

SB 676 by Benacquisto; (Identical to H 0621) Voluntary Contributions to End Breast Cancer

SB 956 by Simpson; (Identical to H 0257) Freight Logistics Zones

SB 1214 by Latvala; (Compare to H 5401) Economic Development

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CS/SB 1246 by CM, Detert; Individuals with Disabilities

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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, TOURISM, AND ECONOMIC
DEVELOPMENT**

Senator Latvala, Chair
Senator Clemens, Vice Chair

MEETING DATE: Thursday, March 19, 2015
TIME: 9:30 a.m.—12:00 noon
PLACE: 301 Senate Office Building

MEMBERS: Senator Latvala, Chair; Senator Clemens, Vice Chair; Senators Brandes, Detert, Diaz de la Portilla, Gibson, Hukill, Sachs, and Thompson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 676 Benacquisto (Identical H 621, Compare H 7055)	Voluntary Contributions to End Breast Cancer; Requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Breast Cancer to be distributed to a specified organization and used for specified purposes; requiring an application form for a driver license or identification card to include language permitting the applicant to make a voluntary contribution to End Breast Cancer to be distributed to a specified organization, etc.	TR 03/05/2015 Favorable ATD 03/19/2015 FP
2	SB 956 Simpson (Identical H 257)	Freight Logistics Zones; Authorizing a county or two or more contiguous counties to designate a geographic area or areas within its jurisdiction as a freight logistics zone; requiring the adoption of a strategic plan which must include certain information; providing that certain projects within freight logistics zones may be eligible for priority in state funding and certain incentive programs; providing evaluation criteria for freight logistics zones, etc.	CA 03/10/2015 Favorable ATD 03/19/2015 FP

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Transportation, Tourism, and Economic Development
Thursday, March 19, 2015, 9:30 a.m.—12:00 noon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 1214 Latvala (Compare H 5401, H 7067)	Economic Development; Requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to provide a detailed analysis of the retention of Major League Baseball spring training baseball franchises; requiring a project that requires funding that falls into a specified range to be approved by the Legislative Budget Commission before final approval by the Governor; revising the requirements for projects eligible for receipt of funds from the Quick Action Closing Fund, etc.	
		CM 03/10/2015 Favorable ATD 03/19/2015 AP	
4	CS/SB 1246 Commerce and Tourism / Detert	Individuals with Disabilities; Requiring the Department of Economic Opportunity, in consultation with other organizations, to create the Florida Unique Abilities Partner program; requiring the department, in consultation with the disability community, to develop a logo for business entities designated as Florida Unique Abilities Program Partners; prohibiting the use of a logo if a business entity does not have a current designation; requiring the department to maintain a website with specified information; requiring the department to identify employment opportunities posted by employers that receive the Florida Unique Abilities Partner designation on the workforce information system, etc.	
		CM 03/10/2015 Fav/CS ATD 03/19/2015 FP	
5	Review and Discussion of Fiscal Year 2015-2016 Budget Issues Relating to:		
	Department of Economic Opportunity		
	Division of Emergency Management, Executive Office of the Governor		
	Department of Highway Safety and Motor Vehicles		
	Department of Military Affairs		
	Department of State		
	Department of Transportation		

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Transportation, Tourism, and Economic Development
Thursday, March 19, 2015, 9:30 a.m.—12:00 noon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
	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 Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: SB 676

INTRODUCER: Senator Benacquisto

SUBJECT: Voluntary Contributions to End Breast Cancer

DATE: March 5, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jones</u>	<u>Eichin</u>	<u>TR</u>	<u>Favorable</u>
2.	<u>Gusky</u>	<u>Miller</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	<u> </u>	<u> </u>	<u>FP</u>	<u> </u>

I. Summary:

SB 676 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to collect a voluntary contribution of \$1 or more per applicant through motor vehicle registration, driver license, and identification card forms for the Florida Breast Cancer Coalition Research Foundation, Inc.

The cost to redesign and develop the new application forms is \$55,040, which will be partially offset by the FBCF's \$20,000 application fees. The DHSMV will absorb the remaining \$35,040 in expenditures.

The bill provides an effective date of July 1, 2015.

II. Present Situation:

Voluntary Contributions

The voluntary contributions process provides the opportunity for citizens to make a donation by checking a box on a form when registering a vehicle or renewing a registration, as well as applying for a new or replacement driver license or identification card.¹

An organization that desires to receive a voluntary contribution must be specifically authorized by Florida Statutes. Section 320.023, F.S., establishes requirements for organizations seeking to establish a voluntary contribution on motor vehicle registration application forms, and s. 322.081, F.S., establishes similar requirements for driver license and identification card applications. Both sections require the following:

¹ Sections 320.02(8), (14), and (15) and 328.72(11) and (16), F.S., provide motor vehicle registration applicants with 26 options for voluntary contributions. Section 322.08(7), F.S., provides driver license applicants with 19 options for voluntary contributions.

- A request for the voluntary contribution being sought, describing the voluntary contribution in general terms;
- An application fee², not to exceed \$10,000, to defray the DHSMV's cost for reviewing the application and developing the voluntary contribution check off, if authorized;
- A marketing strategy outlining short-term and long-term marketing plans for the contribution; and
- A financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the contributions.

This information must be submitted to the DHSMV at least 90 days before the next regular session of the Legislature convenes.

Florida Breast Cancer Foundation (FBCF)

The FBCF is a not-for-profit statewide organization dedicated to ending breast cancer through advocacy, education, and research.³ The FBCF is best known for their role in the passage of the "Mary Brogan Breast and Cervical Cancer Treatment Act" and the "End Breast Cancer" specialty license plate that funds research and education throughout Florida.⁴ The FBCF created the Florida Breast Cancer Coalition Research Foundation, Inc. to receive funds from the "End Breast Cancer" specialty plate, which received annual use fees from approximately 19,000 specialty plates in 2014.^{5 6}

The DHSMV has reviewed the FBCF's submitted application requirements⁷, and has approved the FBCF to pursue legislation to create a voluntary contribution check-off on motor vehicle registration and driver license renewal notices.⁸

III. Effect of Proposed Changes:

The bill authorizes the DHSMV to include language permitting a voluntary contribution of \$1 or more per applicant to "End Breast Cancer" on motor vehicle registration and registration renewal forms and forms for original, renewal, or replacement driver licenses or identification cards. Such contributions will be distributed by DHSMV to the Florida Breast Cancer Coalition Research Foundation, Inc., to be used for breast cancer research and education.

The bill takes effect July 1, 2015.

² State funds may not be used to pay the application fee.

³ Florida Breast Cancer Foundation, *About Us*, <http://www.floridabreastcancer.org> (last visited Feb. 26, 2015).

⁴ *Id.*

⁵ *Id.*

⁶ Department of Highway Safety and Motor Vehicles, **2014 Specialty License Plate Rankings**, <http://www.flhsmv.gov/specialtytags/tagssales.pdf> (last visited Feb. 26, 2015).

⁷ In accordance with ss. 320.023 and 322.081, F.S.

⁸ Letter from Terry L. Rhodes, Executive Director, Department of Highway Safety and Motor Vehicles (Jan. 12, 2015) (on file with the Senate Committee on Transportation).

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:

Under SB 676, individuals may choose to donate to the Florida Breast Cancer Coalition Research Foundation, Inc., which will benefit that organization.

C. Government Sector Impact:

The cost to redesign and develop the new application forms is \$55,040, which will be partially offset by the FBCF's \$20,000 application fee. The DHSMV will absorb the remaining \$35,040 in expenditures.⁹

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 320.02 and 322.08.

⁹ Department of Highway Safety and Motor Vehicles, *Senate Bill 676 Analysis* (Feb. 13, 2015) (on file with the Senate Committee on Transportation).

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 Benacquisto

30-00706-15

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A bill to be entitled

An act relating to voluntary contributions to End Breast Cancer; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to End Breast Cancer to be distributed to a specified organization and used for specified purposes; amending s. 322.08, F.S.; requiring an application form for a driver license or identification card to include language permitting the applicant to make a voluntary contribution to End Breast Cancer to be distributed to a specified organization; providing an effective date.

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

Section 1. Paragraph (u) is added to subsection (15) of section 320.02, Florida Statutes, to read:

320.02 Registration required; application for registration; forms.—

(15)

(u) The application form for motor vehicle registration and renewal of registration must include language permitting a voluntary contribution of \$1 or more per applicant to End Breast Cancer. Such contributions shall be distributed by the department to the Florida Breast Cancer Coalition Research Foundation, Inc., an organization not-for-profit under s. 501(c) (3) of the Internal Revenue Code, and shall be used for breast cancer research and education.

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For the purpose of applying the service charge provided in s. 215.20, contributions received under this subsection are not income of a revenue nature.

Section 2. Subsection (7) of section 322.08, Florida Statutes, is amended to read:

322.08 Application for license; requirements for license and identification card forms.—

(7) The application form for an original, renewal, or replacement driver license or identification card must include language permitting the following:

(a) A voluntary contribution of \$1 per applicant, which contribution shall be deposited into the Health Care Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.

(b) A voluntary contribution of \$1 per applicant, which shall be distributed to the Florida Council of the Blind.

(c) A voluntary contribution of \$2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.

(d) A voluntary contribution of \$1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.

(e) A voluntary contribution of \$1 per applicant, which shall be distributed to the Children's Hearing Help Fund.

(f) A voluntary contribution of \$1 per applicant, which shall be distributed to Family First, a nonprofit organization.

(g) A voluntary contribution of \$1 per applicant to Stop Heart Disease, which shall be distributed to the Florida Heart

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59 Research Institute, a nonprofit organization.

60 (h) A voluntary contribution of \$1 per applicant to Senior
61 Vision Services, which shall be distributed to the Florida
62 Association of Agencies Serving the Blind, Inc., a not-for-
63 profit organization.

64 (i) A voluntary contribution of \$1 per applicant for
65 services for persons with developmental disabilities, which
66 shall be distributed to The Arc of Florida.

67 (j) A voluntary contribution of \$1 to the Ronald McDonald
68 House, which shall be distributed each month to Ronald McDonald
69 House Charities of Tampa Bay, Inc.

70 (k) Notwithstanding s. 322.081, a voluntary contribution of
71 \$1 per applicant, which shall be distributed to the League
72 Against Cancer/La Liga Contra el Cancer, a not-for-profit
73 organization.

74 (l) A voluntary contribution of \$1 per applicant to Prevent
75 Child Sexual Abuse, which shall be distributed to Lauren's Kids,
76 Inc., a nonprofit organization.

77 (m) A voluntary contribution of \$1 per applicant, which
78 shall be distributed to Prevent Blindness Florida, a not-for-
79 profit organization, to prevent blindness and preserve the sight
80 of the residents of this state.

81 (n) Notwithstanding s. 322.081, a voluntary contribution of
82 \$1 per applicant to the state homes for veterans, to be
83 distributed on a quarterly basis by the department to the State
84 Homes for Veterans Trust Fund, which is administered by the
85 Department of Veterans' Affairs.

86 (o) A voluntary contribution of \$1 per applicant to the
87 Disabled American Veterans, Department of Florida, which shall

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88 be distributed quarterly to Disabled American Veterans,
89 Department of Florida, a nonprofit organization.

90 (p) A voluntary contribution of \$1 per applicant for Autism
91 Services and Supports, which shall be distributed to Achievement
92 and Rehabilitation Centers, Inc., Autism Services Fund.

93 (q) A voluntary contribution of \$1 per applicant to Support
94 Our Troops, which shall be distributed to Support Our Troops,
95 Inc., a Florida not-for-profit organization.

96 (r) A voluntary contribution of \$1 or more per applicant,
97 which shall be distributed to the Auto Club Group Traffic Safety
98 Foundation, Inc., a not-for-profit organization.

99 (s) Notwithstanding s. 322.081, a voluntary contribution of
100 \$1 per applicant to aid the homeless. Contributions made
101 pursuant to this paragraph shall be deposited into the Grants
102 and Donations Trust Fund of the Department of Children and
103 Families and used by the State Office on Homelessness to
104 supplement grants made under s. 420.622(4) and (5), provide
105 information to the public about homelessness in the state, and
106 provide literature for homeless persons seeking assistance.

107 (t) A voluntary contribution of \$1 or more per applicant to
108 End Breast Cancer, which shall be distributed to the Florida
109 Breast Cancer Coalition Research Foundation, Inc., a not-for-
110 profit organization.

111
112 A statement providing an explanation of the purpose of the trust
113 funds shall also be included. For the purpose of applying the
114 service charge provided under s. 215.20, contributions received
115 under paragraphs (b)-(t) ~~(b)-(s)~~ are not income of a revenue
116 nature.

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Section 3. This act shall take effect July 1, 2015.

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 Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: SB 956

INTRODUCER: Senator Simpson

SUBJECT: Freight Logistics Zones

DATE: March 16, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>White</u>	<u>Yeatman</u>	<u>CA</u>	Favorable
2.	<u>Sneed</u>	<u>Miller</u>	<u>ATD</u>	Pre-meeting
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 956 allows a county or counties to designate a “freight logistics zone,” which is defined as a grouping of activities and infrastructure associated with freight transportation and related services within a defined area around an intermodal logistics center. The county or counties must adopt a strategic plan that includes a map depicting the geographic area or areas of the zone and identifies existing infrastructure and resources within or near the zone.

A project within a zone may be eligible for priority funding or incentives from state economic development programs under parts I, III, and V of ch. 288, F.S. Eligibility for priority status will be based on an evaluation of the project.

The bill has an indeterminate fiscal impact on state government. The bill does not have mandatory funding requirements for freight logistics zone projects. However, projects within freight logistics zones may be eligible for priority in state incentive programs relating to zones available through the Department of Economic Opportunity (DEO) or the projects may be given priority consideration in the Florida Department of Transportation’s development of the state’s Five-Year Tentative Work Program. The funding of these projects is ultimately subject to meeting program eligibility requirements and the availability of funds provided through legislative appropriations in the annual General Appropriations Act. The bill also has an indeterminate fiscal impact on local governments for the costs associated with the optional designation of a freight logistics zone.

The bill provides an effective date of July 1, 2015.

II. Present Situation:

The Florida Department of Transportation

The Florida Department of Transportation (FDOT) is pursuing a goal to develop a coordinated multi-modal transportation system for freight movement in Florida. The Office of Freight, Logistics, and Passenger Operations within FDOT emphasizes freight mobility through the development and implementation of a freight planning process that maximizes the use of the existing government- and privately-owned transportation resources.¹

Freight Mobility and Trade Plan

The Legislature, in 2012, emphasized the importance of freight mobility to the state's economic growth by directing the FDOT to develop a Freight Mobility and Trade Plan by July 1, 2013.² The plan will assist in making freight mobility investments that contribute to the economic growth of the state and enhance the integration of the transportation system between transportation modes throughout the state.³ The plan must propose transportation-related policies and investments that promote:

- The flow of trade through the state's seaports and airports and recapture cargo shipped through seaports and airports in other states;
- The development of intermodal logistic centers in the state;
- The development of manufacturing industries in the state; and
- The implementation of compressed natural gas, liquefied natural gas, and propane energy policies that reduce transportation costs for businesses and residents in the state.⁴

The FDOT must also emphasize freight issues and needs in all appropriate transportation plans.⁵

Intermodal Logistics Center Infrastructure Program

Additionally, in 2012, the Legislature created the Intermodal Logistics Center Infrastructure Program⁶ within the FDOT to provide funds for roads, rail facilities, or other means for the shipment of goods through a seaport.⁷ The FDOT must provide up to \$5 million annually for the program and must include projects the program proposes to fund in its tentative work program, which is developed to allocate state and federal funding for transportation related projects.⁸ In selecting a project for funding, the FDOT must consider a number of statutory criteria and

¹ FDOT, Office of Freight Logistics and Passenger Operations, *available at* <http://www.dot.state.fl.us/multimodal/> (last visited Mar. 6, 2015).

² Chapter 2012-174, s. 23, L.O.F.; s. 334.044(33), F.S.

³ Section 334.044(33), F.S.; *See also* Florida Logistics website, *available at* <http://www.freightmovesflorida.com/> (last visited Mar. 6, 2015).

⁴ *Id.* at (a).

⁵ *Id.* at (b).

⁶ Section 311.101(2), F.S., defines "intermodal logistics center" as a "facility or group of facilities serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport where activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by conveyance of shipping through one or more [of Florida's 17 seaports]."

⁷ Chapter 2012-174, s. 12, L.O.F.; s. 311.101(1), F.S.

⁸ *See* s. 339.135(4), F.S.

consult with the DEO.⁹ The FDOT must fund up to 50 percent of project costs for selected projects.¹⁰

Strategic Intermodal System

Lastly, in 2012, the Legislature required the FDOT Secretary to designate a planned facility as part of the Strategic Intermodal System (SIS) upon the request of the facility.¹¹ A requesting facility must meet the criteria established by the FDOT; meet the definition of “intermodal logistics center;”¹² and must have been designated in a local comprehensive plan or local government development order as an intermodal logistics center or equivalent planning term.¹³ Designation as part of the SIS makes the facility eligible to receive funding for transportation capacity improvements.¹⁴

Moving Ahead for Progress in the 21st Century Act (MAP-21)

At the federal level, in 2012, the Moving Ahead for Progress in the 21st Century Act recommended that states develop plans for the immediate and long-range planning activities and investments of the state with respect to freight.¹⁵ The act also provides up to 95 percent federal matching funds for certain projects that are identified in state freight plans and that improve the movement of freight.¹⁶

Economic Development Incentive Programs, Ch. 288, F.S.

Part I: General Provisions

Current law provides a number of economic development incentives in various forms, including tax refunds, tax credits, tax exemptions, cash grants, and infrastructure funding. The most frequently utilized incentives include the qualified target industry tax refund,¹⁷ quick action closing fund,¹⁸ brownfield redevelopment bonus refund,¹⁹ high impact performance incentive grant,²⁰ and quick response training.²¹ These incentives are administered by the DEO and are generally designed to promote job creation within certain target industries in Florida; accordingly, awards for these incentives are based on job creation, wage, and economic benefit (return on investment) projections for each entity that applies for the incentives. Additionally, recipient businesses are generally contractually required to meet specific milestones before incentive payments begin.

⁹ Section 311.101(3),(4), F.S.

¹⁰ *Id.* at (6).

¹¹ Chapter 2012-174, s. 58, L.O.F.; s. 339.63(5), F.S.

¹² *Supra* note 6.

¹³ Section 339.63(5), F.S.

¹⁴ *See* s. 339.61(1), F.S.

¹⁵ P.L. 112-141, s. 1118 (July 6, 2012).

¹⁶ *Id.* at s. 1116.

¹⁷ Section 288.106, F.S.

¹⁸ Section 288.1088, F.S.

¹⁹ Section 288.107, F.S.

²⁰ Section 288.108, F.S.

²¹ Section 288.047, F.S. For a general description of these programs and their award and performance history *see* DEO and Enterprise Florida, Inc., *2013 Annual Incentives Report* (Dec. 30, 2013) available at <http://www.floridajobs.org/business/EDP/EconomicDevelopmentIncentivesReport.pdf> (last visited Mar. 6, 2015).

Part III: Foreign Trade Zones

Part III of ch. 288, F.S., authorizes any corporation or government agency to apply to the federal government to establish a foreign trade zone in or adjacent to a port of entry of the United States pursuant to the Foreign Trade Zones Act of 1934. A foreign trade zone is a designated location where U.S.-based companies can take advantage of special procedures that delay, avoid, or reduce duties, quotas, or certain ad valorem taxes on merchandise held in the zone.²² These advantages are designed to lower the costs of U.S.-based businesses that are engaged in international trade.²³

There are currently 22 foreign trade zones in Florida, each of which is managed by a local government entity.²⁴ Beyond the authority to establish and operate a zone in accordance with federal law, part III of ch. 288, F.S., does not contain any state-level economic development incentives specifically for projects located in a foreign trade zone.

Part V: Export Finance

Part V of ch. 288, F.S., creates the Florida Export Finance Corporation (FEFC), a not-for-profit corporation, to help small and medium-sized Florida businesses expand international trade and job opportunities for Florida's workforce. While the FEFC provides information and technical and consulting assistance to certain small and medium-sized Florida exporters, its primary service is through providing loan guarantees for exported goods. The FEFC will guarantee a loan to an exporter only after a commercial lender has denied an exporter's loan request. The maximum amount of guarantee the FEFC will provide is \$500,000 and may not exceed 90 percent of the value of the loan.²⁵

The FEFC is also a member of the city/state program of the Export-Import Bank of the United States and offers Florida exporters access to U.S. government export assistance programs offered by the Export-Import Bank and the Small Business Administration.²⁶

Beyond loan guarantees for small and medium-sized exporters and access to U.S. government export assistance programs, the FEFC does not provide any business incentives under part V of ch. 288, F.S.

III. Effect of Proposed Changes:

Section 1 creates s. 311.103, F.S., to provide for the designation of freight logistics zones in Florida. A "freight logistics zone" is defined as a grouping of activities and infrastructure associated with freight transportation and related services within a defined area around an

²² U.S. International Trade Administration, U.S. Foreign Trade Zones, *What is a Foreign-Trade Zone?*, available at <http://enforcement.trade.gov/ftzpage/info/zone.html> (last visited Mar. 6, 2015).

²³ Seminole County, Economic Development, *Foreign Trade Zones*, available at <http://www.seminolecountyfl.gov/ecodev/ftz.aspx> (last visited Mar. 6, 2015).

²⁴ U.S. International Trade Administration, U.S. Foreign Trade Zones, available at <http://ita-web.ita.doc.gov/FTZ/OFISLogin.nsf> (last visited Mar. 6, 2015).

²⁵ DEO and Enterprise Florida, Inc., *2013 Annual Incentives Report* at 72.

²⁶ *Id.* at 75.

intermodal logistics center as defined in s. 311.101(2), F.S.²⁷ A county, or two or more contiguous counties, is authorized to designate one or more geographic areas within its jurisdiction as a zone. The bill does not limit the size, number, or scope of the geographic areas that may be designated as zones.

A strategic plan adopted by the county or counties must accompany the designation and must include a map depicting the geographic area or areas to be included within the designation. The strategic plan must also identify:

- Existing or planned freight facilities or logistics clusters within the zone;
- Existing transportation infrastructure and workforce availability within or near the zone;
- Any public workforce training providers available for a business seeking to locate or expand within the zone;
- Any local, state, or federal freight movement plans within or near the zone; and
- Local government incentives to encourage new or expanding development or redevelopment within the zone.

Lastly, the strategic plan must include documentation that it is consistent with local government comprehensive plans and, if necessary, long-range transportation plans of a metropolitan planning organization.

A project within a zone that is consistent with the FDOT Freight and Mobility Trade Plan may be eligible for priority in state funding and incentive programs relating to zones, including applicable programs identified in parts I, III, and V of ch. 288, F.S. Current incentives under part I of ch. 288, F.S., do not provide a system of priority treatment to determine incentive awards. As explained in the Present Situation above, incentive awards are determined based on job creation, wage, and economic benefit calculations for each project. Additionally, neither foreign trade zones under part III of ch. 288, F.S., nor the FEFC under part V of ch. 288, F.S., provide state-level development incentives or funding beyond the loan guarantee program for exporters by the FEFC. The priority status of a project in a zone as provided in the bill, will likely be inapplicable for any federal government funding or incentives provided through foreign trade zones or the FEFC.

To determine funding or incentive program eligibility, a project within a zone will be evaluated based on the following criteria:

- The presence of an existing or planned intermodal logistics center within the zone.
- Whether the project serves a strategic state interest.
- Whether the project facilitates the cost-effective and efficient movement of goods.
- The extent to which the project contributes to economic activity.
- The extent to which the project efficiently interacts with and supports the transportation network.
- The amount of investment or commitments made by the owner or developer of the existing or proposed facility.
- The extent to which the county or counties have commitments with private sector businesses planning to locate operations with the zone.

²⁷ *Supra* note 6.

- Demonstrated local financial support and commitment to the project.

It is unclear how the bill will be administered. For example, the bill does not indicate which state agency or department will evaluate projects to determine whether the project will receive priority for funding or incentives. Presumably, once a project in a zone meets eligibility requirements under any of the incentive or funding programs in parts I, III, and V of ch. 288, F.S., and also meets the criteria for evaluating projects described above, priority of that project over other projects not within a zone is authorized. However, once a pool of eligible projects within zones is identified, no process for prioritizing projects within the pool is provided in the bill.

Section 2 provides an effective date of July 1, 2015.

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:

Indeterminate.

B. Private Sector Impact:

Under SB 956 a business located in a zone may be eligible for priority in state funding and incentives programs related to zones. With respect to programs under part I of ch. 288, F.S., a business may be required to meet the evaluation criteria established under the bill in addition to the particular funding or incentive program's requirements under part I of ch. 288, F.S.

Additionally, the FDOT indicated that projects within zones may be given priority consideration for funding during the development of the Five-Year Tentative Work Program.²⁸

The bill may also promote growth of the freight industry and related businesses.

²⁸ FDOT, *Agency Legislative Bill Analysis for HB 257* (Jan. 14, 2015).

C. Government Sector Impact:

Counties choosing to designate a freight logistics zone must develop a strategic plan adopted by the county which is consistent with the local government's comprehensive plan and consistent with the metropolitan planning organization's long-range transportation plan. Local government financial support and commitment, are to be identified in the required strategic plans.

The bill may further the development of a coordinated multi-modal transportation system for freight movement throughout Florida, thereby facilitating statewide economic development.

The Florida Department of Highway Safety and Motor Vehicles determined that there would be no impact to the agency.²⁹

The FDOT notes that the bill could result in adjustments to projects currently planned in the Five-Year Work Program to the extent that local partners reprioritize projects and seek to advance freight and logistics projects not currently funded in the Five-Year Work Program.³⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 311.103 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.

²⁹ DHSMV, *Agency Legislative Bill Analysis for HB 257* (Feb. 4, 2015).

³⁰ FDOT, *Agency Legislative Bill Analysis for HB 257* (Jan. 14, 2015).

By Senator Simpson

18-00890-15

2015956__

A bill to be entitled

An act relating to freight logistics zones; creating s. 311.103, F.S.; defining the term "freight logistics zone"; authorizing a county or two or more contiguous counties to designate a geographic area or areas within its jurisdiction as a freight logistics zone; requiring the adoption of a strategic plan which must include certain information; providing that certain projects within freight logistics zones may be eligible for priority in state funding and certain incentive programs; providing evaluation criteria for freight logistics zones; providing an effective date.

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

Section 1. Section 311.103, Florida Statutes, is created to read:

311.103 Designation of state freight logistics zones.-

(1) As used in this section, the term "freight logistics zone" means a grouping of activities and infrastructure associated with freight transportation and related services within a defined area around an intermodal logistics center as defined in s. 311.101(2).

(2) A county, or two or more contiguous counties, may designate a geographic area or areas within its jurisdiction as a freight logistics zone. The designation must be accompanied by a strategic plan adopted by the county or counties. At a minimum, the strategic plan must include, but is not limited to:

(a) A map depicting the geographic area or areas to be

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included within the designation.

(b) Identification of the existing or planned freight facilities or logistics clusters located within the designated zone.

(c) Identification of existing transportation infrastructure, such as roads, rail, airports, and seaports, within or in close proximity to the proposed freight logistics zone.

(d) Identification of existing workforce availability within or in close proximity to the proposed zone.

(e) Identification of any existing or planned local, state, or federal workforce training capabilities available for a business seeking to locate or expand within the proposed zone.

(f) Identification of any local, state, or federal plans, including transportation, seaport, or airport plans, concerning the movement of freight within or in close proximity to the proposed zone.

(g) Identification of financial or other local government incentives to encourage new development, expansion of existing development, or redevelopment within the proposed zone.

(h) Documentation that the plan is consistent with applicable local government comprehensive plans and adopted long-range transportation plans of a metropolitan planning organization, where applicable.

(3) Projects within freight logistics zones designated pursuant to this section, which are consistent with the Freight Mobility and Trade Plan developed in accordance with s. 334.044(33), may be eligible for priority in state funding and incentive programs relating to freight logistics zones,

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59 including applicable programs identified in parts I, III, and V
60 of chapter 288.

61 (4) When evaluating projects within a designated freight
62 logistics zone for purposes of determining funding or incentive
63 program eligibility under this section, consideration must be
64 given to:

65 (a) The presence of an existing or planned intermodal
66 logistics center within the freight logistics zone.

