 3/13/2017 4:42:35 PM **Length:** 00:38:33

4:04:04 PM	Meeting Called to order
4:04:08 PM	Roll
4:04:25 PM	Quorum present
4:05:08 PM	Pledge
4:05:13 PM	Tab 3
4:05:40 PM	SB 936
4:05:44 PM	Senator Montford explaining bill
4:06:14 PM	Questions
4:07:13 PM	Appearance cards
4:07:18 PM	Richard Williams, Opportunity Florida supports
4:07:30 PM	Darryl Registered, Baker County Development Commission supports
4:07:38 PM	Chris Doolin, Small County Coalition supports
4:07:44 PM	Jeff Hendry, NFEDP supports
4:07:48 PM	Carolyn Johnson, Florida Chamber of Commerce supports
4:07:51 PM	
4:07:53 PM	
4:07:55 PM	Debate?
4:08:00 PM	Roll Call on SB 936
4:08:05 PM	SB 936 Favorably
4:08:27 PM	Chairman Montford resumes chair
4:08:37 PM	Tab 4
4:08:42 PM	SB 364
4:08:55 PM	Senator Gainer on SB 364
4:09:05 PM	Senator Montford recognizes Senator Broxson
4:10:57 PM	Amendment 347656
4:11:57 PM	Senator Young questions
4:12:02 PM	Senator Gainer
4:12:29 PM	Further questions?
4:12:42 PM	Senator Gainer
4:13:15 PM	Close on amendment
4:14:13 PM	Amendment is adopted
4:14:18 PM	Back on bill as amended
4:14:24 PM	Appearance cards?
4:14:29 PM	Kim Wilmes, Florida's Great North West
4:15:56 PM	Senator Latvala
4:17:28 PM	Wilmes
4:18:28 PM	Senator Gainer
4:19:52 PM	Senator Latvala
4:20:01 PM	Senator Montford
4:21:35 PM	Wilmes
4:22:34 PM	Senator Montford
4:24:33 PM	Senator Montford
4:25:33 PM	Wilmes
4:25:55 PM	Senator Gainer
4:26:23 PM	Warren Veager, Gulf County
4:27:32 PM	Senator Latvala
4:29:05 PM	Veager
4:30:21 PM	Senator Gainer
4:31:22 PM	Senator Latvala
4:32:15 PM	Dan Rowe, Bay Co. TDC/ Panama City Beach CVB
4:33:01 PM	Senator Gainer
4:33:24 PM	Adam Albritton, Self (Bay County)

4:33:43 PM	Richard Gentey, Escambia County
4:34:01 PM	Debate on bill as amended?
4:34:15 PM	Senator Montford comments
4:34:23 PM	Senator Gainer closes
4:35:20 PM	Roll call on 364
4:35:31 PM	Bill passes favorably
4:35:43 PM	Tab 2
4:35:48 PM	Senate Bill 600
4:35:52 PM	Senator Grimsley
4:36:22 PM	Questions?
4:37:22 PM	Appearance forms
4:37:27 PM	Darryl Register, Baker County Development Commission
4:37:36 PM	Chris Doolin, Small County Coalition
4:39:04 PM	Jim Spratt, Associated Industries of Florida
4:40:03 PM	Richard Williams, Opportunity Florida
4:40:11 PM	Jeff Hendry, North Florida Economic Development Partnership
4:40:18 PM	Adam Basford, Florida Farm Bureau
4:40:26 PM	Grace Lovett, FL Dept. of Agriculture and Consumer Services
4:40:50 PM	Senator Gibson
4:40:53 PM	Senator Grimsley
4:41:39 PM	Roll call on SB 600
4:41:44 PM	Bill is reported favorably
4:41:49 PM	Senator Latvala
4:42:05 PM	Senate Bill 236 TPd
4:42:25 PM	Meeting Adjourned