67 (b) Whether the project serves a strategic state interest.

68 (c) Whether the project facilitates the cost-effective and
69 efficient movement of goods.

70 (d) The extent to which the project contributes to economic
71 activity, including job creation, increased wages, and revenues.

72 (e) The extent to which the project efficiently interacts
73 with and supports the existing or planned transportation
74 network.

75 (f) The amount of investment or commitments made by the
76 owner or developer of the existing or proposed facility.

77 (g) The extent to which the county or counties have
78 commitments with private sector businesses planning to locate
79 operations within the freight logistics zone.

80 (h) Demonstrated local financial support and commitment to
81 the project, including in-kind contributions.

82 Section 2. This act shall take effect July 1, 2015.

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 Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: SB 1214

INTRODUCER: Senator Latvala

SUBJECT: Economic Development

DATE: March 16, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Askey</u>	<u>McKay</u>	<u>CM</u>	<u>Favorable</u>
2.	<u>Gusky</u>	<u>Miller</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 1214 makes a number of changes to the state's economic development programs, by providing more flexibility in some programs, and increasing transparency and accountability across the economic development programs. Specifically, the bill:

- Standardizes the economic development application and evaluation processes.
- Specifies incentive project approval by the amount of required funding, as follows:
 - The Governor may approve projects requiring less than \$2 million without legislative approval.
 - The Governor must give 10 days' notice to the Legislative Budget Commission (LBC) for projects between \$2 million and \$7.5 million.
 - The Governor must wait on LBC approval before taking action on any projects requiring \$7.5 million or more.
 - Projects of \$5 million or greater with any waivers of program requirements require LBC approval.
 - This application approval process applies to:
 - The Quick Action Closing (QAC) Fund;
 - The Qualified Target Industry Business (QTI) Tax Refund;
 - The High-Impact Business Performance Grants;
 - The Qualified Defense Contractor and Space Flight Business Tax Refund Program (QDSC);
 - The Innovation Incentive Program;
 - The Brownfield Redevelopment Bonus Refund; and
 - The Local Government Distressed Area Matching Grant Program.
- Mandates that contracts requiring capital investment in the state must oblige that the investment remain in the state for the duration of the contract.
- Limits the contract term to 10 years, except for projects receiving \$20 million or more in total state incentives.

- Requires that contracts with job creation performance conditions require applicants to use the workforce information systems implemented by Career Source Florida.
- Requires advance notice of any proposed amendment to a contract, with a 3-day notice to the Legislature, except for a proposed amendment that would reduce the projected ROI by 0.50 or more, which requires a 10-day legislative consultation period. Amendments that reduce the project's ROI must include a proportionate reduction in the award amount.
- Requires that the average private sector wage requirement reflects the wages in the local area where the business is located.
- Extends the date applicants can be certified under the QDSC Program until June 30, 2020.
- Makes the following changes to the QAC Fund:
 - The economic benefit ratio required for a project to qualify has been lowered from 5 to 1, to 4 to 1;
 - The number of qualifying project criteria allowed to be waived is limited to two;
 - The criteria that the incentive be an inducement to the project's location or expansion in this state may not be waived;
 - That no payments may be made to a qualifying project until required performance goals have been achieved; and
 - Provides that a waiver of the annual wage requirement may not be below 100 percent of the average private sector wage in the area, and that a ROI waiver cannot be below 2 to 1.
- Makes the following changes to the QTI Program:
 - Permits businesses in brownfield or rural areas to receive 100 percent of the total tax refunds allowed, if local financial support is waived;
 - Permits businesses to receive a prorated award if at least 90 percent of agreed-to higher wage requirements are met; and
 - Permits the DEO to grant 60 day extensions for applicants to claim tax refunds.
- Requires that the appointment of the President of Enterprise Florida, Inc., (EFI) is subject to Senate confirmation, and prohibits the EFI President from engaging in lobbying efforts in Florida, in a manner similar to other state agency heads. The bill applies these changes to presidents appointed or reappointed after July 1, 2015.
- Amends the terms "cumulative capital investment" and "fixed capital investment" to exclude any state or local funds from being counted toward the total investment, in certain programs, and clarifies that the state's investment for purposes of determining "economic benefits" includes all state funds spent or forgone to benefit the business.
- Requires the Office of Economic Development and Research (EDR) and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to review the baseball spring training program and the Microfinance Loan and Guarantee programs.

The extension of the Qualified Defense Contractor and Space Flight tax refund program to allow the Department of Economic Opportunity (DEO) to certify applications through June 30, 2020, will have an impact to state revenues. The Revenue Estimating Impact Conference has not yet reviewed the bill. The DEO has indicated that it has sufficient resources to administratively implement the bill.

The bill provides an effective date of July 1, 2015.

II. Present Situation:

Florida Economic Development Incentives

Florida has a number of incentive programs intended to promote economic development in the state. These programs are collectively referred to as the economic development “toolkit” and come in a variety of forms including tax credits, tax refunds, tax exemptions, and cash grants. The toolkit is used to incentivize highly competitive projects to remain, locate, or expand in the state. Enterprise Florida, Inc. (EFI), a public-private partnership between businesses and the state, acts as the principal economic development organization for Florida. The state is responsible for oversight and administration of tax refund claims and performance reviews, processing incentive payments, and local financial support. After EFI has made the initial steps in the economic development incentive process, the Department of Economic Opportunity (DEO) begins its own processes. The DEO is responsible for evaluating project applications and has a role in the approval process. Following final approval by the DEO, the Governor, and in some cases the Legislative Budget Commission, the business enters into an agreement or contract with the DEO concerning the incentives. Most contracts require certain performance measures to be met before any incentive funds are paid out. Two notable exceptions are the Quick Action Closing Fund and the Innovation Incentive Program. Incentive programs that pay out before performance requirements are met have contractual provisions to recapture funds and impose sanctions if performance measures are not met as scheduled. The Office of Economic Development and Research (EDR) and the Office of Public Policy Analysis and Government Accountability (OPPAGA) are required to review and report on the economic development toolkit programs as well as some other programs related to economic development in ch. 288, F.S.

Economic Development Programs with Tax Refunds

Qualified Target Industry Business Tax Refund

The Qualified Target Industry Business Tax Refund (QTI) was established in 1995, in s. 288.106, F.S., with the purpose of attracting high wage jobs to the state. The tax refunds are made to qualified, pre-approved businesses creating jobs in target industries. The target industries are identified by the DEO for criteria including future growth, stability, high wages, market and resource independence, industrial base diversification, and positive economic impact. Approved QTI projects have contractual performance measures with specific milestones to be verified prior to payment of any tax refunds. This incentive requires 20 percent of the award to come from the local government. The program is funded through a specific annual appropriation.¹ The program shares a \$35 million cap, per fiscal year, with the Qualified Defense and Space Contractor Tax Refund. The DEO reported that \$55.3 million in maximum awards was approved in Fiscal Year 2013-14.² Additionally the department reported that of the 1,110

¹ Section. 288.095, F.S.

² The amount approved in any fiscal year may exceed the statutory cap, but payments in any fiscal year will not exceed the cap.

contracts executed from the beginning of the program to June 30, 2014, 322 contracts are active and 122 contracts were successfully completed.³

Qualified Defense Contractor and Space Flight Business Tax Refund

Also known as the Qualified Defense and Space Contractor (QDSC) Tax Refund, the program was established in 1996, in s. 288.1045, F.S., and is designed to attract high wage jobs in the space and defense industries. The QDSC tax refunds are made to qualified and approved businesses bidding on new or securing existing defense or space contracts. As with the QTI refund, 20 percent of the award comes from the local government. As with other programs, the QDSC tax refunds are awarded after contractual performance-based milestones are met and verified by the state. Since June 30, 2014, no new applicants may be certified as eligible under statute. The program is funded through a specific annual appropriation. The program shares a \$35 million cap, per fiscal year with the QTI Tax Refund. The DEO reported that \$3.2 million in maximum rewards was approved in Fiscal Year 2013-2014. Additionally, the DEO reported that of the 28 contracts executed from the beginning of the program to June 30, 2014, five contracts are active and five contracts were successfully completed.⁴

Brownfield Redevelopment Bonus Refund

The Brownfield Redevelopment Bonus Refund was established in 1997, in s. 288.107, F.S., to improve economic activity in designated Brownfield areas. These areas are designated by the respective community for the presence or perceived presence of economic blight or environmental contamination. As with the QTI and QDSC programs, the Brownfield program requires 20 percent of the award to come from the local government. As with other programs, the Brownfield program requires performance-based contracts and specific milestones to be met in order for a project to receive awards. The Brownfield program offers a bonus for any tax refund awarded to a QTI qualified business for job creation, if that job creation occurred in a Brownfield area. The program is funded through a specific annual appropriation. The DEO reported that \$2.6 million in maximum rewards was approved in Fiscal Year 2013-2014, with an additional \$875,000 in maximum awards for the Brownfield Bonus with QTI. Additionally, the department reported that of the 59 contracts executed from the beginning of the program to June 30, 2014, 33 contracts are active and 9 contracts were successfully completed. For the Brownfield Bonus with QTI, there are 103 contracts executed in the same timeframe with 40 active contracts and 6 completed.⁵

Economic Development Programs with Tax Credits

Capital Investment Tax Credit

The Capital Investment Tax Credit (CITC) became effective in 1998, in s. 220.191, F.S., and its purpose is to attract and grow capital-intensive industries in Florida. Eligible projects must be in designated high-impact portions of certain sectors, determined by the DEO, including clean energy, biomedical technology, financial services, information or silicon technology, or

³ Florida Department of Economic Opportunity, *2014 Annual Incentives Report*, 11, 15 (Dec. 30, 2014) available at <http://sitefinity.floridajobs.org/docs/default-source/sbd-sports/2014-annual-incentives-report.pdf?status=Temp&sfvrsn=0.028032216409722532> (last visited March 3, 2015).

⁴ *Id.*

⁵ See *supra* note 3.

transportation equipment manufacturing. The project could also be a corporate headquarters facility. The DEO reports that the value of credits claimed is often lower than the value of credits approved because the company's tax liability may be lower than the value of the credits, and most often, because the credits can only be used to offset a portion of the incremental new tax liability attributable to a project. There is no cap for this program. The DEO reported that \$7.2 million in tax credits were claimed in 2013. The DEO also reported that there have been 37 approvals or certifications for CITC projects through June 30, 2013 (numbers from 2014 were not reported), with 32 being active and five having been terminated.⁶

Entertainment Industry Financial Incentive Program

The Entertainment Industry Financial Incentive Program was established in 2003, in s. 288.1245, F.S., to develop and sustain the workforce and infrastructure for film, digital media, and entertainment productions. This program offers transferable tax credits for expenditures related to qualified productions on a first-come, first-served basis. Currently the Office of Film and Entertainment has committed all of the state's tax credits (under this program), certifying 351 projects to receive \$296 million.⁷ The Entertainment Industry Sales Tax Exemption Program, in s. 288.1258, F.S., is a related program.

Economic Development Programs with Cash Grants

High-Impact Business Performance Grants

Also known as the High-Impact Performance Incentive (HIPI), the program was established in 1997, in s. 288.108, F.S. HIPI is a grant reserved for projects operating in the same high-impact sectors as in the CITC program. The cash grant is performance based and paid in two installments. First, upon operational commencement, and the second upon full operational commencement as determined in contract. The program has an annual cap of \$30 million. The DEO reports that \$10.6 million in grant incentives was approved in Fiscal Year 2013-14. The DEO also reports that of the 14 contracts executed from the beginning of the program to June 30, 2014, seven contracts are active and three contracts were successfully completed.⁸ This program authorizes the recapture of funds if a business fails to meet its performance measures.

Quick Action Closing Fund

The Quick Action Closing (QAC) Fund was established in 1999, in s. 288.1088, F.S. The program is designed to be a competitive "deal closing" tool for negotiations where the state's other incentives are not enough to incentivize a business to remain, locate, or expand in the state. All QAC Fund projects have a performance based contract requiring specific scheduled milestones and annual compliance requirements. The program authorizes sanctions and penalties for failure to perform. The program is funded by a specific annual appropriation, and has no cap. The DEO reports that \$44.7 million in grant incentives was approved in Fiscal Year 2013-14.

⁶ See *supra* note 3, at 12-13, 22.

⁷ Office of Program Policy Analysis and Government Accountability, Florida Legislature, *Florida Economic Development Program Evaluations – Year 2*, Report No. 15-01, 10 (Jan. 1, 2015), <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1501rpt.pdf> (last visited Feb. 26, 2015).

⁸ See *supra* note 3, at 12 and 17.

Additionally, the report stated that 144 contracts have been executed through June 30, 2014, with 106 active contracts and ten successfully completed contracts.⁹

Innovation Incentive Program

The Innovation Incentive Program (IIP) was created in 2006, in s. 288.1089, F.S. The program is designed to empower the state to compete effectively for research and development, innovation business, or alternative and renewable energy projects. The program creates long-term investments, made by the state, in industry clusters critical to the state's future economic diversification. The projects have contractual performance measures and milestones that must be achieved before grant payment. The contracts also include a reinvestment portion, requiring recipients to reinvest a portion of royalty revenues earned back to the state for investment in existing state trust funds. The DEO reports that as of 2013, nine companies have been awarded funds of \$455.7 million, not including the Scripps Florida Grant (\$310 million).¹⁰

Local Government Distressed Area Matching Grant Program

The Local Government Distressed Area Matching Grant (LGDAMG) Program was established in 2010, in s. 288.0659, F.S. The program goal is to improve economic activity and enhance job creation in distressed communities. The grant is administered as a contract between the state and the local government. The state's funds, a \$50,000 maximum, are passed through to the business.¹¹

Other Economic Development Programs

Professional Sports Facilities

Florida offers state funding to pay for a facility for a professional sports franchise, under certain circumstances. Local governments, non-profit and for-profit entities may apply to the program. The program is reviewed by the EDR and the OPPAGA on a schedule required by s. 288.001, F.S. The state extends the program for the retention of Major League Baseball spring training baseball franchises in s. 288.11631, F.S.

Microfinance Programs

The state has two separate microfinance programs, the Microfinance Loan Program¹² and the Microfinance Guarantee Program.¹³ The loan program is designed to make short-term, fixed-rate microloans for business management training, business development training, and technical assistance to entrepreneurs and newly established or growing small businesses for startup costs, working capital, and the acquisition of materials, supplies, furniture, fixtures, and equipment. The intent of the program is to enable entrepreneurs and small businesses to access private financing after completing the program. The guarantee program is intended to stimulate access to credit for entrepreneurs and small businesses by providing targeted guarantees to their loans.

⁹ See *supra* note 3, at 12 and 17.

¹⁰ See *supra* note 3, at 19.

¹¹ See *supra* note 3, at 12.

¹² Section 288.9934, F.S.

¹³ Section 288.9935, F.S.

III. Effect of Proposed Changes:

Definition Changes

Section 1 of the bill amends the definition for “cumulative capital investment” for purposes of the state’s capital investment tax credit.¹⁴ The definition is amended to prohibit the inclusion of any state or local funds used for capital investment, including funds appropriated to public or private entities, when calculating the total capital investment made in connection with a qualifying project.

Under current law, a qualifying project’s “cumulative capital investment” is used to determine the maximum percentage of the annual corporate income tax liability or premium tax liability generated by the project against which the capital investment tax credit may be imposed. This term is also used in the Innovation Incentive Program (program)¹⁵ when determining if a business is qualified to receive incentives under the program.

Section 3 amends the definition of “economic benefits” as used in ch. 288, F.S., which currently means the direct, indirect and induced gains in the state revenues as a percentage of the state’s investment. The current definition includes state grants, tax exemptions, tax refunds, tax grants, and other state incentives when calculating the state’s investment, to be used as a measure of economic gain in state revenue as a percentage of the state’s investment. The amended definition includes “all state funds spent or forgone to benefit the business, including state funds appropriated to public and private entities.”

The amended definition will change the calculation of “economic benefits” when used as a metric for the following programs and reports:

- The state’s economic development programs evaluation;
- The economic development incentive application process;
- The return on investment reporting for economic development programs;
- The Qualified Target Industry Tax Refund Program;
- The High-Impact Business Performance Grants;
- The Quick Action Closing Fund;
- The Entertainment Industry Financial Incentive Program;
- The annual incentives report required of Enterprise Florida, Inc., (EFI) for all of the economic development incentive programs marketed by EFI; and
- The evaluation of the Microfinance Loan Program and the Microfinance Guarantee Program.

Economic Development Incentive Application and Evaluation

Section 4 amends the Economic Development Incentive Application process under s. 288.061, F.S. The bill directs the DEO to create a uniform application form for incentive applications beginning January 1, 2016. The bill requires the form to include at minimum:

- The applicant’s federal employee identification number, reemployment assistance account number, and state sales tax registration number (if these are unavailable at the time of

¹⁴ Section 220.191, F.S.

¹⁵ Section 288.1089, F.S.

application, they must be submitted before disbursing any incentive payments or granting any tax credits or refunds);

- The applicant's signature;
- The location in the state where the project will be located;
- The anticipated commencement date of the project;
- A description of the business activity, product, or research and development undertaken by the applicant, and the 6-digit North American Industry Classification System (NAICS) code for all activities included in the project; and
- An attestation verifying that the information in the application is true and accurate.

The bill creates a uniform evaluation process, by which the DEO will review and evaluate each incentive application for the economic benefits of the potential award of state incentives proposed for the project. The bill directs the EDR to include guidelines for the application of the model established to calculate the economic benefits. Current law allows the EDR to use an amended version of the term "economic benefits" for the purposes of this requirement. The bill requires that the amended definition must reflect the changes made by the bill in s. 288.005, F.S., namely that the calculation for the state's investment include all state funds spent or forgone to benefit the business, including state funds appropriated to public and private entities.

The bill requires that the department's evaluation of an application must also include the following:

- A financial analysis of the company including information on liens, pending or ongoing litigation, credit ratings, and regulatory filings;
- A review of any independent evaluations of the company;
- A review of the historical market performance of the company;
- A review of the latest audit of the company's financial statement and related auditor management letter;
- A review of any other audits related to the internal controls or management of the company;
- A review of performance in connection with past incentives; and
- Any other review deemed necessary by the department.

The bill creates a uniform approval process for economic incentive applications for potential projects under any of the following programs:

- The Local Government Distressed Area Matching Grant Program;
- The Qualified Defense Contractor and Space Flight Business Tax Refund Program;
- The Qualified Target Industry Business Tax Refund;
- The Brownfield Redevelopment Bonus Refund;
- The High-Impact Business Performance Grants;
- The Quick Action Closing Fund; and
- The Innovation Incentive Program.

The bill provides a specific approval process for economic incentive applications. Within 10 days of receiving a complete application, the DEO gives a project recommendation for approval or disapproval to the Governor. Recommendations must include a justification for that recommendation and the proposed performance conditions the project must meet to receive incentive funds. The Governor may approve any project that requires less than \$2 million

without consulting the Legislature. For projects that require funding of at least \$2 million and up to \$7.5 million, the Governor must provide a written description and evaluation to the Legislative Budget Commission (LBC) at least 10 days before final approval of the project. If the chair or vice chair of the LBC, the President of the Senate, or the Speaker of the House of Representatives advises the Governor in writing that the action exceeds executive authority or is contrary to legislative intent, the Governor and the DEO shall suspend all actions until the LBC or the Legislature make a determination on the project. Any project requiring funding of \$7.5 million or more must be approved by the LBC before final approval by the Governor.

Current law provides that potential projects businesses submit applications for under these programs only require approval from the executive director of the DEO, except for the Innovation Incentive Program (IIP) and the Quick Action Closing Fund (QAC). The IIP requires that projects must be approved by the LBC. The QAC Fund allows projects receiving under \$2 million in funding to be approved by the Governor. Projects receiving between \$2 million and \$5 million in QAC funds require legislative consultation and projects exceeding \$5 million in funding is subject to approval by the LBC.

The bill clarifies that, upon certification, an applicant and the DEO will enter into contract. The bill requires that any contract that requires capital investment to be made by the applicant must also require that capital investment to remain in this state for the duration of the contract. The bill requires that the contract term is not to exceed 10 years. Under current law, project terms are written into each contract but are not limited by statute. The bill provides that the department may enter into successive agreements for a project after the first 10 year term, providing that each successive contract is contingent upon the successful completion of the previous contract. The bill does not impose the term restriction on contracts that have a total of \$20 million or more of combined state incentives. The bill requires that if the contract has any performance conditions related to job creation, the contract must require the applicant to use the workforce information systems implemented by CareerSource Florida, Inc., (formerly Workforce Florida, Inc.) required by s. 445.011, F.S.

The bill requires that any proposed changes to the contract by the DEO must be provided to the Legislature in writing. This notice will be given 3-business days before the changes, and 10 days for changes that result in reducing the projected economic benefits by 0.50 or more or below any statutorily required level for receipt of funds. Any such changes must also include a proportionate reduction in the award amount. As with the original contract approval process, the chair or vice-chair of the LBC, the Senate President, or the Speaker of the House of Representatives may object to the changes in writing. If there is an objection, the Governor and the DEO will suspend all actions until the LBC or the Legislature make a determination on the project.

The Qualified Defense Contractor and Space Flight Business Tax Refund

Section 5 amends the Qualified Defense Contractor and Space Flight Business Tax Refund Program.¹⁶ The bill amends the term “average wage in the area” to be the “average private sector wage in the area” and amends the definition to be an average of all private sector wages and

¹⁶ Section 288.1045, F.S.

salaries in the county or standard metropolitan area where the business is located. Current law defines the term as the average of all wages and salaries in the state, county, or metropolitan area where the business is located.

Additionally, the bill also amends the extension granted by the DEO for applicants applying for the QDSC tax refund to submit performance information. The bill limits the extension to up to 60 days, up from 30 days in current law.

The bill allows applicants to be certified as qualified for this program until June 30, 2020. Under current law, no applicants may be certified as qualified after June 30, 2014, but tax refund agreements in existence on that date may continue in accordance with their terms.

The Qualified Target Industry Tax Refund

Section 6 makes changes to the Tax Refund Program for Qualified Target Industry Businesses (QTI). The bill amends the definition for “average annual private sector wage in the area” to exclude the statewide private sector wage, it must be the average private sector wages and salaries in the county or standard metropolitan area where the business is located. The bill allows an applicant exercising the local financial support exemption option to be eligible for 100 percent of the total funds allowed under the program. Under current law, an applicant exercising the local financial support exemption option is not eligible for more than 80 percent of the total tax refunds allowed under the program. The bill clarifies the application and approval process for the program¹⁷ including that in order to qualify, the created jobs must have an average annual wage at least 115 percent of the average private sector wage in the area where the business is located. Current law allows the statewide private sector wage to be used in place of the average private sector wage in the area where the business is located.

The bill also makes changes to the annual claim of the tax refund.¹⁸ Under current law, additional tax refund payments are available to applicants for each job created with a higher annual average wage than the minimum requirement of 115 percent. These “bonuses” are awarded at 150 percent of the average private sector wage (an additional \$1,000 tax refund per job) and at 200 percent of the average private sector wage (an additional \$2,000 tax refund per job). A prorated tax refund, with a 5 percent penalty, can be awarded if the business achieves 80 percent of its projected employment in the tax refund agreement and at least 90 percent of the average wage paid by the business specified in the tax agreement as long as it is not less than 115 percent of the average private sector wage in the area at the time of certification. The law requires that in order to claim the bonus, businesses must still meet the 90 percent mark for the prorated tax refund. The bill creates an additional requirement that the businesses must still meet 90 percent of the annual average wage, but that the annual average wage cannot be lower than 135 percent of the annual private sector wage for the 150 percent of the average private sector wage bonus, and it cannot be lower than 180 percent of the average private sector wage for the 200 percent of the average private sector wage bonus.

¹⁷ Section 288.106(4), F.S.

¹⁸ Section 288.106(6), F.S.

The bill also amends the extension granted by the DEO for applicants applying for the QTI tax refund to submit performance information. The bill limits the extension to up to 60 days, up from 30 days in current law.

The Brownfield Redevelopment Bonus Refunds

Section 7 of the bill amends the Brownfield Redevelopment Bonus Refunds.¹⁹ The bill clarifies the term “eligible business” and the term “fixed capital investment” when used as a criteria for participation in the refund. The bill prohibits an eligible business from including state funds used for capital investment as part of the \$2 million minimum fixed capital investment the business must make in order to receive bonus refunds.

The Quick Action Closing Fund

Section 8 amends the Quick Action Closing (QAC) Fund.²⁰ The bill lowers the required economic benefit ratio for a project to qualify to 4 to 1, down from 5 to 1 under current law. The bill amends the term “area wide or statewide private sector average wage” to be “average private sector wage” and defines it as the average of all private sector wages in the county or standard metropolitan area in which the project is located.

The bill amends the process and requirements of any waivers of criteria granted to projects. Under current law, in order to be eligible for QAC funds a project must:

- Be in an industry as referenced in s. 288.106, F.S., (the QTI Tax Refund program);
- Have a positive economic benefit ratio of at least 5 to 1;
- Be an inducement to the project’s location or expansion in the state;
- Pay an average annual wage of at least 125 percent of the area-wide or statewide private sector average wage; and
- Be supported by the local community in which the project is to be located.

If the local government and EFI request a waiver, it must be submitted to the DEO in writing with an explanation of why the request is justified. The DEO, if approving the request, must state it in writing with an explanation for the approval. The bill prohibits the department from waiving more than two of the criteria. The bill clarifies that when considering a waiver, the DEO determines the existence of extraordinary circumstances. The bill prohibits criteria from being waived if the project’s economic benefit ratio would be below 2 to 1, or the average annual wage would be below 100 percent of the average private sector wage in the area. Additionally, the bill prohibits waiver of the criteria that the incentive be an inducement to the project’s retention, location, or expansion in this state.

The bill clarifies that when the DEO is evaluating QAC proposals, the minimum and maximum number of full-time equivalent jobs created by the facility should be used for evaluation purposes.

¹⁹ Section 288.107, F.S.

²⁰ Section 288.1088, F.S.

The bill strikes requirements related to the approval process for QAC applications. This reflects the changes made by the bill in s. 288.061, F.S., (see bill section 4 above).

The bill specifies additional conditions for payments from the QAC Fund. No payments may be made to the business until the scheduled goals have been achieved. The bill requires additional items to be in the contract, including the minimum and maximum amount of funds that may be awarded and the minimum and maximum number of jobs that will be created.

The Innovation Incentive Program

Section 9 amends the Innovation Incentive Program.²¹ The term “average private sector wage” is amended to be “average private sector wage in the area” and now restricts the definition to the average of all private sector wages in the county or standard metropolitan area where the project is located. Under current law the definition could be the statewide average wage in the private sector.

Currently, the Governor must consult with the Legislature before approving an award, and may not release funds until approval by the LBC. The bill requires the Governor to approve or deny the award consistent with the new approval thresholds established in s. 288.061, F.S., by section 4 of the bill.

The President of Enterprise Florida, Inc.

Section 10 amends s. 288.905, F.S., concerning the President of Enterprise Florida, Inc., (EFI). The bill requires that the president, appointed by the Board of Directors of EFI, will be subject to Senate confirmation. The bill prohibits a former president of EFI, for a period of 2 years after vacating the office, from receiving compensation for representing certain entities before the legislative or executive branch of the state’s government. This prohibition applies only if the entity applied for, received, or negotiated with EFI for the receipt of state funds, regardless of whether or not any state funds were received.

Section 11 provides that the changes made in section 10 of the bill only apply to EFI presidents appointed, or reappointed, on or after July 1, 2015.

Reporting and Miscellaneous Changes

Section 2 requires the EDR and the OPPAGA to include in their evaluations of economic development programs required in s. 288.0001, F.S., an analysis of the state’s retention of Major League Baseball spring training franchises with the analysis of the Sports Development program.²² These evaluations will be done by January 1, 2018, and every 3 years thereafter.

Section 12 changes the evaluation of the Microfinance Loan Program and Microfinance Guarantee Program in s. 288.9937, F.S., to give new duties to the OPPAGA. The bill also divides the analytical duties between the OPPAGA and the EDR, with the OPPAGA responsible

²¹ Section 288.1089, F.S.

²² This program provides state funding for the acquisition, construction, reconstruction, or renovation of a facility for a new or retained professional sports franchise. See ss. 288.1162 and 288.11625, F.S.

for identifying inefficiencies in the programs and making recommendations for changes, and the EDR responsible for evaluating economic benefits, job creation, changes in personal income, and any impact on the state's gross domestic product from direct, indirect, or induced effects of the state's investment.

The bill changes the submission date of these reports from January 1, 2018 to January 15, 2018.

Section 13 provides an effective date of July 1, 2015.

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.

C. Government Sector Impact:

Under SB 1214, the extension of the Qualified Defense Contractor and Space Flight tax refund program to allow the Department of Economic Opportunity (DEO) to certify applications through June 30, 2020, will have an impact to state revenues. The Revenue Estimating Impact Conference has not yet reviewed the bill.

The provisions of the bill that revise the Qualified Targeted Industry Business Tax Refund Program may increase state tax refunds awarded to businesses. Specifically these provisions permit businesses in brownfield or rural areas to receive 100 percent of the total tax refunds allowed if the local financial support is waived; and permit businesses to receive a prorated award if certain wage requirements are met. The impact is dependent on the use of these incentives and is indeterminate.

The DEO has indicated that it has sufficient resources to administratively implement the bill.²³

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 220.191, 288.0001, 288.005, 288.061, 288.1045, 288.106, 288.107, 288.1088, 288.1089, 288.905, and 288.9937

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.

²³ Conversation with Bill Wilson, Legislative and Cabinet Affairs, Department of Economic Opportunity (DEO) (Mar. 2, 2015).



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LEGISLATIVE ACTION

Senate

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House

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete line 886

and insert:

Section 13. Present subsection (6) of section 288.061,
Florida Statutes, is redesignated as subsection (7), and a new
subsection (6) is added to that section, to read:

288.061 Economic development incentive application
process.—

(6) (a) The department is authorized to execute contracts



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11 and agreements that obligate the state to make payments from
12 appropriations in the current or a future fiscal year for
13 incentive programs specified in this paragraph. The total amount
14 of actual or projected funds approved for payment by the
15 department based on actual project performance and the schedule
16 of payments for each incentive contract or agreement may not
17 exceed a combined total of \$50 million in any fiscal year for
18 all of the following:

19 1. The Local Government Distressed Area Matching Grant
20 Program established under s. 288.0659.

21 2. The qualified defense contractor and space flight
22 business tax refund program established under s. 288.1045.

23 3. The qualified target industry businesses tax refund
24 program established under s. 288.106.

25 4. The brownfield redevelopment bonus refund program
26 established under s. 288.107.

27 5. The high-impact business performance grant program
28 established under s. 288.108.

29 6. The Quick Action Closing Fund projects established under
30 s. 288.1088, with the exception of those projects with funds
31 held in escrow as of June 30, 2015, which are being paid out of
32 the Quick Action Closing Fund Escrow Account under s. 288.095.

33 7. The Innovation Incentive Program established under s.
34 288.1089.

35 (b) The funding limitation under paragraph (a) may only be
36 waived by the Legislature in the General Appropriations Act or
37 other legislation.

38 (c) The department shall provide notice, including an
39 updated description and evaluation, to the Legislature upon the



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40 final execution of each contract or agreement.

41 (d) By January 2 of each year, the department shall provide
42 to the Legislature a list of projected payments for the
43 following fiscal year and, by March 1 of each year, the
44 department shall provide to the Legislature a list of claims
45 actually filed for payment in the following fiscal year. The
46 department may not make a scheduled payment under a contract or
47 agreement for a given fiscal year until the department has
48 validated that the applicant has met the performance
49 requirements of the contract or agreement. The department may
50 only make payments to the applicant and not to a third party.
51 Any funds appropriated for scheduled payments in a fiscal year
52 which are unexpended by June 30 of that year shall revert in
53 accordance with s. 216.301 and may not be transferred to an
54 escrow account.

55 (e) The Legislature shall annually appropriate in the
56 General Appropriations Act an amount estimated to be sufficient
57 to satisfy scheduled payments in the coming fiscal year. If the
58 amount appropriated by the Legislature proves insufficient to
59 satisfy the scheduled payments, the department shall pay the
60 unfunded claims from the appropriation for the next fiscal year.
61 By March 1 of each year, the department shall notify the
62 legislative appropriations committees of any such anticipated
63 shortfall for the current fiscal year and of the amount it
64 estimates will be needed to pay claims during the next fiscal
65 year.

66 Section 14. Section 288.095, Florida Statutes, is amended
67 to read:

68 288.095 Economic Development Trust Fund.—



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69 (1) The Economic Development Trust Fund is created within
70 the Department of Economic Opportunity. Moneys deposited into
71 the fund must be used only to support the authorized activities
72 and operations of the department. Moneys credited to the trust
73 fund consist of local financial support funds; funds transferred
74 from Enterprise Florida, Inc., which were held in an escrow
75 account on June 30, 2015, for an approved Quick Action Closing
76 Fund project; and interest earnings.

77 (2) There is created, within the Economic Development Trust
78 Fund, the Economic Development Incentives Account. The Economic
79 Development Incentives Account consists of moneys transferred
80 from local governments as local financial support ~~appropriated~~
81 ~~to the account~~ for purposes of the tax incentives programs
82 authorized under ss. 288.1045, ~~and~~ 288.106, and 288.107 local
83 financial support provided under ss. 288.1045 and 288.106.
84 Moneys in the Economic Development Incentives Account may be
85 used only to pay tax refunds and make other payments authorized
86 under s. 288.1045, s. 288.106, or s. 288.107, and may only be
87 expended pursuant to Legislative appropriation or an approved
88 amendment to the department's operating budget pursuant to
89 chapter 216. Notwithstanding s. 216.301, and pursuant to s.
90 216.351, any balance in the account at the end of a fiscal year
91 remains in the account and is available for carrying out the
92 purposes of the account ~~shall be subject to the provisions of s.~~
93 ~~216.301(1)(a).~~

94 (3) ~~(a)~~ There is created, within the Economic Development
95 Trust Fund, the Quick Action Closing Fund Escrow Account. The
96 Quick Action Closing Fund Escrow Account consists of moneys
97 transferred from Enterprise Florida, Inc., which were held in an



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98 escrow account on June 30, 2015, for approved Quick Action
99 Closing Fund contracts or agreements. Moneys in the Quick Action
100 Closing Fund Escrow Account may be used only for the purpose of
101 making payments authorized under s. 288.1088 for projects
102 authorized by these contracts or agreements. A continuing
103 appropriation category shall be established to make payments
104 from the account. If an approved Quick Action Closing Fund
105 project is terminated, the department shall submit a budget
106 amendment to place the budget authority associated with the
107 terminated award into reserve. The funds associated with the
108 terminated award shall immediately revert to the State Economic
109 Enhancement and Development Trust Fund. The continuing
110 appropriation category expires on June 30, 2029.

111 (b) Notwithstanding s. 216.301, and pursuant to s. 216.351,
112 any balance in the account at the end of a fiscal year remains
113 in the account and is available for carrying out the purposes of
114 the account. Any interest earnings in the account revert to the
115 State Economic Enhancement and Development Trust Fund on June 30
116 of each fiscal year. The Quick Action Closing Fund Escrow
117 Account expires on June 30, 2029, and any funds remaining in the
118 account shall revert to the State Economic Enhancement and
119 Development Trust Fund. ~~The department may approve applications~~
120 ~~for certification pursuant to ss. 288.1045(3) and 288.106.~~
121 ~~However, the total state share of tax refund payments may not~~
122 ~~exceed \$35 million.~~

123 ~~(b) The total amount of tax refund claims approved for~~
124 ~~payment by the department based on actual project performance~~
125 ~~may not exceed the amount appropriated to the Economic~~
126 ~~Development Incentives Account for such purposes for the fiscal~~



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127 ~~year. Claims for tax refunds under ss. 288.1045 and 288.106~~
128 ~~shall be paid in the order the claims are approved by the~~
129 ~~department. In the event the Legislature does not appropriate an~~
130 ~~amount sufficient to satisfy the tax refunds under ss. 288.1045~~
131 ~~and 288.106 in a fiscal year, the department shall pay the tax~~
132 ~~refunds from the appropriation for the following fiscal year. By~~
133 ~~March 1 of each year, the department shall notify the~~
134 ~~legislative appropriations committees of the Senate and House of~~
135 ~~Representatives of any anticipated shortfall in the amount of~~
136 ~~funds needed to satisfy claims for tax refunds from the~~
137 ~~appropriation for the current fiscal year.~~

138 ~~(c) Moneys in the Economic Development Incentives Account~~
139 ~~may be used only to pay tax refunds and make other payments~~
140 ~~authorized under s. 288.1045, s. 288.106, or s. 288.107.~~

141 ~~(4)(d) The department may adopt rules necessary to carry~~
142 ~~out the provisions of this subsection, including rules providing~~
143 ~~for the use of moneys in the Economic Development Incentives~~
144 ~~Account and for the administration of the Economic Development~~
145 ~~Incentives Account and the Quick Action Closing Fund Escrow~~
146 ~~Account.~~

147 Section 15. By July 10, 2015, Enterprise Florida, Inc.,
148 shall transfer any funds held in an escrow account on June 30,
149 2015, for approved Quick Action Closing Fund contracts or
150 agreements to the Quick Action Closing Fund Escrow Account
151 within the Economic Development Trust Fund.

152 Section 16. Paragraphs (a), (c), (e), and (f) of subsection
153 (2), paragraph (h) of subsection (3), and paragraph (e) of
154 subsection (5) of section 288.1045, Florida Statutes, are
155 amended to read:



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156 288.1045 Qualified defense contractor and space flight
157 business tax refund program.—

158 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—

159 (a) There shall be allowed, ~~from the Economic Development~~
160 ~~Trust Fund,~~ a refund to a qualified applicant for the amount of
161 eligible taxes certified by the department which were paid by
162 such qualified applicant. The total amount of refunds for all
163 fiscal years for each qualified applicant shall be determined
164 pursuant to subsection (3). The annual amount of a refund to a
165 qualified applicant shall be determined pursuant to subsection
166 (5).

167 (c) ~~Contingent upon an annual appropriation by the~~
168 ~~Legislature,~~ The department may not approve ~~not~~ more in tax
169 refunds ~~than the amount appropriated to the Economic Development~~
170 ~~Trust Fund for tax refunds,~~ for a fiscal year than the amount
171 specified in s. 288.061 pursuant to subsection (5) and s.
172 288.095.

173 (e) After entering into a tax refund agreement pursuant to
174 subsection (4), a qualified applicant may:

175 1. Receive refunds ~~from the account~~ for corporate income
176 taxes due and paid pursuant to chapter 220 by that business
177 beginning with the first taxable year of the business which
178 begins after entering into the agreement.

179 2. Receive refunds ~~from the account~~ for the following taxes
180 due and paid by that business after entering into the agreement:

181 a. Taxes on sales, use, and other transactions paid
182 pursuant to chapter 212.

183 b. Intangible personal property taxes paid pursuant to
184 chapter 199.



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185 c. Excise taxes paid on documents pursuant to chapter 201.
186 d. Ad valorem taxes paid, as defined in s. 220.03(1)(a) on
187 June 1, 1996.
188 e. State communications services taxes administered under
189 chapter 202. This provision does not apply to the gross receipts
190 tax imposed under chapter 203 and administered under chapter 202
191 or the local communications services tax authorized under s.
192 202.19.
193
194 However, a qualified applicant may not receive a tax refund
195 pursuant to this section for any amount of credit, refund, or
196 exemption granted such contractor for any of such taxes. If a
197 refund for such taxes is provided by the department, which taxes
198 are subsequently adjusted by the application of any credit,
199 refund, or exemption granted to the qualified applicant other
200 than that provided in this section, the qualified applicant
201 shall reimburse the department ~~Economic Development Trust Fund~~
202 for the amount of such credit, refund, or exemption. A qualified
203 applicant must notify and tender payment to the department
204 within 20 days after receiving a credit, refund, or exemption,
205 other than that provided in this section.
206 (f) Any qualified applicant who fraudulently claims this
207 refund is liable for repayment of the refund to the department
208 ~~Economic Development Trust Fund~~ plus a mandatory penalty of 200
209 percent of the tax refund which shall be deposited into the
210 General Revenue Fund. Any qualified applicant who fraudulently
211 claims this refund commits a felony of the third degree,
212 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
213 (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY



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214 DETERMINATION.—

215 (h) The department may not certify any applicant as a
216 qualified applicant when the value of tax refunds to be included
217 in that letter of certification exceeds the available amount of
218 authority to certify a new business in any fiscal year
219 ~~businesses~~ as determined pursuant to s. 288.061(6) in s.
220 ~~288.095(3)~~. A letter of certification that approves an
221 application must specify the maximum amount of a tax refund that
222 is to be available to the contractor for each fiscal year and
223 the total amount of tax refunds for all fiscal years.

224 (5) ANNUAL CLAIM FOR REFUND.—

225 (e) The total amount of tax refunds approved by the
226 department under this section in any fiscal year may not exceed
227 the amount authorized under s. 288.061(6) ~~s. 288.095(3)~~.

228 Section 17. Paragraph (k) of subsection (2), paragraphs
229 (a), (d), (e), and (g) of subsection (3), paragraph (e) of
230 subsection (4), and paragraphs (d) and (g) of subsection (6) of
231 section 288.106, Florida Statutes, are amended to read:

232 288.106 Tax refund program for qualified target industry
233 businesses.—

234 (2) DEFINITIONS.—As used in this section:

235 (k) "Local financial support exemption option" means the
236 option to exercise an exemption from the local financial support
237 requirement available to an any applicant whose project is
238 located in a brownfield area, a rural city, or a rural
239 community. ~~Any applicant that exercises this option is not~~
240 ~~eligible for more than 80 percent of the total tax refunds~~
241 ~~allowed such applicant under this section.~~

242 (3) TAX REFUND; ELIGIBLE AMOUNTS.—



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243 (a) There shall be allowed, ~~from the account,~~ a refund to a
244 qualified target industry business for the amount of eligible
245 taxes certified by the department that were paid by the
246 business. The total amount of refunds for all fiscal years for
247 each qualified target industry business must be determined
248 pursuant to subsection (4). The annual amount of a refund to a
249 qualified target industry business must be determined pursuant
250 to subsection (6).

251 (d) After entering into a tax refund agreement under
252 subsection (5), a qualified target industry business may:

253 1. Receive refunds ~~from the account~~ for the following taxes
254 due and paid by that business beginning with the first taxable
255 year of the business that begins after entering into the
256 agreement:

257 a. Corporate income taxes under chapter 220.

258 b. Insurance premium tax under s. 624.509.

259 2. Receive refunds ~~from the account for~~ the following taxes
260 due and paid by that business after entering into the agreement:

261 a. Taxes on sales, use, and other transactions under
262 chapter 212.

263 b. Intangible personal property taxes under chapter 199.

264 c. Excise taxes on documents under chapter 201.

265 d. Ad valorem taxes paid, as defined in s. 220.03(1).

266 e. State communications services taxes administered under
267 chapter 202. This provision does not apply to the gross receipts
268 tax imposed under chapter 203 and administered under chapter 202
269 or the local communications services tax authorized under s.
270 202.19.

271 (e) However, a qualified target industry business may not



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272 receive a refund under this section for any amount of credit,
273 refund, or exemption previously granted to that business for any
274 of the taxes listed in paragraph (d). If a refund for such taxes
275 is provided by the department, which taxes are subsequently
276 adjusted by the application of any credit, refund, or exemption
277 granted to the qualified target industry business other than as
278 provided in this section, the business shall reimburse the
279 department account for the amount of that credit, refund, or
280 exemption. A qualified target industry business shall notify and
281 tender payment to the department within 20 days after receiving
282 any credit, refund, or exemption other than one provided in this
283 section.

284 (g) A qualified target industry business that fraudulently
285 claims a refund under this section:

286 1. Is liable for repayment of the amount of the refund to
287 the department account, plus a mandatory penalty in the amount
288 of 200 percent of the tax refund which shall be deposited into
289 the General Revenue Fund.

290 2. Commits a felony of the third degree, punishable as
291 provided in s. 775.082, s. 775.083, or s. 775.084.

292 (4) APPLICATION AND APPROVAL PROCESS.—

293 (e) The department may not certify any target industry
294 business as a qualified target industry business if the value of
295 tax refunds to be included in that letter of certification
296 exceeds the available amount of authority to certify a new
297 business in any fiscal year ~~businesses~~ as determined pursuant to
298 s. 288.061(6) in s. 288.095(3). ~~However,~~ Except as provided in
299 paragraph (2)(k), if the commitments of local financial support
300 represent less than 20 percent of the eligible tax refund



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301 payments, or to otherwise preserve the viability and fiscal
302 integrity of the program, the department may certify a qualified
303 target industry business to receive tax refund payments of less
304 than the allowable amounts specified in paragraph (3)(b). A
305 letter of certification that approves an application must
306 specify the maximum amount of tax refund that will be available
307 to the qualified industry business in each fiscal year and the
308 total amount of tax refunds that will be available to the
309 business for all fiscal years.

310 (6) ANNUAL CLAIM FOR REFUND.—

311 (d) A tax refund may not be approved for a qualified target
312 industry business unless the required local financial support
313 has been paid into the account for that refund. Except as
314 provided in paragraph (2)(k), if the local financial support
315 provided is less than 20 percent of the approved tax refund, the
316 tax refund must be reduced. In no event may the tax refund
317 exceed an amount that is equal to 5 times the amount of the
318 local financial support received. Further, funding from local
319 sources includes any tax abatement granted to that business
320 under s. 196.1995 or the appraised market value of municipal or
321 county land conveyed or provided at a discount to that business.
322 The amount of any tax refund for such business approved under
323 this section must be reduced by the amount of any such tax
324 abatement granted or the value of the land granted, and the
325 limitations in subsection (3) and paragraph (4)(e) must be
326 reduced by the amount of any such tax abatement or the value of
327 the land granted. A report listing all sources of the local
328 financial support shall be provided to the department when such
329 support is paid to the account.



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330 (g) The total amount of tax refund claims approved by the
331 department under this section in any fiscal year may ~~must~~ not
332 exceed the amount authorized under s. 288.061(6) ~~s. 288.095(3)~~.

333 Section 18. Subsection (2) and paragraphs (d), (e), and (i)
334 of subsection (4) of section 288.107, Florida Statutes, are
335 amended to read:

336 288.107 Brownfield redevelopment bonus refunds.—

337 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds
338 shall be approved by the department as specified in the final
339 order and allowed ~~from the account~~ as follows:

340 (a) A bonus refund of \$2,500 shall be allowed to any
341 qualified target industry business as defined in s. 288.106 for
342 each new Florida job created in a brownfield area eligible for
343 bonus refunds which is claimed on the qualified target industry
344 business's annual refund claim authorized in s. 288.106(6).

345 (b) A bonus refund of up to \$2,500 shall be allowed to any
346 other eligible business as defined in subparagraph (1)(d)2. for
347 each new Florida job created in a brownfield area eligible for
348 bonus refunds which is claimed under an annual claim procedure
349 similar to the annual refund claim authorized in s. 288.106(6).
350 The amount of the refund shall be equal to 20 percent of the
351 average annual wage for the jobs created.

352 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

353 (d) After entering into a tax refund agreement as provided
354 in s. 288.106 or other similar agreement for other eligible
355 businesses as defined in paragraph (1)(e), an eligible business
356 may receive brownfield redevelopment bonus refunds ~~from the~~
357 ~~account~~ pursuant to s. 288.106(3)(d).

358 (e) An eligible business that fraudulently claims a refund



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359 under this section:

360 1. Is liable for repayment of the amount of the refund to
361 the department account, plus a mandatory penalty in the amount
362 of 200 percent of the tax refund, which shall be deposited into
363 the General Revenue Fund.

364 2. Commits a felony of the third degree, punishable as
365 provided in s. 775.082, s. 775.083, or s. 775.084.

366 (i) The total amount of the bonus refunds approved by the
367 department under this section in any fiscal year may ~~must~~ not
368 exceed the ~~total~~ amount specified in s. 288.061(6) appropriated
369 ~~to the Economic Development Incentives Account for this purpose~~
370 ~~for the fiscal year. In the event that the Legislature does not~~
371 ~~appropriate an amount sufficient to satisfy projections by the~~
372 ~~department for brownfield redevelopment bonus refunds under this~~
373 ~~section in a fiscal year, the department shall, not later than~~
374 ~~July 15 of such year, determine the proportion of each~~
375 ~~brownfield redevelopment bonus refund claim which shall be paid~~
376 ~~by dividing the amount appropriated for tax refunds for the~~
377 ~~fiscal year by the projected total of brownfield redevelopment~~
378 ~~bonus refund claims for the fiscal year. The amount of each~~
379 ~~claim for a brownfield redevelopment bonus tax refund shall be~~
380 ~~multiplied by the resulting quotient. If, after the payment of~~
381 ~~all such refund claims, funds remain in the Economic Development~~
382 ~~Incentives Account for brownfield redevelopment tax refunds, the~~
383 ~~department shall recalculate the proportion for each refund~~
384 ~~claim and adjust the amount of each claim accordingly.~~

385 Section 19. Subsection (4) of section 288.108, Florida
386 Statutes, is amended to read:

387 288.108 High-impact business.—



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388 (4) AUTHORITY TO APPROVE QUALIFIED HIGH-IMPACT BUSINESS
389 PERFORMANCE GRANTS.—

390 ~~(a) The total amount of active performance grants scheduled~~
391 ~~for payment by the department in any single fiscal year may not~~
392 ~~exceed the amount specified in s. 288.061(6) lesser of \$30~~
393 ~~million or the amount appropriated by the Legislature for that~~
394 ~~fiscal year for qualified high-impact business performance~~
395 ~~grants. If the scheduled grant payments are not made in the year~~
396 ~~for which they were scheduled in the qualified high-impact~~
397 ~~business agreement and are rescheduled as authorized in~~
398 ~~paragraph (3) (c), they are, for purposes of this paragraph,~~
399 ~~deemed to have been paid in the year in which they were~~
400 ~~originally scheduled in the qualified high-impact business~~
401 ~~agreement.~~

402 ~~(b) If the Legislature does not appropriate an amount~~
403 ~~sufficient to satisfy the qualified high-impact business~~
404 ~~performance grant payments scheduled for any fiscal year, the~~
405 ~~department shall, not later than July 15 of that year, determine~~
406 ~~the proportion of each grant payment which may be paid by~~
407 ~~dividing the amount appropriated for qualified high-impact~~
408 ~~business performance grant payments for the fiscal year by the~~
409 ~~total performance grant payments scheduled in all performance~~
410 ~~grant agreements for the fiscal year. The amount of each grant~~
411 ~~scheduled for payment in that fiscal year must be multiplied by~~
412 ~~the resulting quotient. All businesses affected by this~~
413 ~~calculation must be notified by August 1 of each fiscal year.~~
414 ~~If, after the payment of all the refund claims, funds remain in~~
415 ~~the appropriation for payment of qualified high-impact business~~
416 ~~performance grants, the department shall recalculate the~~



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417 ~~proportion for each performance grant payment and adjust the~~
418 ~~amount of each claim accordingly.~~

419 Section 20. Subsection (4) of section 288.1088, Florida
420 Statutes, is amended to read:

421 288.1088 Quick Action Closing Fund.—

422 ~~(4) Funds appropriated by the Legislature for purposes of~~
423 ~~implementing this section shall be placed in reserve and may~~
424 ~~only be released pursuant to the legislative consultation and~~
425 ~~review requirements set forth in this section.~~

426 Section 21. Subsection (2) of section 288.1201, Florida
427 Statutes, is amended to read:

428 288.1201 State Economic Enhancement and Development Trust
429 Fund.—

430 (2) The trust fund is established for use as a depository
431 for funds to be used for the purposes specified in subsection
432 (1). Moneys to be credited to the trust fund shall consist of
433 documentary stamp tax proceeds as specified in law, local
434 financial support funds, interest earnings, reversions specified
435 in law, and cash advances from other trust funds. Funds shall be
436 expended only pursuant to legislative appropriation or an
437 approved amendment to the department's operating budget pursuant
438 to the provisions of chapter 216.

439 Section 22. This act shall take effect July 1, 2015.

440
441 ===== T I T L E A M E N D M E N T =====

442 And the title is amended as follows:

443 Delete lines 140 - 141

444 and insert:

445 report to certain persons; amending s. 288.061, F.S.;



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446 authorizing the department to execute specified
447 contracts and agreements from current or future fiscal
448 year appropriations for specified incentive programs;
449 prohibiting the total amount of actual or projected
450 funds approved for a specified payment by the
451 department from exceeding a specified amount in any
452 fiscal year for certain programs; providing that the
453 specified funding limitation may only be waived by the
454 Legislature in the General Appropriations Act or other
455 legislation; requiring the department to provide
456 specified notice to the Legislature upon the final
457 execution of each contract or agreement; requiring the
458 department to provide to the Legislature a list of
459 projected payments for the following fiscal year and a
460 list of claims actually filed for payment in the
461 following fiscal year by specified dates; prohibiting
462 the department from making a scheduled payment under a
463 contract or agreement for a given fiscal year until
464 the department has validated that the applicant has
465 met the performance requirements of the contract or
466 agreement; providing that the department may only make
467 payments to the applicant; providing for reversion of
468 specified funds that are unexpended by a specified
469 date in a fiscal year; requiring the Legislature to
470 annually appropriate in the General Appropriations Act
471 an amount estimated to sufficiently satisfy scheduled
472 payments in a fiscal year; requiring the department to
473 pay unfunded claims if the amount appropriated by the
474 Legislature proves insufficient to satisfy the



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475 scheduled payments in a fiscal year; requiring the
476 department to notify the legislative appropriations
477 committees of any anticipated shortfall for the
478 current fiscal year and of the amount it estimates
479 will be needed to pay claims during the next fiscal
480 year; amending s. 288.095, F.S.; providing that moneys
481 credited to the Economic Development Trust Fund
482 consist of specified funds and interest earnings;
483 restricting the use of moneys in the Economic
484 Development Incentives Account; providing that any
485 balance in the account at the end of the fiscal year
486 remains in the account and is available for carrying
487 out the purposes of the account; creating the Quick
488 Action Closing Fund Escrow Account within the Economic
489 Development Trust Fund; restricting the use of moneys
490 in the Quick Action Closing Fund Escrow Account;
491 providing for the establishment of a continuing
492 appropriation category to make payments from the
493 account; requiring the department to submit a
494 specified budget amendment in certain circumstances;
495 requiring the reversion of specified funds to the
496 State Economic Enhancement and Development Trust Fund
497 in certain circumstances; establishing an expiration
498 date for the continuing appropriation category;
499 providing for reversion of specified funds to the
500 State Economic Enhancement and Development Trust Fund
501 in certain circumstances; providing that any balance
502 in the account at the end of the fiscal year remains
503 in the account and is available for carrying out the



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504 purposes of the account; providing for the reversion
505 of any interest earnings in the account to the State
506 Economic Enhancement and Development Trust Fund on a
507 specified date of each fiscal year; providing for
508 expiration of the Quick Action Closing Fund Escrow
509 Account and reversion of the funds remaining in the
510 account; authorizing the department to adopt rules;
511 requiring Enterprise Florida, Inc., to transfer any
512 funds held in an escrow account for approved Quick
513 Action Closing Fund contracts or agreements to the
514 Quick Action Closing Fund Escrow Account within the
515 Economic Development Trust Fund by a specified date;
516 amending s. 288.1045, F.S.; conforming provisions to
517 changes made by the act; prohibiting the department
518 from certifying any applicant as a qualified applicant
519 in certain circumstances; amending ss. 288.106,
520 288.107, 288.108, 288.1088, and 288.1201, F.S.;
521 conforming provisions to changes made by the act;
522 providing an effective date.

By Senator Latvala

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1 A bill to be entitled
 2 An act relating to economic development; amending s.
 3 220.191, F.S.; revising the term "cumulative capital
 4 investment"; amending s. 288.0001, F.S.; requiring the
 5 Office of Economic and Demographic Research and the
 6 Office of Program Policy Analysis and Government
 7 Accountability to provide a detailed analysis of the
 8 retention of Major League Baseball spring training
 9 baseball franchises; amending s. 288.005, F.S.;
 10 revising the term "economic benefits"; amending s.
 11 288.061, F.S.; requiring the Department of Economic
 12 Opportunity to prescribe a specified application form;
 13 requiring the incentive application to include
 14 specified information; requiring the Office of
 15 Economic and Demographic Research to include
 16 guidelines for the appropriate application of the
 17 department's internal model in the establishment of
 18 the methodology and model it will use to calculate
 19 economic benefits; requiring that if the Office of
 20 Economic and Demographic Research develops an amended
 21 definition of the term "economic benefits," it must
 22 reflect a specified requirement; prohibiting the
 23 department from attributing to the business any
 24 capital investment made by a business using state
 25 funds; requiring the department's evaluation of the
 26 application to include specified information;
 27 requiring the department to recommend to the Governor
 28 approval or disapproval of a project that will receive
 29 funds from specified programs; requiring the

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30 department, in recommending a project, to include
 31 justification for the project and proposed performance
 32 conditions that the project must meet to obtain
 33 incentive funds; authorizing the Governor to approve a
 34 project without consulting the Legislature if the
 35 requested funding is less than a specified amount;
 36 requiring the Governor to provide a written
 37 description and evaluation of the project to specified
 38 persons during a specified timeframe; requiring the
 39 recommendation to include proposed payment and
 40 performance conditions that the project must meet in
 41 order to obtain incentive funds and to avoid
 42 sanctions; requiring the Governor to instruct the
 43 department to immediately suspend an action or
 44 proposed action until the Legislative Budget
 45 Commission or the Legislature makes a determination on
 46 the project in certain circumstances; requiring a
 47 project that requires funding that falls into a
 48 specified range to be approved by the Legislative
 49 Budget Commission before final approval by the
 50 Governor; requiring a project that requires at least a
 51 specified amount of funds and that provides a waiver
 52 of program requirements to be approved by the
 53 Legislative Budget Commission before final approval by
 54 the Governor; requiring the department to issue a
 55 letter certifying the applicant as qualified for an
 56 award upon approval; specifying the funding sources
 57 authorized within the definition of the term
 58 "project"; requiring the department and the applicant

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59 to enter into an agreement or contract upon
 60 certification; requiring any agreement or contract
 61 that requires capital investment to be made by the
 62 business to also require that such investment remain
 63 in the state for the duration of the agreement or
 64 contract; prohibiting an agreement or contract from
 65 having a term of longer than 10 years; authorizing the
 66 department to enter into a successive agreement or
 67 contract for a specified project under certain
 68 circumstances; providing that the restriction on
 69 duration of the agreement or contract does not apply
 70 in certain circumstances; requiring the agreement or
 71 contract to require that the applicant use the
 72 workforce information systems in certain
 73 circumstances; requiring the department to provide
 74 notice, with a written description and evaluation, to
 75 the Legislature of any proposed amendment to an
 76 agreement or contract; requiring the department to
 77 provide notice of the proposed change to specified
 78 persons in order to provide an opportunity for review;
 79 providing that a proposed amendment to an agreement or
 80 contract which reduces projected economic benefits
 81 calculated at the time the agreement or contract was
 82 executed by a specified amount or more or that results
 83 in an economic benefit ratio below a specified level
 84 is subject to specified notice and objection
 85 procedures; requiring the Governor to instruct the
 86 department to immediately suspend an action or
 87 proposed action until the Legislative Budget

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88 Commission or Legislature makes a determination on the
 89 project in certain circumstances; amending s.
 90 288.1045, F.S.; revising the term "average wage in the
 91 area"; conforming a provision to a change made by the
 92 act; increasing the number of days the department may
 93 extend the filing date; extending the future
 94 expiration of an applicant for a tax refund; amending
 95 s. 288.106, F.S.; conforming provisions to changes
 96 made by the act; revising the definition of the term
 97 "local financial support exemption option" to remove a
 98 limit on the allowable percentage of total tax
 99 refunds; increasing the number of days the department
 100 may extend the filing date; revising the limitations
 101 on the average private sector wage paid by the
 102 business; amending s. 288.107, F.S.; revising the term
 103 "eligible business"; defining the term "fixed capital
 104 investment"; amending s. 288.1088, F.S.; revising the
 105 requirements for projects eligible for receipt of
 106 funds from the Quick Action Closing Fund; conforming a
 107 provision to a change made by the act; requiring a
 108 specified request to be transmitted in writing to the
 109 department with an explanation of the specific
 110 justification for the request; requiring a decision to
 111 be stated in writing with an explanation of the reason
 112 for approving the request if the department approves
 113 the request; prohibiting the department from waiving
 114 more than a specified amount of criteria; revising the
 115 information that the department must include in an
 116 evaluation of an individual proposal for high-impact

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117 business facilities; prohibiting the payment of moneys
 118 from the fund to a business until the scheduled goals
 119 have been achieved; revising the information that must
 120 be included in a contract that sets forth the
 121 conditions for payments of moneys from the fund;
 122 amending s. 288.1089, F.S.; conforming provisions to
 123 changes made by the act; amending s. 288.905, F.S.;
 124 providing that the president appointed by the board of
 125 directors of Enterprise Florida, Inc., is subject to
 126 confirmation by the Senate; prohibiting a former
 127 president from receiving compensation for personally
 128 representing a specified entity before the legislative
 129 or executive branch of state government; providing
 130 applicability; amending s. 288.9937, F.S.; requiring
 131 the Office of Program Policy Analysis and Government
 132 Accountability to analyze and evaluate certain
 133 programs for a specified period; requiring the Office
 134 of Economic and Demographic Research to determine the
 135 economic benefits of certain programs; requiring the
 136 Office of Program Policy Analysis and Government
 137 Accountability to identify inefficiencies in certain
 138 programs and to recommend changes to such programs;
 139 revising the date by which each office must submit a
 140 report to certain persons; providing an effective
 141 date.

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

144
 145 Section 1. Paragraph (b) of subsection (1) of section

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146 220.191, Florida Statutes, is amended to read:

147 220.191 Capital investment tax credit.—

148 (1) DEFINITIONS.—For purposes of this section:

149 (b) "Cumulative capital investment" means the total capital
 150 investment in land, buildings, and equipment made in connection
 151 with a qualifying project during the period from the beginning
 152 of construction of the project to the commencement of
 153 operations. The term does not include any state or local funds,
 154 including funds appropriated to public or private entities, used
 155 for capital investment.

156 Section 2. Paragraph (e) of subsection (2) of section
 157 288.0001, Florida Statutes, is amended to read:

158 288.0001 Economic Development Programs Evaluation.—The
 159 Office of Economic and Demographic Research and the Office of
 160 Program Policy Analysis and Government Accountability (OPPAGA)
 161 shall develop and present to the Governor, the President of the
 162 Senate, the Speaker of the House of Representatives, and the
 163 chairs of the legislative appropriations committees the Economic
 164 Development Programs Evaluation.

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

168 (e) Beginning January 1, 2018, and every 3 years
 169 thereafter, an analysis of the Sports Development Program
 170 established under s. 288.11625 and the retention of Major League
 171 Baseball spring training baseball franchises under s. 288.11631.

172 Section 3. Subsection (1) of section 288.005, Florida
 173 Statutes, is amended to read:

174 288.005 Definitions.—As used in this chapter, the term:

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175 (1) "Economic benefits" means the direct, indirect, and
 176 induced gains in state revenues as a percentage of the state's
 177 investment. The state's investment includes all state funds
 178 spent or forgone to benefit the business, including state funds
 179 appropriated to public and private entities, state grants, tax
 180 exemptions, tax refunds, tax credits, and other state
 181 incentives.

182 Section 4. Section 288.061, Florida Statutes, is amended to
 183 read:

184 288.061 Economic development incentive application
 185 process.—

186 (1) Beginning January 1, 2016, the department shall
 187 prescribe a form upon which an application for an incentive must
 188 be made. At a minimum, the incentive application must include
 189 all of the following:

190 (a) The applicant's federal employer identification number,
 191 reemployment assistance account number, and state sales tax
 192 registration number. If such numbers are not available at the
 193 time of application, they must be submitted to the department in
 194 writing before the disbursement of any economic incentive
 195 payments or the grant of any tax credits or refunds.

196 (b) The applicant's signature.

197 (c) The location in this state at which the project is or
 198 will be located.

199 (d) The anticipated commencement date of the project.

200 (e) A description of the type of business activity,
 201 product, or research and development undertaken by the
 202 applicant, including the six-digit North American Industry
 203 Classification System code for all activities included in the

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204 project.

205 (f) An attestation verifying that the information provided
 206 on the application is true and accurate.

207 ~~(2)(1)~~ Upon receiving a submitted economic development
 208 incentive application, the Division of Strategic Business
 209 Development of the department ~~of Economic Opportunity~~ and
 210 designated staff of Enterprise Florida, Inc., shall review the
 211 application to ensure that the application is complete, whether
 212 and what type of state and local permits may be necessary for
 213 the applicant's project, whether it is possible to waive such
 214 permits, and what state incentives and amounts of such
 215 incentives may be available to the applicant. The department
 216 shall recommend to the executive director to approve or
 217 disapprove an applicant business. If review of the application
 218 demonstrates that the application is incomplete, the executive
 219 director shall notify the applicant business within the first 5
 220 business days after receiving the application.

221 ~~(3)(2) Beginning July 1, 2013,~~ The department shall review
 222 and evaluate each economic development incentive application for
 223 the economic benefits of the proposed award of state incentives
 224 proposed for the project. The term "economic benefits" has the
 225 same meaning as in s. 288.005. The Office of Economic and
 226 Demographic Research shall establish the methodology and model
 227 used to calculate the economic benefits, including guidelines
 228 for the appropriate application of the department's internal
 229 model. For purposes of this requirement, an amended definition
 230 of the term "economic benefits" may be developed by the Office
 231 of Economic and Demographic Research. However, the amended
 232 definition must reflect the requirement of s. 288.005 that the

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233 state's investment include all state funds spent or forgone to
 234 benefit the business, including state funds appropriated to
 235 public and private entities, to the extent that those funds
 236 should reasonably be known to the department at the time of
 237 approval. In the department's evaluation of an economic
 238 development incentive application, the department may not
 239 attribute to the business any capital investment made by the
 240 business using state funds.

241 (4) The department's evaluation of the application must
 242 include all of the following:

243 (a) A financial analysis of the company, including
 244 information regarding liens and pending or ongoing litigation,
 245 credit ratings, and regulatory filings.

246 (b) A review of any independent evaluations of the company.

247 (c) A review of the historical market performance of the
 248 company.

249 (d) A review of the latest audit of the company's financial
 250 statement and the related auditor management letter.

251 (e) A review of any other audits that are related to the
 252 internal controls or management of the company.

253 (f) A review of performance in connection with past
 254 incentives.

255 (g) Any other review deemed necessary by the department.

256 (5) (a) ~~(3)~~ Except as provided in paragraph (b), within 10
 257 business days after the department receives a complete ~~the~~
 258 ~~submitted~~ economic development incentive application, the
 259 executive director shall approve or disapprove the application
 260 and issue a letter of certification to the applicant which
 261 includes a justification of that decision, unless the business

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262 requests an extension of ~~that~~ time.

263 (b) Within 10 business days after the department receives a
 264 complete economic development incentive application for a
 265 project identified in paragraph (d), the executive director
 266 shall recommend to the Governor approval or disapproval of the
 267 application. The recommendation must include a justification for
 268 the recommendation and the proposed performance conditions that
 269 the project must meet to obtain incentive funds.

270 1. The Governor may approve a project without consulting
 271 the Legislature for a project that requires less than \$2 million
 272 in funding.

273 2. Except as provided in subparagraph 4., for any project
 274 that requires funding in the amount of at least \$2 million and
 275 up to \$7.5 million, the Governor shall provide a written
 276 description and evaluation of the project to the chair and vice
 277 chair of the Legislative Budget Commission at least 10 days
 278 before giving final approval for the project. The recommendation
 279 must include proposed payment and performance conditions that
 280 the project must meet in order to obtain incentive funds and to
 281 avoid sanctions. If the chair or vice chair of the Legislative
 282 Budget Commission, the President of the Senate, or the Speaker
 283 of the House of Representatives advises the Governor, in
 284 writing, that his or her planned or proposed action exceeds the
 285 delegated authority of the Governor or is contrary to
 286 legislative policy or intent, the Governor shall instruct the
 287 department to immediately suspend any action planned or proposed
 288 until the Legislative Budget Commission or the Legislature makes
 289 a determination on the project.

290 3. Any project that requires funding in the amount of \$7.5

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291 million or greater must be approved by the Legislative Budget
 292 Commission before final approval by the Governor.

293 4. Any project that requires funding in the amount of \$5
 294 million or greater and that provides a waiver of program
 295 requirements must be approved by the Legislative Budget
 296 Commission prior to final approval by the Governor.

297 (c) Upon approval of a project under paragraph (b), the
 298 department shall issue a letter certifying the applicant as
 299 qualified for an award.

300 (d) For purposes of paragraphs (b) and (c), the term
 301 "project" means a project that will receive funds under any one
 302 of the following programs:

303 1. The Local Government Distressed Area Matching Grant
 304 Program established by s. 288.0659.

305 2. The qualified defense contractor and space flight
 306 business tax refund program established under s. 288.1045.

307 3. The qualified target industry business tax refund
 308 authorized under s. 288.106.

309 4. The brownfield redevelopment bonus refund established
 310 under s. 288.107.

311 5. High-impact business performance grants established
 312 under s. 288.108.

313 6. The Quick Action Closing Fund established under s.
 314 288.1088.

315 7. The Innovation Incentive Program created by s. 288.1089.

316 (6) (a) Upon certification, the department and the applicant
 317 shall enter into an agreement or contract. The ~~contract or~~
 318 agreement or contract with the applicant must specify the total
 319 amount of the award, the performance conditions that must be met

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320 to obtain the award, the schedule for payment, and sanctions
 321 that would apply for failure to meet performance conditions. Any
 322 agreement or contract that requires capital investment to be
 323 made by the business must also require that such investment
 324 remain in this state for the duration of the agreement or
 325 contract. The department may enter into one agreement or
 326 contract covering all of the state incentives that are being
 327 provided to the applicant. The duration of an agreement or
 328 contract may not exceed 10 years. However, the department may
 329 enter into a successive agreement or contract for a specific
 330 project to extend the initial 10-year term, provided that each
 331 successive agreement or contract is contingent upon the
 332 successful completion of the previous agreement or contract. If
 333 all of the state incentives for one agreement or contract total
 334 \$20 million or greater, the restriction on the term of the
 335 agreement or contract does not apply. The agreement or contract
 336 must provide that release of funds is contingent upon sufficient
 337 appropriation of funds by the Legislature.

338 (b) The release of funds for the incentive or incentives
 339 awarded to the applicant depends upon the statutory requirements
 340 of the particular incentive program. For any performance
 341 conditions that relate to job creation, the agreement or
 342 contract must require that the applicant use the workforce
 343 information systems implemented under s. 445.011.

344 (7)(4) The department shall validate contractor performance
 345 and report such validation in the annual incentives report
 346 required under s. 288.907.

347 (8)(5)(a) The executive director may not approve an
 348 economic development incentive application unless the

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349 application includes a signed written declaration by the
 350 applicant which states that the applicant has read the
 351 information in the application and that the information is true,
 352 correct, and complete to the best of the applicant's knowledge
 353 and belief.

354 (b) After an economic development incentive application is
 355 approved, the awardee shall provide, in each year that the
 356 department is required to validate contractor performance, a
 357 signed written declaration. The written declaration must state
 358 that the awardee has reviewed the information and that the
 359 information is true, correct, and complete to the best of the
 360 awardee's knowledge and belief.

361 (9) The department shall provide notice, including a
 362 written description and evaluation, to the Legislature of any
 363 proposed amendment to an agreement or contract. In order to
 364 provide an opportunity for review, at least 3 business days
 365 before signing an amendment to an agreement or contract, the
 366 department shall provide notice of the proposed change to the
 367 chair and vice chair of the Legislative Budget Commission, the
 368 President of the Senate, and the Speaker of the House of
 369 Representatives. However, a proposed amendment to an agreement
 370 or contract that reduces the projected economic benefits
 371 calculated at the time the agreement or contract was executed by
 372 0.50 or more or that results in an economic benefit ratio below
 373 a statutorily required level for receipt of funds is subject to
 374 the 10-day notice and objection procedures set forth in this
 375 section. Any such amended agreement or contract must also
 376 provide for a proportionate reduction in the award amount. If
 377 the chair or vice chair of the Legislative Budget Commission,

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378 the President of the Senate, or the Speaker of the House of
 379 Representatives timely advises the Governor, in writing, that
 380 such action or proposed action exceeds the delegated authority
 381 of the Governor or is contrary to legislative policy or intent,
 382 the Governor shall instruct the department to immediately
 383 suspend any action proposed or taken until the Legislative
 384 Budget Commission or the Legislature makes a determination on
 385 the project.

386 (10)(6) The department is authorized to adopt rules to
 387 implement this section.

388 Section 5. Paragraph (b) of subsection (1), paragraph (e)
 389 of subsection (3), paragraphs (a) and (d) of subsection (5), and
 390 subsection (7) of section 288.1045, Florida Statutes, are
 391 amended to read:

392 288.1045 Qualified defense contractor and space flight
 393 business tax refund program.—

394 (1) DEFINITIONS.—As used in this section:

395 (b) "Average private sector wage in the area" means the
 396 average of all private sector wages and salaries in ~~the state,~~
 397 the county, or in the standard metropolitan area in which the
 398 business unit is located.

399 (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY
 400 DETERMINATION.—

401 (e) To qualify for review by the department, the
 402 application of an applicant must, at a minimum, establish the
 403 following to the satisfaction of the department:

404 1. The jobs proposed to be provided under the application,
 405 pursuant to subparagraph (b)6., subparagraph (c)6., or
 406 subparagraph (j)6., must pay an estimated annual average wage

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407 equaling at least 115 percent of the average private sector wage
408 in the area where the project is to be located.

409 2. The consolidation of a Department of Defense contract
410 must result in a net increase of at least 25 percent in the
411 number of jobs at the applicant's facilities in this state or
412 the addition of at least 80 jobs at the applicant's facilities
413 in this state.

414 3. The conversion of defense production jobs to nondefense
415 production jobs must result in net increases in nondefense
416 employment at the applicant's facilities in this state.

417 4. The Department of Defense contract or the space flight
418 business contract cannot allow the business to include the costs
419 of relocation or retooling in its base as allowable costs under
420 a cost-plus, or similar, contract.

421 5. A business unit of the applicant must have derived not
422 less than 60 percent of its gross receipts in this state from
423 Department of Defense contracts or space flight business
424 contracts over the applicant's last fiscal year, and must have
425 derived not less than an average of 60 percent of its gross
426 receipts in this state from Department of Defense contracts or
427 space flight business contracts over the 5 years preceding the
428 date an application is submitted pursuant to this section. This
429 subparagraph does not apply to any application for certification
430 based on a contract for reuse of a defense-related facility.

431 6. The reuse of a defense-related facility must result in
432 the creation of at least 100 jobs at such facility.

433 7. A new space flight business contract or the
434 consolidation of a space flight business contract must result in
435 net increases in space flight business employment at the

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436 applicant's facilities in this state.

437 (5) ANNUAL CLAIM FOR REFUND.—

438 (a) To be eligible to claim any scheduled tax refund,
439 qualified applicants who have entered into a written agreement
440 with the department pursuant to subsection (4) and who have
441 entered into a valid new Department of Defense contract, entered
442 into a valid new space flight business contract, commenced the
443 consolidation of a space flight business contract, commenced the
444 consolidation of a Department of Defense contract, commenced the
445 conversion of defense production jobs to nondefense production
446 jobs, or entered into a valid contract for reuse of a defense-
447 related facility must apply by January 31 of each fiscal year to
448 the department for tax refunds scheduled to be paid from the
449 appropriation for the fiscal year that begins on July 1
450 following the January 31 claims-submission date. The department
451 may, upon written request, grant up to a 60-day ~~30-day~~ extension
452 of the filing date. The application must include a notarized
453 signature of an officer of the applicant.

454 (d) The department, with assistance from the Department of
455 Revenue, shall, by June 30 following the scheduled date for
456 submitting the tax refund claim, specify by written order the
457 approval or disapproval of the tax refund claim and, if
458 approved, the amount of the tax refund that is authorized to be
459 paid to the qualified applicant for the annual tax refund. The
460 department may grant up to a 60-day ~~an~~ extension of this date
461 upon the request of the qualified applicant for the purpose of
462 filing additional information in support of the claim.

463 (7) EXPIRATION.—An applicant may not be certified as
464 qualified under this section after June 30, 2020 ~~2014~~. A tax

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465 refund agreement existing on that date shall continue in effect
466 in accordance with its terms.

467 Section 6. Paragraphs (c) and (k) of subsection (2),
468 paragraph (b) of subsection (4), and paragraphs (a), (e), and
469 (f) of subsection (6) of section 288.106, Florida Statutes, are
470 amended to read:

471 288.106 Tax refund program for qualified target industry
472 businesses.—

473 (2) DEFINITIONS.—As used in this section:

474 (c) "Average private sector wage in the area" means ~~the~~
475 ~~statewide private sector average wage or~~ the average of all
476 private sector wages and salaries in the county or in the
477 standard metropolitan area in which the business is located.

478 (k) "Local financial support exemption option" means the
479 option to exercise an exemption from the local financial support
480 requirement available to an ~~any~~ applicant whose project is
481 located in a brownfield area, a rural city, or a rural
482 community. ~~Any applicant that exercises this option is not~~
483 ~~eligible for more than 80 percent of the total tax refunds~~
484 ~~allowed such applicant under this section.~~

485 (4) APPLICATION AND APPROVAL PROCESS.—

486 (b) To qualify for review by the department, the
487 application of a target industry business must, at a minimum,
488 establish the following to the satisfaction of the department:

489 1.a. The jobs proposed to be created under the application,
490 pursuant to subparagraph (a)4., must pay an estimated annual
491 average wage equaling at least 115 percent of the average
492 private sector wage in the area where the business is to be
493 located ~~or the statewide private sector average wage~~. The

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494 governing board of the local governmental entity providing the
495 local financial support of the jurisdiction where the qualified
496 target industry business is to be located shall notify the
497 department and Enterprise Florida, Inc., which calculation of
498 the average private sector wage in the area must be used as the
499 basis for the business's wage commitment. In determining the
500 average annual wage, the department shall include only new
501 proposed jobs, and wages for existing jobs shall be excluded
502 from this calculation.

503 b. The department may waive the average wage requirement at
504 the request of the local governing body recommending the project
505 and Enterprise Florida, Inc. The department may waive the wage
506 requirement for a project located in a brownfield area
507 designated under s. 376.80, in a rural city, in a rural
508 community, in an enterprise zone, or for a manufacturing project
509 at any location in the state if the jobs proposed to be created
510 pay an estimated annual average wage equaling at least 100
511 percent of the average private sector wage in the area where the
512 business is to be located, only if the merits of the individual
513 project or the specific circumstances in the community in
514 relationship to the project warrant such action. If the local
515 governing body and Enterprise Florida, Inc., make such a
516 recommendation, it must be transmitted in writing ~~with~~ and the
517 specific justification for the waiver recommendation ~~must be~~
518 explained. If the department elects to waive the wage
519 requirement, the waiver must be stated in writing ~~with~~ and the
520 reasons for granting the waiver ~~must be~~ explained.

521 2. The target industry business's project must result in
522 the creation of at least 10 jobs at the project and, in the case

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523 of an expansion of an existing business, must result in a net
 524 increase in employment of at least 10 percent at the business.
 525 At the request of the local governing body recommending the
 526 project and Enterprise Florida, Inc., the department may waive
 527 this requirement for a business in a rural community or
 528 enterprise zone if the merits of the individual project or the
 529 specific circumstances in the community in relationship to the
 530 project warrant such action. If the local governing body and
 531 Enterprise Florida, Inc., make such a request, the request must
 532 be transmitted in writing with an explanation of, ~~and~~ the
 533 specific justification for the request ~~must be explained~~. If the
 534 department elects to grant the request, the grant must be stated
 535 in writing and explain, ~~and~~ the reason for granting the request
 536 ~~must be explained~~.

537 3. The business activity or product for the applicant's
 538 project must be within an industry identified by the department
 539 as a target industry business that contributes to the economic
 540 growth of the state and the area in which the business is
 541 located, that produces a higher standard of living for residents
 542 of this state in the new global economy, or that can be shown to
 543 make an equivalent contribution to the area's and state's
 544 economic progress.

545 (6) ANNUAL CLAIM FOR REFUND.—

546 (a) To be eligible to claim any scheduled tax refund, a
 547 qualified target industry business that has entered into a tax
 548 refund agreement with the department under subsection (5) must
 549 apply by January 31 of each fiscal year to the department for
 550 the tax refund scheduled to be paid from the appropriation for
 551 the fiscal year that begins on July 1 following the January 31

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552 claims-submission date. The department may, upon written
 553 request, grant up to a 60-day ~~30-day~~ extension of the filing
 554 date.

555 (e) A prorated tax refund, less a 5 percent penalty, shall
 556 be approved for a qualified target industry business if all
 557 other applicable requirements have been satisfied and the
 558 business proves to the satisfaction of the department that:

559 1. It has achieved at least 80 percent of its projected
 560 employment; and

561 2. The average wage paid by the business is at least 90
 562 percent of that the average wage specified in the tax refund
 563 agreement. ~~However, the average wage may not be, but in no case~~
 564 ~~less than 115 percent of the average private sector wage in the~~
 565 ~~area available at the time of certification; or, if the business~~
 566 ~~requested the additional per-job tax refund authorized in~~
 567 ~~paragraph (3) (b) for wages of at least 150 percent of the~~
 568 ~~average private sector wage in the area available at the time of~~
 569 ~~certification, less than 135 percent of the average private~~
 570 ~~sector wage in the area available at the time of certification;~~
 571 ~~or if the business requested the additional per-job tax refund~~
 572 ~~authorized in paragraph (3) (b) for wages of at least 150 percent~~
 573 ~~or 200 percent of the average private sector wage in the area~~
 574 ~~available at the time of certification, less than 180 percent of~~
 575 ~~the average private sector wage in the area available at the~~
 576 ~~time of certification if the business requested the additional~~
 577 ~~per-job tax refund authorized in paragraph (3) (b) for wages~~
 578 ~~above those levels~~. The prorated tax refund shall be calculated
 579 by multiplying the tax refund amount for which the qualified
 580 target industry business would have been eligible, if all

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581 applicable requirements had been satisfied, by the percentage of
582 the average employment specified in the tax refund agreement
583 which was achieved, and by the percentage of the average wages
584 specified in the tax refund agreement which was achieved.

585 (f) The department, with such assistance as may be required
586 from the Department of Revenue, shall, by June 30 following the
587 scheduled date for submission of the tax refund claim, specify
588 by written order the approval or disapproval of the tax refund
589 claim and, if approved, the amount of the tax refund that is
590 authorized to be paid to the qualified target industry business
591 for the annual tax refund. The department may grant up to a 60-
592 day ~~an~~ extension of this date on the request of the qualified
593 target industry business for the purpose of filing additional
594 information in support of the claim.

595 Section 7. Paragraph (d) of subsection (1) and paragraph
596 (b) of subsection (3) of section 288.107, Florida Statutes, and
597 amended to read:

598 288.107 Brownfield redevelopment bonus refunds.—

599 (1) DEFINITIONS.—As used in this section:

600 (d) "Eligible business" means:

601 1. A qualified target industry business as defined in s.

602 288.106(2); or

603 2. A business that can demonstrate that it has made a fixed
604 capital investment of at least \$2 million in mixed-use business
605 activities, including multiunit housing, commercial, retail, and
606 industrial in brownfield areas eligible for bonus refunds, and
607 that provides benefits to its employees.

608 (3) CRITERIA.—The minimum criteria for participation in the
609 brownfield redevelopment bonus refund are:

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610 (b) The completion of a fixed capital investment of at
611 least \$2 million in mixed-use business activities, including
612 multiunit housing, commercial, retail, and industrial in
613 brownfield areas eligible for bonus refunds, by an eligible
614 business applying for a refund under paragraph (2) (b) which
615 provides benefits to its employees. As used in this paragraph,
616 the term "fixed capital investment" does not include state funds
617 used for the capital investment, including state funds
618 appropriated to public and private entities.

619 Section 8. Subsections (2), (3), and (4) of section
620 288.1088, Florida Statutes, are amended to read:

621 288.1088 Quick Action Closing Fund.—

622 (2) There is created within the department the Quick Action
623 Closing Fund. Except as provided in subsection (3), projects
624 eligible for receipt of funds from the Quick Action Closing Fund
625 must ~~shall~~:

626 (a) Be in an industry as referenced in s. 288.106.

627 (b) Have a positive economic benefit ratio of at least 4 to
628 1 ~~5 to 1~~.

629 (c) Be an inducement to the project's location or expansion
630 in the state.

631 (d) Pay an average annual wage of at least 125 percent of
632 the average ~~areawide or statewide~~ private sector average wage in
633 the area. As used in this section, the term "average private
634 sector wage in the area" means the average of all private sector
635 wages in the county or in the standard metropolitan area in
636 which the project is located as determined by the department.

637 (e) Be supported by the local community in which the

638 project is to be located.

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639 (3) (a) The department and Enterprise Florida, Inc., shall
640 jointly review applications pursuant to s. 288.061 and determine
641 the eligibility of each project consistent with the criteria in
642 subsection (2).

643 (b) If the local governing body and Enterprise Florida,
644 Inc., decide to request a waiver of the criteria in subsection
645 (2), such request must be transmitted in writing to the
646 department with an explanation of the specific justification for
647 the request. If the department approves the request, the
648 decision must be stated in writing with an explanation of the
649 reason for approving the request.

650 (c) The department may not waive more than two of the
651 criteria in subsection (2), and a waiver may
652 Waiver of these criteria may be considered only under the
653 following criteria:

- 654 1. If the department determines the existence of ~~Based on~~
655 extraordinary circumstances;
656 2. In order to mitigate the impact of the conclusion of the
657 space shuttle program; or
658 3. In rural areas of opportunity if the project would
659 significantly benefit the local or regional economy.

660 (d) The criteria in subsection (2) may not be waived if:
661 a. The economic benefit ratio would be below 2 to 1; or
662 b. The average annual wage would be below 100 percent of
663 the average private sector wage in the area.

664 (e) The criteria that the incentive be an inducement to the
665 project's location or expansion in this state may not be waived.

666 (4) ~~(b)~~ The department shall evaluate individual proposals
667 for high-impact business facilities. Such evaluation must

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668 include, but need not be limited to:

669 (a) ~~1-~~ A description of the type of facility or
670 infrastructure, its operations, and the associated product or
671 service associated with the facility.

672 (b) ~~2-~~ The minimum and maximum number of full-time-
673 equivalent jobs that will be created by the facility and the
674 total estimated average annual wages of those jobs or, in the
675 case of privately developed rural infrastructure, the types of
676 business activities and jobs stimulated by the investment.

677 (c) ~~3-~~ The cumulative amount of investment to be dedicated
678 to the facility within a specified period.

679 (d) ~~4-~~ A statement of any special impacts the facility is
680 expected to stimulate in a particular business sector in the
681 state or regional economy or in the state's universities and
682 community colleges.

683 (e) ~~5-~~ A statement of the role the incentive is expected to
684 play in the decision of the applicant business to locate or
685 expand in this state or for the private investor to provide
686 critical rural infrastructure.

687 (f) ~~6-~~ A report evaluating the quality and value of the
688 company submitting a proposal. The report must include:

689 1. ~~a-~~ A financial analysis of the company, including an
690 evaluation of the company's short-term liquidity ratio as
691 measured by its assets to liability, the company's profitability
692 ratio, and the company's long-term solvency as measured by its
693 debt-to-equity ratio;

694 2. ~~b-~~ The historical market performance of the company;

695 3. ~~c-~~ A review of any independent evaluations of the
696 company;

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697 ~~4.d.~~ A review of the latest audit of the company's
698 financial statement and the related auditor's management letter;
699 and

700 ~~5.e.~~ A review of any other types of audits that are related
701 to the internal and management controls of the company.

702 ~~(e)1. Within 7 business days after evaluating a project,~~
703 ~~the department shall recommend to the Governor approval or~~
704 ~~disapproval of a project for receipt of funds from the Quick~~
705 ~~Action Closing Fund. In recommending a project, the department~~
706 ~~shall include proposed performance conditions that the project~~
707 ~~must meet to obtain incentive funds.~~

708 ~~2. The Governor may approve projects without consulting the~~
709 ~~Legislature for projects requiring less than \$2 million in~~
710 ~~funding.~~

711 ~~3. For projects requiring funding in the amount of \$2~~
712 ~~million to \$5 million, the Governor shall provide a written~~
713 ~~description and evaluation of a project recommended for approval~~
714 ~~to the chair and vice chair of the Legislative Budget Commission~~
715 ~~at least 10 days prior to giving final approval for a project.~~
716 ~~The recommendation must include proposed performance conditions~~
717 ~~that the project must meet in order to obtain funds.~~

718 ~~4. If the chair or vice chair of the Legislative Budget~~
719 ~~Commission or the President of the Senate or the Speaker of the~~
720 ~~House of Representatives timely advises the Executive Office of~~
721 ~~the Governor, in writing, that such action or proposed action~~
722 ~~exceeds the delegated authority of the Executive Office of the~~
723 ~~Governor or is contrary to legislative policy or intent, the~~
724 ~~Executive Office of the Governor shall void the release of funds~~
725 ~~and instruct the department to immediately change such action or~~

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726 ~~proposed action until the Legislative Budget Commission or the~~
727 ~~Legislature addresses the issue. Notwithstanding such~~
728 ~~requirement, any project exceeding \$5 million must be approved~~
729 ~~by the Legislative Budget Commission prior to the funds being~~
730 ~~released.~~

731 ~~(5)(d)~~ Upon the approval of the Governor, the department
732 and the business shall enter into a contract that sets forth the
733 conditions for payment of moneys from the fund. Such payment may
734 not be made to the business until the scheduled goals have been
735 achieved. The contract must include the total amount of funds
736 awarded; the minimum and maximum amount of funds that may be
737 awarded, if applicable; the performance conditions that must be
738 met to obtain the award, including, but not limited to, net new
739 employment in the state, average salary, ~~and~~ total capital
740 investment incurred by the business, and the minimum and maximum
741 number of jobs that will be created, if applicable; demonstrate
742 a baseline of current service and a measure of enhanced
743 capability; the methodology for validating performance; the
744 schedule of payments from the fund; and sanctions for failure to
745 meet performance conditions. The contract must provide that
746 payment of moneys from the fund is contingent upon sufficient
747 appropriation of funds by the Legislature.

748 Section 9. Paragraph (b) of subsection (2), paragraphs (a)
749 and (d) of subsection (4), subsection (7), and paragraph (b) of
750 subsection (8) of section 288.1089, Florida Statutes, are
751 amended to read:

752 288.1089 Innovation Incentive Program.—

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

754 (b) "Average private sector wage in the area" means the

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755 ~~statewide average wage in the private sector or~~ the average of
 756 all private sector wages in the county or in the standard
 757 metropolitan area in which the project is located as determined
 758 by the department.

759 (4) To qualify for review by the department, the applicant
 760 must, at a minimum, establish the following to the satisfaction
 761 of the department:

762 (a) The jobs created by the project must pay an estimated
 763 annual average wage equaling at least 130 percent of the average
 764 private sector wage in the area. The department may waive this
 765 average wage requirement at the request of Enterprise Florida,
 766 Inc., for a project located in a rural area, a brownfield area,
 767 or an enterprise zone, when the merits of the individual project
 768 or the specific circumstances in the community in relationship
 769 to the project warrant such action. A recommendation for waiver
 770 by Enterprise Florida, Inc., must include a specific
 771 justification for the waiver and be transmitted to the
 772 department in writing. If the department elects to waive the
 773 wage requirement, the waiver must be stated in writing and
 774 explain ~~and~~ the reasons for granting the waiver ~~must be~~
 775 ~~explained~~.

776 (d) For an alternative and renewable energy project in this
 777 state, the project must:

778 1. Demonstrate a plan for significant collaboration with an
 779 institution of higher education;

780 2. Provide the state, at a minimum, a cumulative break-even
 781 economic benefit within a 20-year period;

782 3. Include matching funds provided by the applicant or
 783 other available sources. The match requirement may be reduced or

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784 waived in rural areas of opportunity or reduced in rural areas,
 785 brownfield areas, and enterprise zones;

786 4. Be located in this state; and

787 5. Provide at least 35 direct, new jobs that pay an
 788 estimated annual average wage that equals at least 130 percent
 789 of the average private sector wage in the area.

790 (7) Upon receipt of the evaluation and recommendation from
 791 the department, the Governor shall approve or deny an award
 792 pursuant to s. 288.061. In recommending approval of an award,
 793 the department shall include proposed performance conditions
 794 that the applicant must meet in order to obtain incentive funds
 795 and any other conditions that must be met before the receipt of
 796 any incentive funds. ~~The Governor shall consult with the~~
 797 ~~President of the Senate and the Speaker of the House of~~
 798 ~~Representatives before giving approval for an award. Upon review~~
 799 ~~and approval of an award by the Legislative Budget Commission,~~
 800 ~~the Executive Office of the Governor shall release the funds.~~

801 (8)

802 (b) Additionally, agreements ~~signed on or after July 1,~~
 803 ~~2009,~~ must include the following provisions:

804 1. Notwithstanding subsection (4), a requirement that the
 805 jobs created by the recipient of the incentive funds pay an
 806 annual average wage at least equal to the relevant industry's
 807 annual average wage or at least 130 percent of the average
 808 private sector wage in the area, whichever is greater.

809 2. A reinvestment requirement. Each recipient of an award
 810 shall reinvest up to 15 percent of net royalty revenues,
 811 including revenues from spin-off companies and the revenues from
 812 the sale of stock it receives from the licensing or transfer of

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813 inventions, methods, processes, and other patentable discoveries
 814 conceived or reduced to practice using its facilities in Florida
 815 or its Florida-based employees, in whole or in part, and to
 816 which the recipient of the grant becomes entitled during the 20
 817 years following the effective date of its agreement with the
 818 department. Each recipient of an award also shall reinvest up to
 819 15 percent of the gross revenues it receives from naming
 820 opportunities associated with any facility it builds in this
 821 state. Reinvestment payments shall commence no later than 6
 822 months after the recipient of the grant has received the final
 823 disbursement under the contract and shall continue until the
 824 maximum reinvestment, as specified in the contract, has been
 825 paid. Reinvestment payments shall be remitted to the department
 826 for deposit in the Biomedical Research Trust Fund for companies
 827 specializing in biomedicine or life sciences, or in the Economic
 828 Development Trust Fund for companies specializing in fields
 829 other than biomedicine or the life sciences. If these trust
 830 funds no longer exist at the time of the reinvestment, the
 831 state's share of reinvestment shall be deposited in their
 832 successor trust funds as determined by law. Each recipient of an
 833 award shall annually submit a schedule of the shares of stock
 834 held by it as payment of the royalty required by this paragraph
 835 and report on any trades or activity concerning such stock. Each
 836 recipient's reinvestment obligations survive the expiration or
 837 termination of its agreement with the state.

838 3. Requirements for the establishment of internship
 839 programs or other learning opportunities for educators and
 840 secondary, postsecondary, graduate, and doctoral students.

841 4. A requirement that the recipient submit quarterly

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842 reports and annual reports related to activities and performance
 843 to the department, according to standardized reporting periods.

844 5. A requirement for an annual accounting to the department
 845 of the expenditure of funds disbursed under this section.

846 6. A process for amending the agreement.

847 Section 10. Subsection (1) is amended and subsection (5) is
 848 added to section 288.905, Florida Statutes, to read:

849 288.905 President and employees of Enterprise Florida,
 850 Inc.—

851 (1) The board of directors of Enterprise Florida, Inc.,
 852 shall appoint a president, subject to confirmation by the
 853 Senate, who shall serve at the pleasure of the Governor. The
 854 president shall also be known as the "secretary of commerce" and
 855 shall serve as the Governor's chief negotiator for business
 856 recruitment and business expansion.

857 (5) For a period of 2 years following vacation of office, a
 858 former president may not receive compensation for personally
 859 representing before the legislative or executive branch of state
 860 government an entity that applied for funding, received state
 861 funds, or negotiated with Enterprise Florida, Inc., for the
 862 receipt of state funds, regardless of whether the entity
 863 actually received any state funds.

864 Section 11. The changes made to s. 288.905, Florida
 865 Statutes, apply only to presidents who are appointed or
 866 reappointed on or after July 1, 2015.

867 Section 12. Section 288.9937, Florida Statutes, is amended
 868 to read:

869 288.9937 Evaluation of programs.—The Office of Economic and
 870 Demographic Research and the Office of Program Policy Analysis

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871 and Government Accountability shall analyze and ~~r~~ evaluate, ~~and~~
872 ~~determine the economic benefits, as defined in s. 288.005, of~~
873 the first 3 years of the Microfinance Loan Program and the
874 Microfinance Guarantee Program. The analysis by the Office of
875 Economic and Demographic Research must ~~also~~ determine the
876 economic benefits, as defined in s. 288.005, evaluate the number
877 of jobs created, the increase or decrease in personal income,
878 and the impact on state gross domestic product from the direct,
879 indirect, and induced effects of the state's investment. The
880 analysis by the Office of Program Policy Analysis and Government
881 Accountability must ~~also~~ identify any inefficiencies in the
882 programs and provide recommendations for changes to the
883 programs. Each ~~The~~ office shall submit a report to the President
884 of the Senate and the Speaker of the House of Representatives by
885 January 15 ~~1~~, 2018. This section expires January 31, 2018.
886 Section 13. This act shall take effect July 1, 2015.

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 Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1246

INTRODUCER: Commerce and Tourism Committee and Senator Detert

SUBJECT: Individuals with Disabilities

DATE: March 18, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Siples</u>	<u>McKay</u>	<u>CM</u>	<u>Fav/CS</u>
2.	<u>Gusky</u>	<u>Miller</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1246 creates the Florida Unique Abilities Partner program to recognize business entities that employ individuals who have a disability, contribute to organizations that support the independence of individuals who have a disability, or establish a program that contributes to the independence of individuals who have a disability. A business that receives the designation must annually re-certify that it continues to meet the criteria for the designation.

The bill requires the Department of Economic Opportunity (DEO) to:

- Work with state agencies and CareerSource Florida, Inc., to create the program;
- Work with disability organizations to develop a logo for the program;
- Maintain a website that provides the public with a list of businesses that have been designated as a Florida Unique Abilities Partner;
- Identify businesses with the designation on the Employ Florida Marketplace system;
- Provide VISIT Florida a list of businesses that have been designated as a Florida Unique Abilities Partner for consideration for use in any marketing campaigns, especially those targeting individuals who have a disability or their families; and
- Report to the Legislature on its progress in implementing the program by January 1, 2016.

The DEO indicates that \$200,000 will be needed to implement the bill in Fiscal Year 2015-2016; *see Section V.*

The bill provides an effective date of July 1, 2015.

II. Present Situation:

According to the United States Census Bureau, individuals who have a disability make up approximately 13.4 percent of the population of Florida, and 10.3 percent of individuals between the ages of 18 to 64 have a disability.¹ Individuals who have a disability participate in the labor force at a lower rate than those who do not have a disability. Approximately 18.2 percent of individuals who have a disability in Florida are employed, while 60.5 percent of those in Florida who do not have a disability are engaged in employment.²

Corporate Social Responsibility and Consumer Response

Corporate social responsibility is now a standard practice in the business world.³ Corporate social responsibility is defined as a company's sense of responsibility toward the community and environment,⁴ which may be expressed through support of issues, such as ethical supply sourcing or a contribution to, or support for, social issues and programs. In 2013, corporations in the United States gave approximately \$18.7 billion, consisting of both cash and non-cash donations, such as product donations and employee volunteer hours.⁵ Corporate philanthropy is considered advantageous to a business because it provides the company with a bolstered public image, improved community relations, and increased employee morale.⁶

Studies suggest that people value businesses that support causes that are important to them. A recent Nielsen survey found that 55 percent of global respondents indicated a willingness to pay extra for goods and services from business that are committed to making a positive social and environmental impact.⁷ Consumers are becoming "more deliberate and purposeful" in their

¹ U.S. Department of Commerce, United States Census Bureau, American Fact Finder, *Disability Characteristics, 2013 American Community Survey 1-year Estimates*, Report S1810, available at http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_1YR_S1810&prodType=table (last visited Mar. 13, 2015).

² U.S. Department of Commerce, United States Census Bureau, American Fact Finder, *Selected Economic Characteristics for the Civilian Noninstitutionalized Population by Disability Status, 2013 American Community Survey 1-year Estimates*, Report S1811, available at http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_1YR_S1811&prodType=table (last visited Mar. 13, 2015).

³ Illia, Laura et al., *Communicating Corporate Social Responsibility to a Cynical Public*, MIT SLOAN MANAGEMENT REVIEW, Feb. 21, 2013, available at http://sloanreview.mit.edu/article/communicating-corporate-social-responsibility-to-a-cynical-public/?use_credit=db34fbf0a135038c9c9102e028c614be (last visited Mar. 13, 2015).

⁴ BusinessDictionary.com, available at <http://www.businessdictionary.com/definition/corporate-social-responsibility.html> (last visited Mar. 13, 2015).

⁵ Adams, Susan, *America's Most Generous Companies*, FORBES, July 15, 2014, available at <http://www.forbes.com/sites/susanadams/2014/07/15/americas-most-generous-companies/> (last visited Mar. 13, 2015).

⁶ Montini, Laura, *Corporate Altruism Is on the Rise (Infographic)*, INC., Aug. 17, 2014, available at <http://www.inc.com/laura-montini/infographic/the-benefits-of-community-service.html> (last visited Mar. 13, 2015).

⁷ The Nielsen Company, *Doing Well by Doing Good* (June 2014), available at <http://www.nielsen.com/content/dam/corporate/us/en/reports-downloads/2014%20Reports/global-corporate-social-responsibility-report-june-2014.pdf> (last visited Mar. 13, 2015).

shopping decisions by patronizing businesses that have similar values to their own.⁸ Consumers are also more likely to be loyal to those brands that share their values or are engaged in the support of those causes that are important to them.⁹ People may even base their employment decisions on such values.

III. Effect of Proposed Changes:

Section 1 of the bill creates the Florida Unique Abilities Partner program to be administered by the Department of Economic Opportunity (DEO). The purpose of the program is to recognize businesses that demonstrate a commitment to the independence of individuals who have a disability. The DEO must consult with the Agency for Persons with Disabilities, the Division of Vocational Rehabilitation and Division of Blind Services of the Department of Education, and CareerSource Florida, Inc., in creating the program.

The bill defines “individuals who have a disability” as persons who have a physical or intellectual impairment that substantially limits one or more major life activities; persons who have a history or record of such an impairment; or persons who are perceived by others as having such an impairment.

In order to be designated as a Florida Unique Abilities Partner, a business must submit an application to the DEO, indicating that the business would qualify for the designation due to the:

- Employment of individuals who have a disability;
- Contributions to disability organizations; or
- Establishment of a program that contributes to the independence of individuals who have a disability.

At a minimum, to qualify for the designation, a business must:

- Employ at least one Florida resident who has a disability for at least 9 months before applying for the designation; the employer may not be required to provide personally identifiable information about its employees;
- Make a financial or in-kind contribution to a local or national disability organization of at least \$1,000, if the entity has 100 or fewer employees or at least \$5,000, if the entity has more than 100 employees;¹⁰ or
- Establish a program that contributes to the independence of individuals who have a disability.

In lieu of the application process, the DEO must also accept nominations from members of the community regarding a local business entity’s qualification for designation as a Florida Unique Abilities Partner in one or more of the above-referenced categories. Upon receipt of nomination and a determination by the DEO that the nominee meets the requirements of the program based

⁸ Solomon, Micah, *Six Customer Trends That Will Build or Break Your Business As We Enter 2015*, FORBES, Dec. 25, 2014, available at <http://www.forbes.com/sites/micahsolomon/2014/12/25/six-deep-customer-trends-that-will-build-or-break-your-business-as-we-enter-2015/> (last visited Mar. 13, 2015).

⁹ Irwin, Julie, *Ethical Consumerism Isn’t Dead, It Just Needs Better Marketing*, HARVARD BUSINESS REVIEW, Jan. 12, 2015, available at <https://hbr.org/2015/01/ethical-consumerism-isnt-dead-it-just-needs-better-marketing> (last visited Mar. 13, 2015).

¹⁰ For contributions or establishment of a program, the business must provide documentation consisting of copies of receipts or letters of acknowledgement from recipients or donees.

on the information provided, the DEO must notify the nominated business and provide the business the qualifying criteria asserted in the nomination. If a business does not decline the nomination within 30 days of receipt of the notification, it will be designated a Florida Unique Abilities Partner.

The bill specifies that the DEO's designation under this program does not constitute final agency action, and therefore is not subject to the Florida Administrative Procedures Act in ch. 120, F.S.

A business must annually certify that it continues to meet the requirements to be designated a Florida Unique Abilities Partner. Failure to submit the annual certification will result in the removal of the business' designation. A business may elect to discontinue its use of the designation by notifying the DEO of such decision.

The bill directs the DEO, in partnership with the disability community, to develop a logo that may be used to identify a business that has been designated as a Florida Unique Abilities Partner. The DEO is responsible for developing guidelines and requirements for the use and display of the Florida Unique Abilities Partner program logo. A business that has not received the designation or has elected to discontinue its designation may not display the logo.

The DEO must maintain a website that provides a list of businesses, by county, that currently have the Florida Unique Abilities Partners designation and provides information on the eligibility requirements for the designation. At least once a year, the DEO must publish on its website best practices for businesses to facilitate the inclusion of individuals who have a disability. The Agency for Persons with Disabilities must provide on its website a link to the DEO website for the Florida Unique Abilities Partner program. On the Employ Florida Marketplace, the DEO must identify the employers that have a designation as a Florida Unique Abilities Partner.

The DEO is required to provide a list of businesses that have a designation as a Florida Unique Abilities Partner to VISIT Florida¹¹ on a quarterly basis. VISIT Florida must consider using the program and the designees in marketing campaigns, including campaigns that target individuals who have a disability or their families.

The DEO must report its progress in implementing the Florida Unique Abilities Partner program to the Legislature by January 1, 2016.

Section 2 provides an effective date of July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate restrictions do not apply because the bill does not affect counties and municipalities.

¹¹ VISIT Florida is statutorily referred to as the Florida Tourism Industry Marketing Corporation. s. 288.1226, 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:

Under CS/SB 1246, a business that receives a designation may experience greater patronage due to the designation.

Local or national disability organizations may receive additional donations from businesses seeking a designation under the program.

C. Government Sector Impact:

According to the DEO, the bill will cost a minimum of \$200,000 in FY 2015-2016, and \$100,000 in subsequent years. These costs are associated with staff time to develop the program, process applications, determine compliance, and designate businesses. IT staff time is also required to create, maintain, and update the website that is required by the bill. The DEO believes the specific amount of FTE needed will be based on the number of businesses participating.¹²

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill directs the DEO to adopt rules to administer the program.

Under the Americans with Disabilities Act (ADA), employers are prohibited from inquiring about whether a person has a disability or the nature of a disability prior to employment.¹³ However, an employer may inquire about the applicant's ability to perform job-related functions. Upon employment, an employer may require a medical examination it is required of all employees, is job-related, and consistent with business necessity. Any medical information

¹² The Department of Economic Opportunity, *Senate Bill 1246 Analysis* (March 5, 2015) (on file with the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development).

¹³ See 42 U.S.C. s. 12112.

obtained from the medical examination must be maintained in a separate file. If an employee requests a reasonable accommodation, an employer is permitted to request documentation sufficient to substantiate the need for the reasonable accommodation.¹⁴

VIII. Statutes Affected:

This bill creates an unnumbered section of the Florida Statutes.

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 on March 10, 2015:

- Directs the DEO to accept nominations for the Florida Unique Abilities Partner designation from members of the community in which the business is located, in lieu of submission of an application by the business.
- Requires the DEO review nominations for the Florida Unique Abilities Partner program to determine if the nominations meet the requirements of the program.
- Requires the DEO to notify a nominated business of its nomination and the qualifying criteria asserted in the nomination, and give a nominated business the opportunity to decline a nomination.
- Prohibits the DEO from requiring a business to provide personally identifiable information about its employees.
- Deletes the requirement that the DEO must partner with the Florida Tourism Industry Marketing Corporation (VISIT Florida) to create a marketing campaign and requirement that VISIT Florida has a link from its website to the DEO's website.
- Requires the DEO to provide VISIT Florida a list of Florida Unique Abilities Partners for consideration for use in any marketing campaigns.

B. Amendments:

None.

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

¹⁴ EEOC, No. 915.002, *EEOC Enforcement Guidance of Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act (ADA)*, July 27, 2000, available at <http://www.eeoc.gov/policy/docs/guidance-inquiries.html> (last visited Mar. 13, 2015).



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LEGISLATIVE ACTION

Senate

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House

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Detert) recommended the following:

Senate Amendment (with title amendment)

Delete lines 40 - 164

and insert:

Section 1. Florida Unique Abilities Partner program.—

(1) CREATION AND PURPOSE.—The Department of Economic
Opportunity shall establish the Florida Unique Abilities Partner
program to designate a business entity as a Florida Unique
Abilities Partner if the business entity demonstrates
commitment, through employment or support, to the independence



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11 of individuals who have a disability. The department shall
12 consult with the Agency for Persons with Disabilities, the
13 Division of Vocational Rehabilitation of the Department of
14 Education, the Division of Blind Services of the Department of
15 Education, and CareerSource Florida, Inc., in creating the
16 program.

17 (2) DEFINITIONS.—As used in this section, the term:

18 (a) "Department" means the Department of Economic
19 Opportunity.

20 (b) "Individuals who have a disability" means persons who
21 have a physical or intellectual impairment that substantially
22 limits one or more major life activities; persons who have a
23 history or record of such an impairment; or persons who are
24 perceived by others as having such an impairment.

25 (3) DESIGNATION.—

26 (a) A business entity may apply to the department to be
27 designated as a Florida Unique Abilities Partner, based on the
28 business entity's achievements in at least one of the following
29 categories:

30 1. Employment of individuals who have a disability.

31 2. Contributions to local or national disability
32 organizations.

33 3. Contributions to or the establishment of a program that
34 contributes to the independence of individuals who have a
35 disability.

36 (b) As an alternative to application by a business entity,
37 the department must consider nominations from members of the
38 community where the business entity is located. The nomination
39 must identify the business entity's achievements in at least one



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40 of the categories provided in paragraph (a).

41 (c) The name, location, and contact information of the
42 business entity must be included in the business entity's
43 application or nomination.

44 (d) The department shall adopt procedures for the
45 application, nomination, and designation processes for the
46 Florida Unique Abilities Partner program. Designation as a
47 Florida Unique Abilities Partner does not establish or involve
48 licensure, does not affect the substantial interests of a party,
49 and does not constitute a final agency action. The Florida
50 Unique Abilities Partner program and designation are not subject
51 to chapter 120, Florida Statutes.

52 (4) ELIGIBILITY AND AWARD.—In determining the eligibility
53 for the designation of a business entity as a Florida Unique
54 Abilities Partner, the department shall consider, at a minimum,
55 the following criteria:

56 (a) For a designation based on an application by a
57 business:

58 1. A business entity must certify that it employs at least
59 one individual who has a disability. Such employees must be
60 residents of this state and must have been employed by the
61 business entity for at least 9 months before the business
62 entity's application for the designation. The department may not
63 require the employer to provide personally identifiable
64 information about its employees;

65 2. A business entity must certify that it has made
66 contributions to local and national disability organizations or
67 contributions in support of individuals who have a disability.
68 Contributions may be accomplished through financial or in-kind



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69 contributions, including employee volunteer hours. Contributions
70 must be documented by providing copies of written receipts or
71 letters of acknowledgment from recipients or donees. A business
72 entity with 100 or fewer employees must make a financial or in-
73 kind contribution of at least \$1,000, and a business entity with
74 more than 100 employees must make a financial or in-kind
75 contribution of at least \$5,000; or

76 3. A business entity must certify that it has established,
77 or has contributed to the establishment of, a program that
78 contributes to the independence of individuals who have a
79 disability. Contributions must be documented by providing copies
80 of written receipts, a summary of the program, program
81 materials, or letters of acknowledgment from program
82 participants or volunteers. A business entity with 100 or fewer
83 employees must make a financial or in-kind contribution of at
84 least \$1,000 in the program, and a business entity with more
85 than 100 employees must make a financial or in-kind contribution
86 of at least \$5,000.

87
88 A business entity that applies to the department to be
89 designated as a Florida Unique Abilities Partner shall be
90 awarded the designation upon meeting the requirements of this
91 section.

92 (b) For a designation based upon receipt of a nomination of
93 a business entity:

94 1. The department shall determine whether the nominee,
95 based on the information provided by the nominating person or
96 entity, meets the requirements of paragraph (a). The department
97 may request additional information from the nominee.



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98 2. If the nominee meets the requirements, the department
99 shall provide notice, including the qualification criteria
100 provided in the nomination, to the nominee regarding the
101 nominee's eligibility to be awarded a designation as a Florida
102 Unique Abilities Partner.

103 3. The nominee shall be provided 30 days from the receipt
104 of the notice to certify that the information in the notice is
105 true and accurate and accept the nomination; or to decline the
106 nomination. After 30 days, if the nomination has not been
107 accepted, the department may not award the designation. If the
108 nominee accepts the nomination, the department shall award the
109 designation. If the nominee declines the nomination, the
110 department may not award the designation.

111 (5) ANNUAL CERTIFICATION.—After an initial designation as a
112 Florida Unique Abilities Partner, a business entity must certify
113 each year that it continues to meet the criteria for the
114 designation. If a business entity does not submit the yearly
115 certification of continued eligibility, the department shall
116 remove the designation. A business entity may elect to
117 discontinue its use of the designation at any time by notifying
118 the department of such decision.

119 (6) LOGO DEVELOPMENT.—

120 (a) The department, in consultation with members of the
121 disability community, shall develop a logo that identifies a
122 business entity that is designated as a Florida Unique Abilities
123 Partner.

124 (b) The department shall adopt guidelines and requirements
125 for use of the logo, including how the logo may be used in
126 advertising. The department may allow a business entity to



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127 display a Florida Unique Abilities Partner logo upon
128 designation. A business entity that has not been designated as a
129 Florida Unique Abilities Partner or has elected to discontinue
130 its designated status may not display the logo.

131 (7) WEBSITE.—The department shall maintain a website for
132 the program. At a minimum, the website must provide: a list of
133 business entities, by county, that currently have the Florida
134 Unique Abilities Partner designation, updated quarterly;
135 information regarding the eligibility requirements for the
136 designation and the method of application or nomination; and
137 best practices for business entities to facilitate the inclusion
138 of individuals who have a disability, updated annually. The
139 website may provide links to the websites of organizations or
140 other resources that will aid business entities to employ or
141 support individuals who have a disability.

142 (8) INTERAGENCY COLLABORATION.—

143 (a) The Agency for Persons with Disabilities shall provide
144 a link on its website to the department's website for the
145 Florida Unique Abilities Partner program.

146 (b) On a quarterly basis, the department shall provide the
147 Florida Tourism Industry Marketing Corporation with a current
148 list of all businesses that are designated as Florida Unique
149 Abilities Partners. The Florida Tourism Industry Marketing
150 Corporation must consider the Florida Unique Abilities Partner
151 program in the development of marketing campaigns, and
152 specifically in any targeted marketing campaign for individuals
153 who have a disability or their families.

154 (c) The department and CareerSource Florida, Inc., shall
155 identify employment opportunities posted by business entities



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156 that currently have the Florida Unique Abilities Partner
157 designation on the workforce information system under s.
158 445.011, Florida Statutes.

159 (9) REPORT.—

160 (a) By January 1, 2016, the department shall provide a
161 report to the President of the Senate and the Speaker of the
162 House of Representatives on the status of the implementation of
163 this section, including the adoption of rules, development of
164 the logo, and development of application procedures.

165 (b) Beginning in 2016 and each year thereafter, the
166 department's annual report required under s. 20.60, Florida
167 Statutes, must describe in detail the progress and use of the
168 program. At a minimum, the report must include the following
169 information for the most recent year: the number of applications
170 and nominations received; the number of nominations accepted and
171 declined; designations awarded; annual certifications; use of
172 information provided under subsection (8); and any other
173 information deemed necessary to evaluate the program.

174 (10) RULES.—The department shall adopt rules to administer
175 this section.

176 Section 2. For the 2015-2016 fiscal year, the sums of
177 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
178 from the State Economic Enhancement and Development Trust Fund
179 are appropriated to the Department of Economic Opportunity for
180 the purpose of funding the development, implementation, and
181 administration of the Florida Unique Abilities Partner program
182 created by this act.

183

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



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185 And the title is amended as follows:

186 Delete lines 5 - 36

187 and insert:

188 Florida Unique Abilities Partner program; defining
189 terms; authorizing a business entity to apply to the
190 department for designation; requiring the department
191 to consider nominations of business entities for
192 designation; requiring the department to adopt
193 procedures for application and designation processes;
194 establishing criteria for a business entity to be
195 designated as a Florida Unique Abilities Partner;
196 requiring a business entity to certify that it
197 continues to meet the established criteria for
198 designation each year; requiring the department to
199 remove the designation if a business entity does not
200 submit yearly certification of continued eligibility;
201 authorizing a business entity to discontinue its use
202 of the designation; requiring the department, in
203 consultation with the disability community, to develop
204 a logo for business entities designated as Florida
205 Unique Abilities Program Partners; requiring the
206 department to adopt guidelines and requirements for
207 use of the logo; authorizing the department to allow a
208 designated business entity to display a logo;
209 prohibiting the use of a logo if a business entity
210 does not have a current designation; requiring the
211 department to maintain a website with specified
212 information; requiring the Agency for Persons with
213 Disabilities to provide a link on its website to the



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214 department's website for the Florida Unique Abilities
215 Partner program; requiring the department to provide
216 the Florida Tourism Industry Marketing Corporation
217 with certain information; requiring the department and
218 CareerSource Florida, Inc., to identify employment
219 opportunities posted by employers that receive the
220 Florida Unique Abilities Partner designation on the
221 workforce information system; providing report
222 requirements; requiring the department to adopt rules;
223 providing appropriations; providing an effective date.



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LEGISLATIVE ACTION

Senate

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House

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Detert) recommended the following:

1 **Senate Substitute for Amendment (119544) (with title**
2 **amendment)**

3
4 Delete lines 40 - 164
5 and insert:

6 Section 1. Florida Unique Abilities Partner program.-

7 (1) CREATION AND PURPOSE.-The Department of Economic
8 Opportunity shall establish the Florida Unique Abilities Partner
9 program to designate a business entity as a Florida Unique
10 Abilities Partner if the business entity demonstrates



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11 commitment, through employment or support, to the independence
12 of individuals who have a disability. The department shall
13 consult with the Agency for Persons with Disabilities, the
14 Division of Vocational Rehabilitation of the Department of
15 Education, the Division of Blind Services of the Department of
16 Education, and CareerSource Florida, Inc., in creating the
17 program.

18 (2) DEFINITIONS.—As used in this section, the term:

19 (a) "Department" means the Department of Economic
20 Opportunity.

21 (b) "Individuals who have a disability" means persons who
22 have a physical or intellectual impairment that substantially
23 limits one or more major life activities; persons who have a
24 history or record of such an impairment; or persons who are
25 perceived by others as having such an impairment.

26 (3) DESIGNATION.—

27 (a) A business entity may apply to the department to be
28 designated as a Florida Unique Abilities Partner, based on the
29 business entity's achievements in at least one of the following
30 categories:

31 1. Employment of individuals who have a disability.

32 2. Contributions to local or national disability
33 organizations.

34 3. Contributions to or the establishment of a program that
35 contributes to the independence of individuals who have a
36 disability.

37 (b) As an alternative to application by a business entity,
38 the department must consider nominations from members of the
39 community where the business entity is located. The nomination



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40 must identify the business entity's achievements in at least one
41 of the categories provided in paragraph (a).

42 (c) The name, location, and contact information of the
43 business entity must be included in the business entity's
44 application or nomination.

45 (d) The department shall adopt procedures for the
46 application, nomination, and designation processes for the
47 Florida Unique Abilities Partner program. Designation as a
48 Florida Unique Abilities Partner does not establish or involve
49 licensure, does not affect the substantial interests of a party,
50 and does not constitute a final agency action. The Florida
51 Unique Abilities Partner program and designation are not subject
52 to chapter 120, Florida Statutes.

53 (4) ELIGIBILITY AND AWARD.—In determining the eligibility
54 for the designation of a business entity as a Florida Unique
55 Abilities Partner, the department shall consider, at a minimum,
56 the following criteria:

57 (a) For a designation based on an application by a
58 business:

59 1. A business entity must certify that it employs at least
60 one individual who has a disability. Such employees must be
61 residents of this state and must have been employed by the
62 business entity for at least 9 months before the business
63 entity's application for the designation. The department may not
64 require the employer to provide personally identifiable
65 information about its employees;

66 2. A business entity must certify that it has made
67 contributions to local and national disability organizations or
68 contributions in support of individuals who have a disability.



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69 Contributions may be accomplished through financial or in-kind
70 contributions, including employee volunteer hours. Contributions
71 must be documented by providing copies of written receipts or
72 letters of acknowledgment from recipients or donees. A business
73 entity with 100 or fewer employees must make a financial or in-
74 kind contribution of at least \$1,000, and a business entity with
75 more than 100 employees must make a financial or in-kind
76 contribution of at least \$5,000; or

77 3. A business entity must certify that it has established,
78 or has contributed to the establishment of, a program that
79 contributes to the independence of individuals who have a
80 disability. Contributions must be documented by providing copies
81 of written receipts, a summary of the program, program
82 materials, or letters of acknowledgment from program
83 participants or volunteers. A business entity with 100 or fewer
84 employees must make a financial or in-kind contribution of at
85 least \$1,000 in the program, and a business entity with more
86 than 100 employees must make a financial or in-kind contribution
87 of at least \$5,000.

88
89 A business entity that applies to the department to be
90 designated as a Florida Unique Abilities Partner shall be
91 awarded the designation upon meeting the requirements of this
92 section.

93 (b) For a designation based upon receipt of a nomination of
94 a business entity:

95 1. The department shall determine whether the nominee,
96 based on the information provided by the nominating person or
97 entity, meets the requirements of paragraph (a). The department



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98 may request additional information from the nominee.

99 2. If the nominee meets the requirements, the department
100 shall provide notice, including the qualification criteria
101 provided in the nomination, to the nominee regarding the
102 nominee's eligibility to be awarded a designation as a Florida
103 Unique Abilities Partner.

104 3. The nominee shall be provided 30 days from the receipt
105 of the notice to certify that the information in the notice is
106 true and accurate and accept the nomination; or to decline the
107 nomination. After 30 days, if the nomination has not been
108 accepted, the department may not award the designation. If the
109 nominee accepts the nomination, the department shall award the
110 designation. If the nominee declines the nomination, the
111 department may not award the designation.

112 (5) ANNUAL CERTIFICATION.—After an initial designation as a
113 Florida Unique Abilities Partner, a business entity must certify
114 each year that it continues to meet the criteria for the
115 designation. If a business entity does not submit the yearly
116 certification of continued eligibility, the department shall
117 remove the designation. A business entity may elect to
118 discontinue its use of the designation at any time by notifying
119 the department of such decision.

120 (6) LOGO DEVELOPMENT.—

121 (a) The department, in consultation with members of the
122 disability community, shall develop a logo that identifies a
123 business entity that is designated as a Florida Unique Abilities
124 Partner.

125 (b) The department shall adopt guidelines and requirements
126 for use of the logo, including how the logo may be used in



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127 advertising. The department may allow a business entity to
128 display a Florida Unique Abilities Partner logo upon
129 designation. A business entity that has not been designated as a
130 Florida Unique Abilities Partner or has elected to discontinue
131 its designated status may not display the logo.

132 (7) WEBSITE.—The department shall maintain a website for
133 the program. At a minimum, the website must provide: a list of
134 business entities, by county, that currently have the Florida
135 Unique Abilities Partner designation, updated quarterly;
136 information regarding the eligibility requirements for the
137 designation and the method of application or nomination; and
138 best practices for business entities to facilitate the inclusion
139 of individuals who have a disability, updated annually. The
140 website may provide links to the websites of organizations or
141 other resources that will aid business entities to employ or
142 support individuals who have a disability.

143 (8) INTERAGENCY COLLABORATION.—

144 (a) The Agency for Persons with Disabilities shall provide
145 a link on its website to the department's website for the
146 Florida Unique Abilities Partner program.

147 (b) On a quarterly basis, the department shall provide the
148 Florida Tourism Industry Marketing Corporation with a current
149 list of all businesses that are designated as Florida Unique
150 Abilities Partners. The Florida Tourism Industry Marketing
151 Corporation must consider the Florida Unique Abilities Partner
152 program in the development of marketing campaigns, and
153 specifically in any targeted marketing campaign for individuals
154 who have a disability or their families.

155 (c) The department and CareerSource Florida, Inc., shall



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156 identify employment opportunities posted by business entities
157 that currently have the Florida Unique Abilities Partner
158 designation on the workforce information system under s.
159 445.011, Florida Statutes.

160 (9) REPORT.—

161 (a) By January 1, 2016, the department shall provide a
162 report to the President of the Senate and the Speaker of the
163 House of Representatives on the status of the implementation of
164 this section, including the adoption of rules, development of
165 the logo, and development of application procedures.

166 (b) Beginning in 2016 and each year thereafter, the
167 department's annual report required under s. 20.60, Florida
168 Statutes, must describe in detail the progress and use of the
169 program. At a minimum, the report must include the following
170 information for the most recent year: the number of applications
171 and nominations received; the number of nominations accepted and
172 declined; designations awarded; annual certifications; use of
173 information provided under subsection (8); and any other
174 information deemed necessary to evaluate the program.

175 (10) RULES.—The department shall adopt rules to administer
176 this section.

177 Section 2. For the 2015-2016 fiscal year, the sums of
178 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
179 from the Special Employment Security Administration Trust Fund
180 are appropriated to the Department of Economic Opportunity for
181 the purpose of funding the development, implementation, and
182 administration of the Florida Unique Abilities Partner program
183 created by this act.

184



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

186 And the title is amended as follows:

187 Delete lines 5 - 36

188 and insert:

189 Florida Unique Abilities Partner program; defining
190 terms; authorizing a business entity to apply to the
191 department for designation; requiring the department
192 to consider nominations of business entities for
193 designation; requiring the department to adopt
194 procedures for application and designation processes;
195 establishing criteria for a business entity to be
196 designated as a Florida Unique Abilities Partner;
197 requiring a business entity to certify that it
198 continues to meet the established criteria for
199 designation each year; requiring the department to
200 remove the designation if a business entity does not
201 submit yearly certification of continued eligibility;
202 authorizing a business entity to discontinue its use
203 of the designation; requiring the department, in
204 consultation with the disability community, to develop
205 a logo for business entities designated as Florida
206 Unique Abilities Program Partners; requiring the
207 department to adopt guidelines and requirements for
208 use of the logo; authorizing the department to allow a
209 designated business entity to display a logo;
210 prohibiting the use of a logo if a business entity
211 does not have a current designation; requiring the
212 department to maintain a website with specified
213 information; requiring the Agency for Persons with



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214 Disabilities to provide a link on its website to the
215 department's website for the Florida Unique Abilities
216 Partner program; requiring the department to provide
217 the Florida Tourism Industry Marketing Corporation
218 with certain information; requiring the department and
219 CareerSource Florida, Inc., to identify employment
220 opportunities posted by employers that receive the
221 Florida Unique Abilities Partner designation on the
222 workforce information system; providing report
223 requirements; requiring the department to adopt rules;
224 providing appropriations; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Detert

577-02088-15

20151246c1

1 A bill to be entitled
 2 An act relating to individuals with disabilities;
 3 requiring the Department of Economic Opportunity, in
 4 consultation with other organizations, to create the
 5 Florida Unique Abilities Partner program; defining the
 6 term "individuals who have a disability"; establishing
 7 criteria for a business entity to be designated as a
 8 Florida Unique Abilities Partner; requiring a business
 9 entity to certify that it continues to meet the
 10 established criteria for designation each year;
 11 requiring the department to remove the designation if
 12 a business entity does not submit yearly certification
 13 of continued eligibility; authorizing a business
 14 entity to discontinue its use of the designation;
 15 requiring the department, in consultation with the
 16 disability community, to develop a logo for business
 17 entities designated as Florida Unique Abilities
 18 Program Partners; requiring the department to adopt
 19 guidelines and requirements for use of the logo;
 20 authorizing the department to allow a designated
 21 business entity to display a logo; prohibiting the use
 22 of a logo if a business entity does not have a current
 23 designation; requiring the department to maintain a
 24 website with specified information; requiring the
 25 Agency for Persons with Disabilities to provide a link
 26 on its website to the department's website for the
 27 Florida Unique Abilities Partner program; requiring
 28 the department to provide the Florida Tourism Industry
 29 Marketing Corporation with certain information;

Page 1 of 6

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

577-02088-15

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30 requiring the department to identify employment
 31 opportunities posted by employers that receive the
 32 Florida Unique Abilities Partner designation on the
 33 workforce information system; requiring the department
 34 to provide a specified report to the Legislature by a
 35 specified date; requiring the department to adopt
 36 rules; providing an effective date.
 37

38 Be It Enacted by the Legislature of the State of Florida:
 39

40 Section 1. (1) The Department of Economic Opportunity shall
 41 establish the Florida Unique Abilities Partner program to
 42 designate a business entity as a Florida Unique Abilities
 43 Partner if the business entity demonstrates commitment, through
 44 employment and support, to the independence of individuals who
 45 have a disability. The department shall consult with the Agency
 46 for Persons with Disabilities, the Division of Vocational
 47 Rehabilitation of the Department of Education, the Division of
 48 Blind Services of the Department of Education, and CareerSource
 49 Florida in creating the program. As used in this section, the
 50 term "individuals who have a disability" means persons who have
 51 a physical or intellectual impairment that substantially limits
 52 one or more major life activities; persons who have a history or
 53 record of such an impairment; or persons who are perceived by
 54 others as having such an impairment.

55 (2) A business entity may apply to the Department of
 56 Economic Opportunity to be designated as a Florida Unique
 57 Abilities Partner, based on the business entity's achievements
 58 in at least one of the following categories:

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

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59 (a) Employment of individuals who have a disability.

60 (b) Contributions to local or national disability
61 organizations or the establishment of a program that contributes
62 to the independence of individuals who have a disability.

63 (3) As an alternative to application by a business entity,
64 the Department of Economic Opportunity must consider nominations
65 from members of the community in which the business entity is
66 located. The nomination must identify the business entity's
67 achievements in one or both of the categories as provided in
68 subsection (2).

69 (4) The Department of Economic Opportunity shall adopt
70 procedures for the application and designation processes for the
71 Florida Unique Abilities Partner program. Designation as a
72 Florida Unique Abilities Partner does not establish or involve
73 licensure, does not affect the substantial interests of a party,
74 and does not constitute a final agency action. The Florida
75 Unique Abilities Partner program and designation are not subject
76 to chapter 120, Florida Statutes.

77 (5) In determining the eligibility for the designation of a
78 business entity as a Florida Unique Abilities Partner, the
79 Department of Economic Opportunity must consider, at a minimum,
80 the following criteria:

81 (a) For a designation based on an application by a
82 business:

83 1. A business entity must certify that it employs at least
84 one individual who has a disability. Such employees must be
85 residents of this state and must have been employed by the
86 business entity for at least 9 months before the business
87 entity's application for the designation. The department may not

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88 require the employer to provide personally identifiable
89 information about its employees; or

90 2. A business entity must certify that it has made
91 contributions to local and national disability organizations or
92 contributions in support of individuals who have a disability.
93 Contributions may be accomplished through financial or in-kind
94 contributions, including employee volunteer hours, or
95 accomplished through the establishment of a program that
96 contributes to the independence of individuals who have a
97 disability. Contributions must be documented by providing copies
98 of written receipts or letters of acknowledgment from recipients
99 or donees. A business entity with 100 or fewer employees must
100 make a financial or in-kind contribution of at least \$1,000, and
101 a business entity with more than 100 employees must make a
102 financial or in-kind contribution of at least \$5,000.

103 (b) For a designation based upon receipt of a nomination of
104 a business entity, the Department of Economic Opportunity shall
105 determine whether the nominee, based on the information provided
106 by the nominating person or entity, meets the requirements of
107 paragraph (a). If the designee appears to meet the requirements,
108 the Department of Economic Opportunity shall provide notice to
109 the nominee, including the qualification criteria asserted in
110 the nomination. The nominee shall be provided 30 days from the
111 receipt of the notice to decline the nomination. After 30 days,
112 if the nomination has not been declined, the business must be
113 awarded the designation.

114 (6) After an initial designation as a Florida Unique
115 Abilities Partner, a business entity must certify each year that
116 it continues to meet the criteria for the designation. If a

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117 business entity does not submit yearly certification of
 118 continued eligibility, the Department of Economic Opportunity
 119 shall remove the designation. A business entity may elect to
 120 discontinue its use of the designation at any time by notifying
 121 the department of such decision.

122 (7) The Department of Economic Opportunity, in consultation
 123 with members of the disability community, must develop a logo
 124 that identifies a business entity that is designated as a
 125 Florida Unique Abilities Partner.

126 (8) The Department of Economic Opportunity must adopt
 127 guidelines and requirements for use of the logo, including how
 128 the logo may be used in advertising. The department may allow a
 129 business entity to display a Florida Unique Abilities Partner
 130 logo upon designation. A business entity that has not been
 131 designated as a Florida Unique Abilities Partner or has elected
 132 to discontinue its designated status may not display the logo.

133 (9) The Department of Economic Opportunity must maintain a
 134 website that provides the public with a list of business
 135 entities, by county, which currently have the Florida Unique
 136 Abilities Partner designation and which provides information
 137 regarding the eligibilities for the designation. At least once a
 138 year, the department must publish on its website the best ways
 139 for business entities to facilitate the inclusion of individuals
 140 who have a disability. The Agency for Persons with Disabilities
 141 must provide a link on its website to the department's website
 142 that makes available the information on the Florida Unique
 143 Abilities Partner program and designation.

144 (10) On a quarterly basis, the Department of Economic
 145 Opportunity must provide the Florida Tourism Industry Marketing

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146 Corporation with a current list of all businesses that are
 147 designated as Florida Unique Abilities Partners. The Florida
 148 Tourism Industry Marketing Corporation must consider the Florida
 149 Unique Abilities Partner program in the development of marketing
 150 campaigns, and specifically in any targeted marketing campaign
 151 for individuals who have a disability or their families.

152 (11) The Department of Economic Opportunity shall identify
 153 employment opportunities posted by business entities that
 154 currently have the Florida Unique Abilities Partner designation
 155 on the workforce information system under s. 445.011, Florida
 156 Statutes.

157 (12) By January 1, 2016, the Department of Economic
 158 Opportunity must provide a report to the President of the Senate
 159 and the Speaker of the House of Representatives on the status of
 160 the implementation of this section, including the adoption of
 161 rules, development of the logo, and development of application
 162 procedures.

163 (13) The Department of Economic Opportunity shall adopt
 164 rules to administer this section.

165 Section 2. This act shall take effect July 1, 2015.

**SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND ECONOMIC
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			LINE #				
Economic Opportunity (DEO)			1				
Highway Safety and Motor Vehicles (HSMV)			68				
Military Affairs (DMA)			94				
State (DOS)			119				
Transportation			169				
Division of Emergency Management (DEM/EOG)			249				
Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
1		ECONOMIC OPPORTUNITY					
2	1100001	Startup (OPERATING)	1,620.50	2,966,362		756,139,146	759,105,508
3	1100002	Startup Recurring Fixed Capital Outlay (DEBT SERVICE/OTHER)		-		3,200,000	3,200,000
4	1801020	Resource Transfer from Reemployment Assistance to Information Systems and Support Services - Add Department's LBR transfers 12 positions, salary rate and associated operating budget authority to the Information Systems & Support Services (IS&SS) budget entity from the Reemployment Assistance Program budget entity. Nets to zero with Issue #1802020. Governor's Recommendation does not include funding requested for additional Salaries & Benefits budget authority to support overtime and on-call payments (\$150,000).	12.00	-		805,832	805,832
5	1801030	Resource Transfer from Workforce Development to Finance and Administration - Add Department's LBR transfers four vacant positions, salary rate and associated operating budget authority to the Finance and Administration budget entity from the Workforce Development budget entity. This realignment will centralize the management and monitoring of contracts and grant agreements within the department. Nets to zero with Issue #1802030. Governor's Recommendation does not include funding requested for additional Salaries & Benefits budget authority to support overtime and on-call payments (\$4,324).	4.00	-		209,788	209,788
6	1802020	Resource Transfer from Reemployment Assistance to Information Systems and Support Services - Deduct Companion issue to Issue #1801020 - nets to zero.	(12.00)	-		(805,832)	(805,832)
7	1802030	Resource Transfer from Workforce Development to Finance and Administration - Deduct Companion issue to Issue #1801030 - nets to zero.	(4.00)	-		(209,788)	(209,788)
8	1803010	Division of Community Development Budget Restructure - Add Department's LBR consolidates the two budget entities in the Community Development Program by transferring 39 positions, salary rate, and all of the operating budget authority in the base budget to the Housing and Community Development budget entity from the Community Planning budget entity. Nets to zero with Issue #1804010.	39.00	1,874,326		6,496,993	8,371,319
9	1804010	Division of Community Development Budget Restructure - Deduct Companion issue to Issue #1803010 - nets to zero.	(39.00)	(1,874,326)		(6,496,993)	(8,371,319)
10	2000100	Realign Budget Authority to More Accurately Reflect Program Expenditures - Deduct Realigns base budget funding for the: Florida Sports Foundation to increase transparency (\$2.7 million); and the initial skills assessment and training activities to reflect program administration and funding realignment (\$1.5 million). Nets to zero with Issue # 2000200.		-		(4,700,000)	(4,700,000)
11	2000200	Realign Budget Authority to More Accurately Reflect Program Expenditures - Add Companion issue to Issue # 2000100 - nets to zero.		-		4,700,000	4,700,000

**SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND ECONOMIC
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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
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14	2503080	Direct Billing for Administrative Hearings Statewide issue to adjust the base budget to the department's allocated payment to Division of Administrative Hearings (DOAH). The allocated share is based on the actual number of hearing hours utilized by the department in FY 2013-14.		(45,821)		-	(45,821)
16	30010C0	Increased Workload for Data Center to Support an Agency Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.		869		991,722	992,591
17	33G0020	Management Position Reductions - Efficiencies Eliminates 7 FTE and associated salary rate and Salaries and Benefits operating budget authority to create administrative and operational efficiencies, as follows: Finance and Administration - 1 FTE; Information Systems & Support Services - 1 FTE; Workforce Development - 2 FTE; CareerSource Florida - 1 FTE; and Housing & Community Development - 2 FTE. As of February 26, 2015, 42 of the department's 1,620.50 positions have been vacant over 180 days. Senate Proposal: Eliminates 12 FTE and associated salary rate and Salaries and Benefits operating budget authority, as follows: Executive Direction - 1 FTE; Workforce Development - 7 FTE; Reemployment Assistance - 1 FTE; CareerSource Florida - 1 FTE; and Housing & Community Development - 2 FTE.	(12.00)	-		(562,193)	(562,193)
18	330C400	Contract Savings Governor's Recommendation reduces budget authority in the G.A - Contractual Services budget entity as part of the Governor's initiative to achieve efficiencies when contracts are renegotiated or reprocured. Additional \$500,000 reduction associated with the reprocurement of the Initial Skills Assessment and Training contract.		-		(1,710,212)	(1,710,212)
19	34F0010	Small Cities Community Development Block Grant Funds to Federal Grants Trust Fund - Deduct Transfers federal funds from the Small Cities Community Block Grant Trust Fund to the Federal Grants Trust Fund in accordance with s. 215.32, Florida Statutes. Nets to zero with Issue #34F0020.		-		(32,502,972)	(32,502,972)
20	34F0020	Small Cities Community Development Block Grant Funds to Federal Grants Trust Fund - Add Companion issue to Issue #34F0010 - nets to zero.		-		32,502,972	32,502,972
21	3402050	Initial Skills Assessment and Training Fund Realignment - Add Fund Shift - reduces the recurring state trust fund ("P & I" funds) appropriation for Initial Skills Assessment and Training and replaces the funds with federal Employment Security Administration trust funds. Nets to zero with Issue # 3402150.		-		1,500,000	1,500,000
22	3402150	Initial Skills Assessment and Training Fund Realignment - Deduct Companion issue to Issue # 3402050 - nets to zero.		-		(1,500,000)	(1,500,000)
27	36201C0	Provide Additional Funding to Support Department-Wide Information Technology Needs Department's LBR provides additional state and federal funds to: implement a Security Information and Event Management (SIEM) process (\$156,891); replace network switches that have reached the end of their life cycle (\$119,000) ; implement an Intrusion Detection System (IDS) (\$7,135); and migrate to Sharepoint Solution to replace the existing intranet environment (\$6,283). Governor's Recommendation did not include funding for the IDS and the Sharepoint Solution migration.		-		119,000	119,000

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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
28	36328C0	Reemployment Assistance Benefits Support Positions Requests 12 positions, salary rate and associated operating trust fund budget authority to support the Reemployment Assistance Claims & Benefits System (CONNECT) within the IS&SS budget entity. Additional state funded positions are needed as the department absorbs the workload of contracted staff and assumes full responsibility for future system development, enhancements and maintenance.	12.00	-		1,082,484	1,082,484
29	36340C0	Increase Operations for Community Development Department's LBR provides nonrecurring state trust funds to: update the Special District Database Management System from Visual FoxPro (created more than 25 years ago) to the Sequel database platform (\$120,000); and implement a digital document management system to replace the current manual document management process for all of the programs in the Division of Community Development (\$385,000). Governor's Recommendation did not include funding to implement a digital document management system to replace the current manual document management process for all of the programs in the Division of Community Development.		-		120,000	120,000
30	36350C0	Reemployment Assistance Fraud Prevention Detection Provides nonrecurring "P & I" funds to expand fraud prevention and detection services through the CONNECT System.		-		1,000,000	1,000,000
32	4100500	Grants and Aids - Professional Sports Development Provides recurring SEED trust funds to the Florida Sports Foundation to support the Sunshine State Games.		-		200,000	200,000
33	4101000	Economic Development Incentive Payments Provides nonrecurring state funds in a lump sum appropriation category to make economic development incentive payments during FY 2015-16 for the following programs: Qualified Target Industry (QTI) tax refunds, Qualified Defense Contractor and Space Flight Business tax refunds; Brownfields incentives (QTI tax refund bonus and redevelopment grants), and High Impact Performance Incentive projects. Scheduled FY 2015-16 payments for Quick Action Closing Fund projects will be made from the Quick Action Closing Fund Escrow Account using a continuing appropriation category.		-		23,800,000	23,800,000
36	4200420	Establish and Market a Statewide Business Brand for Florida Governor's Recommendation provides nonrecurring SEED trust funds to EFI to expand Florida's business brand. <i>Contingent upon QACF terminations and interest earnings.</i>		-		5,000,000	5,000,000
37	4200900	Florida Sports Foundation - Increase Current Funding Level Provides recurring SEED trust funds to the Florida Sports Foundation to support the Foundation's grant programs. This issue maintains the amount appropriated in FY 2014-15 with nonrecurring SEED trust funds.		-		1,000,000	1,000,000
38	4200910	Florida Sports Foundation - Continuation Funding Provides recurring budget authority in the Professional Sports Development Trust Fund to support the Foundation's grant programs and operations.		-		500,000	500,000
39	4300200 (4300100)	Visit Florida - Maintain & Increase Current Funding Level Department's LBR provides \$24 million above the base budget to maintain VISIT FLORIDA's funding at the FY 2014-15 level - \$74 million. Governor's Recommendation provides a \$35 million increase above the \$50 million in the base budget for VISIT FLORIDA - a total of \$85 million. Of the \$31,956,075 in state trust funds, \$30,206,075 is from the SEED Trust Fund and \$1,750,000 is from the Tourism Promotional Trust Fund.		-		24,000,000	24,000,000
40	4400100	Space Florida - Maintain Current Funding Level Governor's Recommendation provides nonrecurring GR to maintain Space Florida's funding at the FY 2014-15 level - \$12.5 million.		-		4,000,000	4,000,000
40A		<i>Cecil Spaceport Landside Infrastructure</i>		-		2,000,000	2,000,000

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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
42	4500100	Continue Funding to Support the Institute for the Commercialization of Public Research (ICPR) Department's LBR provides \$5.5 million of recurring SEED trust funds, above the \$1 million in the base budget for the ICPR - total of \$6.5 million. This issue continues the FY 2014-15 funding for the Institute's on-going operations at \$1.5 million and provides \$5 million (an increase of \$1 million from FY 2014-15) for seed stage funds to be allocated by the ICPR.			-	5,500,000	5,500,000
43	4600000	Economic Development Projects and Initiatives			-	10,105,400	10,105,400
43A		<i>Miami-Dade Economic and Advisory Trust - South Dade Culinary Project</i>			-	150,000	150,000
43B		<i>EFI - Increase International Trade with South Africa</i>			-	25,000	25,000
43C		<i>Sankofa Project - Black Cultural Tourism</i>			-	1,300,000	1,300,000
43D		<i>Tampa Innovation Alliance</i>			-	1,500,000	1,500,000
43E		<i>Hispanic Business Initiative Fund</i>			-	750,000	750,000
43F		<i>Modern Pentathlon</i>			-	250,000	250,000
43G		<i>Pasco County Economic Development Council - Aeronautical Use and Feasibility Study</i>			-	100,000	100,000
43H		<i>EFI - Africa Trade Expansion Program</i>			-	259,500	259,500
43I		<i>Scripps Florida</i>			-	1,000,000	1,000,000
43J		<i>Miami Boat Show Relocation</i>			-	500,000	500,000
43K		<i>Defense Reinvestment Grants</i>			-	1,000,000	1,000,000
43L		<i>BioEnergy Partnership</i>			-	1,000,000	1,000,000
43N		<i>City of South Bay Grant - Inland Logistics Center</i>			-	470,900	470,900
43O		<i>Manufacturers Association of Florida - Florida Makes Program</i>			-	500,000	500,000
43P		<i>Las Ferias De Las Americas Festival</i>			-	300,000	300,000
43Q		<i>Tampa Bay Innovation Center - St. Petersburg Center for Innovation</i>			-	1,000,000	1,000,000
44	4601000	Economic Development Incubator Projects			-	8,700,000	8,700,000
44A		<i>Project Runway at Florida Atlantic University</i>			-	1,000,000	1,000,000
44B		<i>Emerging Technology-Based Entrepreneurship and Innovation at Miami-Dade College</i>			-	1,200,000	1,200,000
44C		<i>International Consortium for Advanced Manufacturing Research</i>			-	5,000,000	5,000,000
44D		<i>Treasure Coast Education Research and Development Authority - Food Business Incubator</i>			-	1,000,000	1,000,000
44E		<i>West End Tech Center</i>			-	500,000	500,000
45	4900010	Transfer Marketing Activities of Office of Film and Entertainment to Enterprise Florida - Deduct	(2.00)		-	(315,578)	(315,578)
46	4900020	Transfer Marketing Activities of Office of Film and Entertainment to Enterprise Florida - Add			-	315,578	315,578
47	4900200	Qualified Television Revolving Loan Fund <i>Contingent upon passage of substantive legislation</i>			-	10,000,000	10,000,000
48	5000130	Strategic Business Development (SBD) - Provide Additional Funding for Contracted Services Department's LBR provides additional recurring state trust funds to cover projected contractual services expenditures in the SBD budget entity. In the base budget, there is \$592,532 in the G/A - Contracted Services appropriation category; this issue requests a total of would increase the appropriation in that category to \$1,090,342. In FY 2014-15, the department requested that \$250,000 be allocated to this category from the Economic Development Tools lump sum, for a total of \$842,532. Governor's Recommendation did not include additional funding for the Office of Film and Entertainment to contract for promotional advertising items for events, festivals, and trade shows (\$37,900).			-	249,000	249,000
49	6100120	Community Resiliency Program Continuation Funding Provides additional budget authority to spend available federal funds to continue a five year project (started in FY 2011-12) to integrate adaptation to potential sea level rise into current planning mechanisms including local comprehensive plans, hazard mitigation plans, and post-disaster redevelopment plans.			-	223,720	223,720

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50	6100300	Increase Funding for Technical Planning and Assistance Provides additional state trust funds (funded with Doc Stamp revenues) to continue to provide technical assistance to Florida communities to promote economic development initiatives and implement growth management requirements. Historically, much of the technical assistance funding has been used for direct grants to small and rural local governments in support of their planning efforts. The department has also used these funds to create and implement the Competitive Florida Partnership Program. This issue maintains the amount appropriated in FY 2014-15 with nonrecurring state trust funds.		-		1,100,000	1,100,000
52	6400100	Housing and Community Development Projects		-		23,707,058	23,707,058
52A		<i>Metropolitan Ministries Pasco Transitional Housing</i>		-		1,491,458	1,491,458
52B		<i>Rebuilding Together of Miami-Dade, Inc.</i>		-		250,000	250,000
52C		<i>City of Milton Riverwalk</i>		-		688,173	688,173
52D		<i>Port St. Joe - Vessel Manufacturing</i>		-		1,000,000	1,000,000
52E		<i>City of Opa-Locka - Multi-Purpose Cultural Facility</i>		-		2,000,000	2,000,000
52F		<i>Sulzbacher Center for Women & Families</i>		-		1,200,000	1,200,000
52G		<i>Northeast Florida Youth Soccer Academy and Training Grounds</i>		-		1,000,000	1,000,000
52H		<i>Pahokee Marina Enhancements</i>		-		1,300,000	1,300,000
52I		<i>Charles Adams Floating Museum - Jacksonville</i>		-		500,000	500,000
52J		<i>Miami Design District - Public Infrastructure Improvements</i>		-		1,500,000	1,500,000
52K		<i>Clearwater Marine Aquarium</i>		-		1,500,000	1,500,000
52L		<i>Steinhatchee Community Center and Pier Improvement Project</i>		-		45,000	45,000
52M		<i>Glades County Gateway Logistics and Manufacturing Training Center</i>		-		1,000,000	1,000,000
52N		<i>City of Bradenton Tournament Sports Park</i>		-		1,000,000	1,000,000
52O		<i>Beacon Street Homeless Housing Ministries - Largo</i>		-		800,000	800,000
52P		<i>Clearwater Homeless Emergency Project</i>		-		500,000	500,000
52Q		<i>Boynton Womens Club - Repairs and Restoration</i>		-		140,000	140,000
52R		<i>Subsidence Community Redevelopment Agencies (Contingent upon passage of substantive legislation)</i>		-		2,000,000	2,000,000
52S		<i>East Orange Park Recreational Center</i>		-		1,000,000	1,000,000
52T		<i>Temple Terrace - Youth Sports Complex</i>		-		500,000	500,000
52U		<i>Temple Terrace - Family Recreational Complex</i>		-		500,000	500,000
52V		<i>Punta Gorda Vietnam War Memorial</i>		-		150,000	150,000
52W		<i>Veterans Progress Villas</i>		-		550,000	550,000
52X		<i>Forest Capital Hall Renovation Project</i>		-		292,427	292,427
52Y		<i>The WOW Center Miami</i>		-		500,000	500,000
52Z		<i>All Children's Hospital Pediatric Research Zone</i>		-		2,000,000	2,000,000
52AA		<i>Town of Altha Grant - Garbage Truck</i>		-		100,000	100,000
52AB		<i>Field of Dreams - West Melbourne</i>		-		200,000	200,000
53	6300030	State Small Business Credit Initiative Provides budget authority to continue to spend federal funds to administer Florida's State Small Business Credit Initiative (SSBCI).		-		928,328	928,328
54	6400040	Establish Additional Operating Budget Authority for Recurring Community Development Block Grant (CDBG) Program Technical issue that provides additional recurring operating budget authority to enable the department to spend available federal funds for the CDBG Program. The additional operating budget authority does not reflect an increase in the level of funds that Florida expects to receive.		-		6,500,000	6,500,000
55	6507400	Affordable Housing Programs Department's LBR reflects the Florida Housing Finance Corporation's (FHFC) request to spend all revenues available in the State Housing Trust Fund for affordable housing programs that include: State Apartment Incentive Loan (SAIL) Program, Homeownership Assistance Program (HAP) and Predevelopment Loan Program (PLP). Governor's Recommendation includes a \$12.4 million sweep from the State Housing Trust Fund to the General Revenue Fund.		-		102,400,000	102,400,000

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56	6507600	<p>State Housing Initiatives Partnership (SHIP) Program Department's LBR reflects FHFC's request to spend all revenues available in the Local Government Housing Trust Fund for the State Housing Initiatives Partnership (SHIP) Program. Governor's Recommendation provides \$30 million for the SHIP Program and sweeps \$165.3 million from the trust fund to the General Revenue Fund. The Governor's recommended implementing bill language requires the SHIP funding to be spent exclusively on down payment assistance activities, except for the funding that must be spent to rehabilitate housing for very-low-income households pursuant to s. 420.9075(5)(e)2., F.S.</p>			-	153,600,000	153,600,000
57	7000020	<p>Strategic Business Development Litigation - Provide Funding To Contract With Outside Legal Counsel Provides nonrecurring state trust funds (SEED, Tourism Promotional, and International Trade and Promotion trust funds) to contract for outside legal assistance for litigation related to the repayment of economic development incentive funds provided to Digital Domain.</p>			-	200,000	200,000
59	8000100	Workforce Development Projects			-	4,559,000	4,559,000
59A		<i>Non-Custodial Parent Program - Hernando County</i>			-	209,000	209,000
59B		<i>Employ Miami-Dade Project</i>			-	100,000	100,000
59C		<i>The Circus Arts Conservatory</i>			-	1,000,000	1,000,000
59D		<i>SANT LA - Haitian Neighborhood Center - Community Financial Independence</i>			-	300,000	300,000
59E		<i>CareerSource Pinellas - Advanced Manufacturing Skills Development</i>			-	250,000	250,000
59F		<i>Manasota Goodwill - Persons with Disabilities Pilot Project</i>			-	600,000	600,000
59G		<i>Home Builders Institute (PACT) - Veterans Job Training</i>			-	750,000	750,000
59H		<i>Florida Goodwill Association</i>			-	500,000	500,000
59I		<i>Goodwill Industries of South Florida</i>			-	250,000	250,000
59J		<i>Caribbean Chamber Student Entrepreneurship - Student Internships</i>			-	100,000	100,000
59K		<i>Manufacturing Academy and Apprenticeship / Internship Program</i>			-	500,000	500,000
60	8100100	<p>Quick Response Training (QRT) Program - Maintain Current Funding Level Provides additional General Revenue funds to maintain the funding for the QRT program at the amount appropriated in FY 2014-15 (\$12 million) with nonrecurring P & I funds. The need for GR funding in this issue is related to other requests to use P & I funds in Issues #36328C0, #36350C0, #8100500 and #8100900.</p>			-	3,000,000	3,000,000
61	8100500	<p>Supplemental Nutrition Assistance Program (SNAP) Department's Amended LBR provides recurring P & I funds to meet the projected federal match requirements for the SNAP Employment and Training Program. The U.S. Department of Agriculture provides states funding to operate a training program for SNAP (formerly known as food stamps) participants. Depending on state economic conditions, Able Bodied Adults without Dependents (ABAWDs) may be required to participate in work activities in order to receive SNAP assistance. Due to the national recession, Florida has operated a "voluntary" training program since 2009. Because economic conditions have improved in Florida, it is expected that the program will become mandatory on January 1, 2016. The department projects that an additional \$2.1 million is needed (on top of the \$1 million included for the voluntary program in the base budget) to operate a mandatory program for six months during FY 2015-16.</p>			-	2,100,000	2,100,000
62	8100900	Reemployment Assistance Additional Resources			-	6,500,000	6,500,000

**SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND ECONOMIC
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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
63	8101100	Workforce State Training Fund Provides General Revenue funds to create the Workforce State Training Program, which will be administered by CareerSource Florida. The new program will be designed to provide training grants and scholarships in the fields of Science, Technology, Engineering and Mathematics (STEM).			-		-
64	990M000	Maintenance and Repair			-		-
65	080903	Reed Act Projects - Statewide Department's LBR Provides nonrecurring funds for needed maintenance and repair projects at department-owned buildings. Projects that the department has prioritized for Fiscal Year 2015-16 include: Replace carpet (Clearwater, Hollywood and Lakeland) - \$225,000; Replace electrical panel and lighting system (Clearwater) - \$60,000; Redesign HVAC and engineering system (Sarasota) - \$30,000; and Landscaping projects (statewide) -\$130,000. Governor's Recommendation does not include funding for landscaping projects.			-	315,000	315,000
66	Total	ECONOMIC OPPORTUNITY	1,618.50	2,921,410	-	1,160,567,453	1,163,488,863
67							
68		HIGHWAY SAFETY					
69	1100001	Startup (OPERATING)	4,414.00	-	-	421,473,383	421,473,383
70	2000400	Realign Budget Authority to More Accurately Reflect Expenditures - Deduct			-	(138,238)	(138,238)
71	2000410	Realign Budget Authority to More Accurately Reflect Expenditures - Add			-	138,238	138,238
72	2401030	Provide Funding for the Florida Highway Patrol Conducted Electrical Weapon (TASER) Replacement Provides nonrecurring state trust funds to purchase 1,800 Conducted Electrical Weapon (CEW) kits, known as Tasers, for all of the sergeants and law enforcement officers of the Highway Patrol.			-	3,239,802	3,239,802
73	2401520	Replacement of Pursuit Vehicles with 100,000 Miles for the Florida Highway Patrol Department's Amended LBR provides recurring state trust funds, in addition to the base budget funding, to replace 405 pursuit vehicles in FY 2015-16. This recurring funding would enable the department to implement a fleet maintenance program that would replace 20% of the fleet each year. Governor's Recommendation provides nonrecurring state trust funds, in addition to the base budget funding, to replace 345 vehicles in FY 2015-16.			-	6,646,187	6,646,187
74	2401530	Replacement of Non-Pursuit Vehicles per Department of Management Services Criteria Provides recurring state trust funds to replace 16 sedans and 4 cargo vans, for a total of 20 vehicles per year, in the Division of Motorist Services. The division projects that there will be 78 vehicles that meet the DMS replacement criteria (vehicles with more than 120,000 miles or are 12 years old) by June 30, 2015.			-	350,000	350,000
75	2503080	Direct Billing for Administrative Hearings Statewide issue to adjust the base budget to the department's allocated payment to Division of Administrative Hearings (DOAH). The allocated share is based on the actual number of hearing hours utilized by the department in FY 2013-14.			-	(28,832)	(28,832)
76	3000260	Provide Funding for Digital In-Car Camera System Maintenance Provides recurring state trust funds for annual maintenance for 1,029 digital in-car video cameras and 28 servers statewide. Digital in-vehicle cameras were deployed in September, 2011, with a three-year maintenance agreement, that has since expired.			-	521,144	521,144
77	3001040	Florida Highway Patrol Auxiliary - Uniforms, Equipment and Training Provides nonrecurring state trust fund authority for the FHP Auxiliary, in addition to \$138,238 in the base budget.			-	50,000	50,000

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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
78	3001A00	Establish New Hire Rates for Motorist Services Driver Licenses Examiners and Other Field Office Classes Department's Amended LBR provides recurring state trust funds to increase Salaries and Benefits authority, and associated salary rate (\$3,647,165), to increase starting salaries for new hires, and bring salaries for existing employees up to the new hiring rates, for Driver License Examiners and other field office staff. In FY 2013-14, the starting salary for a Driver License Examiner was \$23,483 and the turnover rate was 21.97 percent. Requested funding would raise the starting salary to \$30,000 for those positions.			-		-
79	3001A10	Provide Trooper Overtime Pay Provides recurring state trust funds to continue funding overtime pay for FHP troopers who accrue overtime hours for court appearances during non-scheduled work hours.			-	1,000,000	1,000,000
80	3002A00	Trooper Recruitment and Retention Plan Department's Amended LBR provides recurring state trust funds to increase Salaries and Benefits authority, and associated salary rate, to extend the competitive market pay additive (\$5,000, plus benefits) to sworn employees in Hillsborough, Orange, Pinellas, Duval, Marion and Escambia counties. Currently, sworn employees residing in and assigned to Lee, Collier and Monroe counties receive the competitive market pay additive.			-		-
82	30011C0	Decreased Workload for Data Center to Support an Agency Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.				(423,236)	(423,236)
83	3008200	Provide Increased Funding for Additional License Plate Purchases Provides nonrecurring state trust funds to replace license plates that have reached the end of the ten-year life cycle. In FY 2009-10, the department converted from a 6-year to a 10-year license plate renewal cycle. FY 2015-16 is the second full year of the new replacement cycle.			-	3,120,000	3,120,000
84	3007500	Motorcycle Safety Education Program			-	300,000	300,000
85	3008300	Provide Funding for the Official Florida Driver's Handbook			-	300,000	300,000
86	36115C0	Motorist Modernization Phase I Provides funding to continue the Motorist Modernization Phase I project that will replace the current Motorist Services driver credentialing systems.			-	8,390,396	8,390,396
89	990M000	Maintenance and Repair					
90	080016	Special Projects & Improvements - Administrative Services Provides maintenance and repairs to the Neil Kirkman Building.			-	3,581,500	3,581,500
91	083643	Maintenance, Repairs and Construction - Statewide Provides maintenance, repairs and construction of the FHP's state owned facilities and associated facility system groups in order to meet life safety, environmental and federal requirements.			-	1,790,625	1,790,625
92	Total	HIGHWAY SAFETY	4,414.00		-	450,310,969	450,310,969
93							
94		MILITARY AFFAIRS					
95	1100001	Startup (OPERATING)	459.00	18,405,749		43,061,766	61,467,515
96	2000100	Realignment of Expenditures - Deduct Provides a realignment of appropriation within the Federal Law Enforcement Trust Fund to more accurately realign the budget with anticipated expenditures.		(25,000)		(100,000)	(125,000)
97	2000200	Realignment of Expenditures - Add Provides a realignment of appropriation within the Federal Law Enforcement Trust Fund to more accurately realign the budget with anticipated expenditures.		25,000		100,000	125,000

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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
98	24010C0	Information Technology Infrastructure Replacement Provides additional budget authority to expend federal funds to replace computer equipment and purchase additional equipment based on federal Life Cycle Replacement guidelines.			-	130,800	130,800
99	2402010	Additional Equipment - Camp Blanding Provides additional budget authority to expend federal funds to purchase equipment for the maintenance of the Camp Blanding Joint Training Center.			-	235,000	235,000
100	2402110	Additional Equipment - Cooperative Agreement Program Support Provides additional budget authority to expend federal funds to purchase additional equipment to support the training mission at Camp Blanding Joint Training Center.			-	536,610	536,610
102	30011C0	Decreased Workload for Data Center to Support an Agency Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.			(240)		(240)
104	4100061	Increase National Guard Tuition Assistance Provides additional recurring funding for the Education Dollars for Duty Program for National Guard troops.			200,000	-	200,000
105	4200500	Forward March Program Provides nonrecurring funding to continue the Forward March Program which provides job-readiness services at selected armories around the state for WAGES recipients and other qualifying young adults, ages 18 to 21.			-	750,000	750,000
106	4200600	About Face Program Provides funding the About Face Program which supports summer and after-school training and life preparation skills for socioeconomically disadvantaged and at-risk youth ages 13-17.			-	1,250,000	1,250,000
109	4500000	Worker Compensation For State Active Duty Provides funding to reimburse the Department of Financial Services' Division of Risk Management for worker's compensation payments made to members of the Florida National Guard who were injured or disabled while on state active duty.			-	148,338	148,338
110	5003050	Minor Repairs To Camp Blanding Structures Provides funding to revitalize facilities that the Camp Blanding Joint Training Center.			-	200,000	200,000
111	990M000	Maintenance And Repair			-	-	-
112	086920	Design/Build-Flagler Armory Provides for nonrecurring funds to serve as the required state match to federal funds for the construction of the Flagler armory.			-	2,857,000	2,857,000
113	086937	Ready Centers Revitalization Plan Agency's request provides for funding for the 4 remaining armories on the Armory Renovation Priority List. Senate proposal provides funding for the Wauchula Armory.			-	2,600,000	2,600,000
114	990S000	Special Purpose			-	-	-
115	083643	Maintenance/Repair/Construction-Statewide Provides nonrecurring funds to maintain and repair armories which have been renovated by the Florida Armory Revitalization Program.			-	1,700,000	1,700,000
116	086998	Federal Grants Trust Fund-Minor Construction Provides budget authority to expend federal grant revenues as they become available throughout the fiscal year.			-	3,500,000	3,500,000
117	Total	MILITARY AFFAIRS	459.00	18,605,509	9,305,338	47,664,176	75,575,023
118							
119		DEPT OF STATE					
120	1100001	Startup (OPERATING)	408.00	52,466,231		29,055,765	81,521,996

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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
127	2401500	Replacement of Motor Vehicles Provides nonrecurring funding from the Grants & Donations Trust Fund to purchase 2 new vehicles (Ford Explorers) to replace 5 older, higher mileage vehicles (3 trucks, 1 cargo van, and 1 Explorer) used by department's archaeologists that travel throughout the state.			56,132	-	56,132
129	2503080	Direct Billing for Administrative Hearings Statewide issue to adjust the base budget to the agency's allocated payment to Division of Administrative Hearings (DOAH). The allocated share is based on the actual number of hearing hours utilized by the department in FY 2013-14.		(6,966)	-	-	(6,966)
132	3D00900	Fund Shift Position From Federal Grants Trust Fund To Grants And Donations Trust Fund - Add Shifts funding from a federal to a state trust fund to appropriately fund an existing Museum support position. See companion Issue #3D01000.	1.00	-	-	48,594	48,594
133	3D01000	Fund Shift Position from Federal Grants Trust Fund to Grants And Donations Trust Fund - Deduct Shifts funding from a federal to a state trust fund to appropriately fund an existing Museum support position. This position, which produces, installs, and maintains permanent, temporary and traveling artifact exhibits, does not align with activities of the federal arts grant.	(1.00)	-	-	(48,594)	(48,594)
134	3D07100	Convert .5 Full Time Equivalent to Full Time Equivalent Positions - Add Conversion of 4 part-time positions (.5 FTE each) to 2 full-time equivalent positions in Division of Cultural Affairs. See companion Issue #3D07200.	2.00	-	-	95,139	95,139
135	3D07200	Convert .5 Full Time Equivalent to Full Time Equivalent Positions - Deduct Conversion of 4 part-time positions (.5 FTE each) to 2 full-time equivalent positions.	(2.00)	-	-	(95,139)	(95,139)
137	30011C0	Decreased Workload for Data Center to Support an Agency Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.		(76,111)		(9,221)	(85,332)
138	3003140	Additional Staff for Historical Programs Requests 2 FTE to conduct archaeological surveys of state's coastline and submerged lands to manage the state's submerged, prehistoric, and historic resources. Authorized in Ch. 267, F.S.	2.00	-		101,744	101,744
139	33G0020	Management Position Reductions - Efficiencies Eliminates 3 positions (FTE) throughout the department to create administrative and operational efficiencies. Includes department technology and administrative support and corporations regulatory functions.	(3.00)	(62,089)		-	(62,089)
140	33V0290	Administrative Code and Weekly Expense Category Reduction Reduces Division of Library & Information Services Expense budget to align with Division's expenses.			-	(34,600)	(34,600)
141	3408300	Transfer to Land Acquisition Trust Fund for Water and Land Conservation Constitutional Amendment		(3,661,271)		(5,501,609)	(9,162,880)
142	3408320	Transfer from General Revenue for Water and Land Conservation Constitutional Amendment				3,661,271	3,661,271
143	3408360	Transfer from Grants and Donations Trust Fund for Water and Land Conservation Constitutional Amendment		645,719		5,501,609	6,147,328

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	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
144	3408460	Transfer to General Revenue for Water and Land Conservation Constitutional Amendment				(645,719)	(645,719)
146	4100300	Design Expansion of Archaeological Collection Facility Provides nonrecurring budget authority to contract with architectural firm to design a Mission San Luis addition for the future expansion of state's archaeological collection.			-	125,000	125,000
147	4100500	Additional Operating Capital Outlay Budget Requests funding increase to furnish and equip state-managed historical sites.				10,000	10,000
148	4200100	Additional Contracted Services Budget Requests additional budget for museum advertising, security, artifact/exhibit shipping, and artist services. Costs for the maintenance of two historic properties use a major portion of the current Contract Services budget.			-	55,000	55,000
149	4800100	Department Wide Litigation Expenses Increases funding to contract with outside legal counsel and/or Attorney General's Office to represent department in elections-related lawsuits.			-	250,000	250,000
150	4800200	Tenant Improvement Reimbursement Provides nonrecurring funding for remaining balance of unamortized costs of tenant improvements to Northwood Centre for remaining lease term.			-	147,372	147,372
152	4900100	Cultural and Museum Grants (General Program Support) Provides funding for Cultural and Museum grant awards up to \$150,000 to support general program activities of organizations providing cultural services. Grant funds are available to non-profit, tax-exempt Florida corporations, local government, entities of state government, school districts, community colleges, colleges, and universities. Grantees match awards 1:1 with cash and in-kind contributions. The Secretary of State's approved list includes 340 projects totaling \$26,971,780. Recurring GR funding of \$5 million is in the base budget for this grant program. Awards to grantees are determined by a score-based formula and a proportional distribution of the total funding is allocated to approved grantees.			-	-	-
153	4900100	Other Cultural and Museum Grants				-	-
153A	4900600	<i>Florida African American Heritage Preservation Network</i>			350,000	-	350,000
153B	7200000	<i>Actor's Playhouse Performing Arts Program - Miami-Dade</i>			225,000	-	225,000
153C	7900050	<i>Florida Holocaust Museum - St Petersburg</i>			750,000	-	750,000
155	4900400	Florida Humanities Council Provides funding for the Florida Humanities Council which coordinates activities in the state's 67 counties to showcase Florida's history and heritage. This includes teachers' workshops, classroom resources, and programs for the general public.			-	500,000	500,000
156	4900800	Holocaust Documentation and Education Center Provides funding for instruction on the history of the Holocaust and includes \$221,000 for Student Awareness Days; \$18,000 to support the Teacher Institute on Holocaust Education; and \$18,000 for Teaching Trunks which provide resources for classroom Holocaust education.			-	257,000	257,000

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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
157	5400000	Cultural (Fine Arts) Endowment Grants Provides funding for grants to qualifying cultural sponsoring organizations for operating resources. Grant awards are \$240,000 of state funds for \$360,000 of local matching funds; the total \$600,000 is invested and the interest can be used to fund operations. The Secretary of State's approved list includes 8 eligible recipient organizations totaling \$1,920,000. There is no funding in the base budget for this grant program.			960,000	-	960,000
158	5600000	Library Cooperative Grant Program Provides matching grants of up to \$400,000 to library cooperatives for required maintenance of statewide catalog of library materials to promote resource sharing among libraries. The library co-op local match is 10%. There is no funding in the base budget for this grant program.			2,000,000	-	2,000,000
160	5703000	Increased Funding for State Aid to Libraries Provides funding to local governments to establish or continue developing free library service to Florida residents. Recurring GR funding of \$22,298,834 and federal funding of \$2,400,606 is in the base budget for this grant program.			-	-	-
161	9400100	Reimbursements to Counties for Special Elections Provides nonrecurring funding for reimbursements to counties for the cost of special elections involving legislative or congressional offices, and other offices under certain circumstances pursuant to s. 100.102, F.S.			2,209,965	-	2,209,965
162	990G000	Cultural Facilities Grants (FCO) Provides funding for Cultural Facilities Grants up to \$500,000 for acquisition, construction, or renovation of cultural facilities. Grants are available to counties, municipalities, or qualifying non-profit, tax exempt Florida corporation. Provides funding towards the Secretary of State's approved list includes 51 projects totaling \$18,839,581. There is no funding in the base budget for this grant program.			13,341,874	-	13,341,874
163	990G000	Other Cultural Facilities Grants (FCO)					
163A		<i>Tampa Theatre Capital Improvement Plan</i>			1,000,000	-	1,000,000
163B		<i>Clearwater Historical Society Museum</i>			204,340	-	204,340
163C		<i>Camp Gordon Johnston WWII Museum</i>			100,000	-	100,000
163D		<i>Norton Museum</i>			1,000,000	-	1,000,000
163E		<i>Mahaffey Theater Acoustical Renovation</i>			1,500,000	-	1,500,000
163F		<i>Tampa Bay History Center</i>			500,000	-	500,000
164	7400000	Historic Preservation Grants (Small Matching Grants) Provides nonrecurring funding for the small matching Historic Preservation Grants program (up to \$50,000) to assist in the identification, excavation, protection and rehabilitation of historic and archeological sites in the state. Local match is 1:1. The Secretary of State's approved list includes 57 projects totaling \$1,906,974. Recurring GR funding of \$1,500,000 is in the base budget for this grant program. Grantee awards are funded top-down at the full request until the appropriation is depleted.			-	-	-
165	990G000	Historic Preservation - Acquisition, Restoration (Special Category Grants) (FCO) Provides funding for grants up to \$350,000 available to state agencies, cities, counties, units of local governments, and non-profit organization. Projects types include acquisition and development, survey and planning, communication education, National Register nomination, historical markers, main street start-ups and special statewide projects. The Secretary of State's approved list includes 55 projects totaling \$13,246,828. There is no funding in the base budget for this grant program.			2,106,547	-	2,106,547

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	990G000	Other Historic Preservation - Acquisition, Restoration (Spec Cat Grants) (FCO)					
165A		<i>Holocaust Memorial - Miami Beach</i>			300,000		300,000
165B		<i>American Legion Post Building Restoration - Key West</i>			154,000	-	154,000
165C		<i>Ma Barker House - Marion</i>			400,000	-	400,000
165D		<i>Restoration of St. Marks Lighthouse - Wakulla</i>			250,000	-	250,000
166	990G000	Library Construction Grants (FCO) Provides funding for grants up to \$500,000 for the construction of new public library facilities, or for remodeling or expansion of existing public library facilities. Grants are available to counties, municipalities, or special tax districts that establish and maintain a public library and provide free public library service. The Secretary of State's approved list includes 4 projects totaling \$2 million. There is no funding in the base budget for this grant program.			2,000,000	-	2,000,000
	990G000	Other Library Construction Grants					
166A		<i>East Lake Library Expansion</i>			1,000,000	-	1,000,000
167	Total	DEPT OF STATE	407.00	49,305,513	31,562,230	32,319,240	113,186,983
168							
169		DEPT OF TRANSPORTATION					
170	1100001	Startup (OPERATING)	6,504.00	-	-	736,636,466	736,636,466
171	1803040	Realign Base - Deduct Aligns budget authority between budget entities, program components, or appropriation categories within the department to operating expenditures.		-	-	(6,241,132)	(6,241,132)
172	1803050	Realign Base - Add Aligns budget authority between budget entities, program components, or appropriation categories within the department to operating expenditures.		-	-	6,241,132	6,241,132
173	1805030	Realign Existing Positions between Budget Entities - Deduct Realigns 12 FTE and related budget to functionally align the positions with the program area they support in the organizational structure. See companion Issue #1805040.	(12.00)	-	-	(758,679)	(758,679)
174	1805040	Realign Existing Positions between Budget Entities - Add Realigns 12 FTE and related budget to functionally align the positions with the program area they support.	12.00	-	-	758,679	758,679
175	1805050	Realign Existing Positions between Program Components Within Same Budget Entity - Deduct Realigns 47 FTE and related budget to functionally align the positions with the program area they support in the organizational structure. See companion Issue #1805060.	(47.00)	-	-	(3,589,749)	(3,589,749)
176	1805060	Realign Existing Positions between Program Components within same Budget Entity - Add Realigns 47 FTE and related budget to functionally align the positions with the program area they support.	47.00	-	-	3,589,749	3,589,749
177	2401170	Replacement Equipment for Materials And Testing Laboratories Provides nonrecurring funding for the replacement of equipment in the State Materials Laboratory in Gainesville. The equipment being replaced is outdated, obsolete, or is no longer functional or supported by vendors.		-	-	638,500	638,500
178	2403100	Additional Equipment for The Materials and Testing Laboratories Provides nonrecurring funding for specialized equipment for the State Materials Laboratory in Gainesville. This equipment will analyze pavement drainage capabilities.		-	-	222,000	222,000

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	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
179	2503080	Direct Billing for Administrative Hearings Statewide issue to adjust the base budget to the agency's allocated payment to Division of Administrative Hearings (DOAH). The allocated share is based on the actual number of hearing hours utilized by the department in FY 2013-14.			-	14,201	14,201
180	30010C0	Increased Workload for Data Center to Support an Agency Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.			-	-	-
181	30011C0	Decreased Workload for Data Center to Support an Agency Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.			-	(711,255)	(711,255)
182	3001080	Enhanced Traffic Law Enforcement for State Road 93 - Alligator Alley Increases budget authority to fully reimburse the Dept. of Highway Safety and Motor Vehicles for law enforcement activities provided by the Florida Highway Patrol on Alligator Alley. DHSMV has projected expenditures of \$1,370,006 for FY 2015-16 which is \$46,394 over the amount funded in this special category. The increase is related to pay package costs.			-	46,394	46,394
183	3200140	Transportation Disadvantaged Managed Care Eliminates unfunded federal budget authority due to the expiration of the Commission for the Transportation Disadvantaged contracts to provide transportation services for Medicaid clients.			-	(13,500,000)	(13,500,000)
184	33G0020	Management Position Reductions - Efficiencies Eliminates 100 FTE to create administrative and operational efficiencies. Feb 9, 2015: 157 FTE vacant over 180 days statewide. Feb 24, 2015: Per FDOT, these 100 FTE are currently vacant and will remain vacant.			-	-	-
185	33V0550	Vacant Position Reductions Eliminates 50 vacant positions based on organizational efficiencies being implemented by the department.	(50.00)		-	(885,586)	(885,586)
186	33050C0	Construction Material Acceptance Certification - Deduct Provides nonrecurring funding to complete the final year of a four year program to replace the department's Laboratory information Management System. Funding supports the operation and maintenance of the new system ensuring that the department continues to meet local, state and federal requirements related to transportation construction capacity.			-	(53,665)	(53,665)
190	36233C0	Transportation Work Program Integration Initiative Provides recurring funding to identify and document detailed user system requirements to support the Florida Department of Transportation's Transportation Work Program Integration Initiative.			-	500,000	500,000
191	36234C0	Contract Funds Management (CFM) System Maintenance Provides nonrecurring funding for the first year of a two year project to perform a technology refresh of the department's Contract Funds Management System. The Contract Funds Management System houses all fund approvals to support the department's work program. There are on average, over 9,000 active contracts and \$10 billion of outstanding commitment.			-	250,000	250,000
192	36239C0	Permit Application System Provides budget to expend federal funds to continue system enhancements by turning it into a paperless system. A paperless system would allow truck drivers that transport goods to request and be issued permits on-line or at kiosks at weigh stations.			-	300,000	300,000

**SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND ECONOMIC
DEVELOPMENT APPROPRIATIONS**

Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL					
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS	
193	36250C0	Construction Material Acceptance Certification Provides funding for the third year of a four year program to replace the department's Laboratory Information Management System (LIMS), the business application used to support the department's responsibility to ensure the quality of materials and workmanship on all construction projects through materials sampling, testing, and acceptance.			-	-	172,424	172,424
195	36340C0	Legal Discovery And Public Records Automation Provides recurring funding to purchase 50 additional software licenses and associated 100 GB of data storage for the Symantec Cherwell Legal Discovery Automation appliance. This software is used to search FDOT's email system and file storage arrays for documents relevant to Public Records requests and ongoing litigation.			-	-	105,000	105,000
196	36341C0	Claims Management Database Provides recurring funding to replace the Time Matters claims management system in the Office of the General Counsel with a new system developed by the department's Office of Information Systems.			-	-	250,900	250,900
197	36342C0	Geospatial Roadway Data Strategic Framework Provides funding for the first year of a three-year project to replace the Roadway Characteristics Inventory. This system serves multiple data needs related to the physical, operation, maintenance, and administrative properties of the transportation infrastructure.			-	-	516,700	516,700
198	36343C0	Econstruction Paperless Workflow Initiative Provides funding for equipment and software to support the eConstruction Initiative which moves the construction management process to a paperless environment through the use of collaborative sharing sites, mobile devices, digital signatures form automation, and Electronic Final Plans As-Built.			-	-	753,750	753,750
199	5503900	Support For Construction Management Requests additional budget to develop, alongside other states, an Internet-based software application for Construction & Materials Management. By joining this effort, DOT can avoid higher costs that DOT would incur if it had to develop this tool independently.			-	-	250,000	250,000
200	5505500	Buildings and Grounds - Maintenance and Repair Provides budget authority for operational maintenance and repairs for the department's buildings and grounds. This funding will support preventative and general maintenance for 842 DOT-owned facilities and structures including offices, warehouses, maintenance yards, parking lots, vehicle shops, operations centers and materials laboratories. this does not include toll facilities and weigh stations supported through the Transportation Work Program.			-	-	1,988,582	1,988,582
201	6002400	Support for Transportation Disadvantaged Provides additional nonrecurring budget authority to align budget with projected revenues for the Transportation Disadvantaged Program. The additional budget brings the total program funding to \$50,874,904. Funding will support up to 353,000 trips for older adults, persons with disabilities, persons of low income, and at-risk children.			-	-	4,470,104	4,470,104
202	990C000	Code Corrections:			-	-		
203	080002	Minor Repairs/Improvements - State Provides nonrecurring Fixed Capital Outlay funding to address fire, environmental, health, and safety code issues, and ADA requirements.			-	-	3,751,019	3,751,019
204	990E000	Environmental Projects:			-	-		

**SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND ECONOMIC
DEVELOPMENT APPROPRIATIONS**

Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
205	088763	Environmental Site Restoration Provides nonrecurring Fixed Capital Outlay funding to continue environmental site restoration work to clean up soil and groundwater contamination per state and federal requirements.			-	855,000	855,000
206	990F000	Support Facilities:			-		
207	080002	Minor Repairs/Improvements -State Provides nonrecurring Fixed Capital Outlay funding for minor repairs and maintenance of DOT district facilities.			-	1,604,258	1,604,258
208	088745	Cocoa Operations Center-Repairs/Renovations/Additions Provides nonrecurring Fixed Capital Outlay funding for construction or modifications of DOT facilities. Includes \$12 million for year 2 costs for the Cocoa Brevard Operations Center. Total cost for the 3-year build out plan is \$21.9 million (prior yr. funding was \$2 million).			-	12,000,000	12,000,000
209	990T000	Transportation Work Program Provides nonrecurring Fixed Capital Outlay funding to support the design, construction, and maintenance of the state's transportation systems including roadways, seaports, airports, public transit facilities, and railways. The Governor's Recommended Budget reflects a December 2014 snapshot of the Work Program. The Senate's budget proposal will reflect the most recent revenue estimates and project costs. DOT's Preliminary Tentative Work Program released on Feb 17, 2015 is \$10.3 million plus \$166.4 million for debt service for FY 2015-16 and a projected cumulative 5-year Work Program Plan totaling \$40.34 billion (debt service excluded) for FYs 2015-16 through 2019-20. The following categories represent the Transportation Work Program: Agency LBR: \$7,476,111,304 Governor's Recs: \$9,132,658,778				9,296,771,503	9,296,771,503
210	080047	Small Infrastructure Bank Loan Repayments			-	10,936,528	10,936,528
211	085575	Small County Resurface Assistance Program			-	50,000,000	50,000,000
212	085576	Small County Outreach Program			-	69,132,473	69,132,473
212A		<i>Small County Outreach Program - Rural Areas of Opportunity</i>			-	9,000,000	9,000,000
213	088572	County Transportation Programs			-	61,501,970	61,501,970
214	088703	Bond Guarantee			-	500,000	500,000
215	088704	Transportation Planning Consultants			-	57,111,018	57,111,018
216	088712	Highway Maintenance Contracts			-	482,721,942	482,721,942
217	088716	Intrastate Highway Construction			-	3,469,291,623	3,469,291,623
218	088717	Arterial Highway Construction			-	163,373,421	163,373,421
218A		<i>Shared-Use Nonmotorized Trail (SunTrail) Network -Land Acquisition TF</i>			-	25,000,000	25,000,000
218B		<i>Shared-Use Nonmotorized Trail (SunTrail) Network -State Transportation TF</i>			-	25,000,000	25,000,000
219	088718	Construction Inspection Consultants			-	498,648,990	498,648,990
220	088719	Aviation Development/Grants			-	348,097,682	348,097,682
221	088774	Public Transit Development/Grants (PROVISO: Additional \$2 million transfer to Transportation Disadvantaged Trust Fund for non-Medicaid client trips)			-	522,048,571	522,048,571
222	088777	Right-Of-Way Land Acquisition			-	626,886,725	626,886,725
223	088790	Seaport - Economic Development			-	15,000,000	15,000,000
224	088791	Seaports Access Program			-	10,000,000	10,000,000
225	088794	Seaport Grants			-	69,421,949	69,421,949
226	088796	Highway Safety Construction/Grants			-	168,349,736	168,349,736
227	088797	Resurfacing			-	657,548,915	657,548,915
228	088799	Bridge Construction			-	242,603,184	242,603,184
229	088807	Seaport Investment Program			-	11,407,044	11,407,044
230	088808	Rail Development/Grants			-	188,892,357	188,892,357
230A		<i>Quiet Zone Improvements Grant Program</i>			-	10,000,000	10,000,000
231	088809	Intermodal Development/Grants			-	46,642,357	46,642,357
232	088810	Contract Maintenance with Department of Corrections			-	19,146,000	19,146,000
233	088849	Preliminary Engineering Consultants			-	843,586,467	843,586,467
234	088850	Highway Beautification Grants			-	1,017,000	1,017,000

**SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND ECONOMIC
DEVELOPMENT APPROPRIATIONS**

Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL					
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS	
235	088853	Right-of-Way Support			-	-	88,586,079	88,586,079
236	088854	Transport Planning Grants			-	-	28,292,359	28,292,359
237	088857	Materials And Research			-	-	13,867,012	13,867,012
238	088864	Bridge Inspection			-	-	11,742,211	11,742,211
239	088865	Economic Development Transportation Projects - Road Fund			-	-	8,000,000	8,000,000
239A		City of Fernandina Beach N. Fletcher Rd - Nassau			-	-	1,000,000	1,000,000
239B		Lake Worth Park of Commerce - Palm Beach			-	-	2,500,000	2,500,000
239C		Opa Locka Airport Development - Miami-Dade			-	-	1,000,000	1,000,000
239D		US 19 Revitalization Program - Pasco			-	-	500,000	500,000
239E		Citrus Grove Road from US 27 to Turnpike - Lake			-	-	1,000,000	1,000,000
239F		CR 466A Phase 3 Right of Way - Lake			-	-	2,500,000	2,500,000
239G		Whiting Aviation Park - Santa Rosa			-	-	2,000,000	2,000,000
239H		The Underline Linear Park and Urban Trail - Miami-Dade			-	-	2,000,000	2,000,000
239I		Williamson Blvd Road - Volusia			-	-	2,500,000	2,500,000
239J		City of Belle Glade Gateway Redevelopment Roadway Improvement - Palm Beach			-	-	506,000	506,000
239K		City of Sebring US 27 Lighting - Highlands			-	-	1,000,000	1,000,000
239L		Port of Panama City Industrial Basin Improvements - Bay			-	-	1,000,000	1,000,000
239M		Burnt Store Road -Charlotte			-	-	1,000,000	1,000,000
239N		Ludlam Trail Corridor Improvements Phase 2- Miami-Dade			-	-	3,000,000	3,000,000
239O		Glades Area Street Resurfacing/Reconstruction Phase 2- Palm Beach			-	-	1,000,000	1,000,000
239P		City of North Miami Beach - NE 163rd Str/NE 35th Ave Texas U Turn			-	-	1,000,000	1,000,000
239Q		Miami Lakes Greenways and Trails Master Plan Implementation			-	-	400,000	400,000
239R		White Springs ED I-75/CR 136 Mixed Use Site Development Plan			-	-	250,000	250,000
239S		174th Street Pedestrian Bridge, Sunny Isles - Miami-Dade			-	-	1,000,000	1,000,000
239T		Clearwater SR 60 Alternative Water Transportation - Pinellas			-	-	300,000	300,000
239U		Commercial Jet Aviation Training Center - Hendry			-	-	3,000,000	3,000,000
239V		Britt Road Bridge Replacement Project - Martin			-	-	1,500,000	1,500,000
239W		Village of Tequesta Transportation Alternatives - Palm Beach			-	-	200,000	200,000
239X		St. Johns River Ferry - Phase II			-	-	1,000,000	1,000,000
239Y		Black Creek Trail Segment B - Miami Beach			-	-	200,000	200,000
240	088866	Traffic Engineering Consultants			-	-	123,514,713	123,514,713
241	088867	Local Government Reimbursement			-	-	954,737	954,737
242	088876	Toll Operation Contracts			-	-	78,675,000	78,675,000
243	088920	Turnpike System Equipment and Development			-	-	10,240,093	10,240,093
244	088922	Tolls System Equipment and Development			-	-	32,262,427	32,262,427
245	1100002	Startup Recurring Fixed Capital Outlay (DEBT SERVICE)			-	-	158,970,996	158,970,996
246	089070	Debt Service (increase)			-	-	7,443,924	7,443,924
247		Total DEPT OF TRANSPORTATION	6,454.00		-	-	10,046,946,295	10,046,946,295
248								
249		EOG, DIVISION OF EMERGENCY MANAGEMENT						
250	1100001	Startup (OPERATING)	157.00		-	-	65,913,080	65,913,080
251	1100002	Startup Recurring Fixed Capital Outlay: G/A - FCO - Emergency Management Critical Facility Needs			-	-	3,000,000	3,000,000
252	2000500	Realign Budget Authority to More Accurately Reflect Program Expenditures - Deduct Division's Amended LBR adjusts the base budget across multiple appropriation categories and funds to accurately reflect recurring expenditures with appropriate state and federal funding sources.			-	-	(3,238,798)	(3,238,798)
253	2000600	Realign Budget Authority to More Accurately Reflect Program Expenditures - Add Companion to Issue #2000500 - nets to zero.			-	-	3,238,798	3,238,798
255	30011C0	Decreased Workload for Data Center to Support an Agency Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.			-	-	(78,310)	(78,310)

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Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
257	33G0020	Management Position Reductions - Efficiencies Eliminates 8 FTE and associated salary rate and Salaries and Benefits operating budget authority to create administrative and operational efficiencies. As of February 28, 2015, 13 of the division's 157 positions are vacant.	(8.00)	-	-	(451,644)	(451,644)
258	5701000	Open Federally Declared Disasters - Funding to Communities		-	-	245,841,018	245,841,018
259	5701500	Open Federally Declared Disasters - State Management Costs		-	-	15,153,881	15,153,881
260	570A040	Continue Other Personal Services to Assist with County Emergency Management Accreditation Provides additional state funds for DEM to continue to provide guidance and technical assistance to counties seeking Emergency Management Accreditation. Currently, five jurisdictions are fully accredited and DEM projects that an additional 15 jurisdictions will become accredited by June 30, 2016.		-	-	210,240	210,240
261	570B040	Additional Trust Fund Spending Authority for Open Emergency Management Performance Grants Governor's Recommendation provides additional budget authority to spend available federal funds to create an online special needs registry, as required by law, and purchase up to 15 Functional Needs Shelter Supplies (FNSS) kits. FNSS kits include durable medical goods (wheelchairs, walkers, canes, medical beds, etc.); emergency power, air conditioning and dehumidification equipment; and a medical refrigerator. DEM currently has 14 FNSS kits.		-	-	926,476	926,476
263	570B060	Purchase of Portable Radiation Detection Equipment Provides additional state funds to purchase 190 radiation detectors to replace aging and outdated equipment used by individuals responding to a radiation release from a nuclear power plant. There are five nuclear reactors in Florida located at three sites (Crystal River, St. Lucie, and Turkey-Point - Miami) and two reactors located in Alabama near the state line. Revenues collected from nuclear power companies support the additional authority requested.		-	-	133,000	133,000
266	570E080	Statewide Emergency Alert and Notification System Governor's Recommendation provides state trust funds to deploy a vendor-hosted "mass notification" system to provide voice call, text, email, TDD/TTY alerts of imminent or actual hazards. The system would be required to integrate with existing systems, including the Emergency Alert System and the Integrated Public Alert and Warning System. The system will have the capability to automatically disseminate weather warnings from the National Weather Service and geographically target specific areas for real-time location based mobile device alerts. \$3.5 million of recurring funds are needed for the system's annual license agreement. \$1 million of nonrecurring funds are needed for the initial configuration of the statewide system and the development of the notification hierarchy between the state, counties, municipalities and citizens.		-	-	-	-

**SUBCOMMITTEE ON TRANSPORTATION, TOURISM AND ECONOMIC
DEVELOPMENT APPROPRIATIONS**

Row #	AGENCY / DEPARTMENT		SENATE SUBCOMMITTEE'S PROPOSAL				
	ISSUE CODE	ISSUE	FTE	REC GR	NR GR	ALL TRUST	ALL FUNDS
268	570E100	<p>Additional Trust Fund Spending Authority for Residential Construction Mitigation</p> <p>Governor's Recommendation provides nonrecurring state trust funds to expand hurricane loss mitigation activities. Section 215.559, F.S., directs the Legislature to annually appropriate \$10 million from the Florida Hurricane Catastrophe (CAT) Fund to DEM: \$7 million for programs to improve the wind resistance of residences and mobile homes; public education concerning Florida Building Code cooperative programs; and other efforts to prevent or reduce losses or reduce the cost of rebuilding after a disaster. \$3 million in the base budget is provided to retrofit existing facilities used as public hurricane shelters.</p> <p>This issue provides authority to spend \$4.5 million of accumulated cash from prior year distributions to: promote public education and public information about wind mitigation; and provide hazard mitigation upgrades to eligible applicants through a competitive grant process.</p> <p>Governor has proposed conforming bill language to allow funds to be used for all types of mitigation programs, not just programs to improve wind resistance.</p>			-	-	-
270	Total	GOVERNOR, EXECUTIVE OFFICE	149.00	-	-	330,647,741	330,647,741
271	Grand Total		13,501.50	70,832,432	40,867,568	12,068,455,874	12,180,155,874

The moneys contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1869 through 1884, 1890 through 1895, 1909 through 1917, 1920 through 1929, and 1970 through 1981 are provided from the named funds to the department to fund the five year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

Funds provided in Specific Appropriations 1858A through +++++ from the Land Acquisition Trust Fund in the Department of Transportation are contingent upon Senate Bills 576, 578, 580, 582, 584 and 586, or similar legislation to implement Article X, section 28 of the Florida Constitution, becoming law.

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

1868 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION
DISADVANTAGED

In an effort to address unmet transportation needs, the Commission for the Transportation Disadvantaged shall establish a separate grant program for eligible Community Transportation Coordinators that can demonstrate such need. The Commission shall establish this grant program no later than August 31, 2015.

FLORIDA RAIL ENTERPRISE

1894 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS

From the funds in Specific Appropriation 1894, \$10,000,000 is provided for Quiet Zone improvements in response to the use of locomotive horns at highway-rail grade crossings. The department shall create a grant program for quiet zones requested by local agencies to provide funding of up to 50 percent of the nonfederal and nonprivate share of the total costs of any qualifying quiet zone capital improvement project.

The department will coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies in the development of quiet zone plans. Local agencies may apply for grant funds after its quiet zone plan is approved by the department.

The Department of Transportation will monitor crossing incidents at approved quiet zone locations and have the right to revoke the quiet zone(s) at any time if a significant deterioration in safety results from quiet zone implementation.

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

1911 FIXED CAPITAL OUTLAY
SMALL COUNTY OUTREACH PROGRAM (SCOP)

From the funds in Specific Appropriation 1911, \$9,000,000 is appropriated for transportation projects within a rural area of opportunity designated pursuant to section 288.0656(7), Florida Statutes.

1914 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS

From the funds in Specific Appropriation 1914, an amount not less than \$8,440,000 in state revenues shall be used for the Road Ranger program. Road Ranger services provided through sponsorships, local contributions or federal funds are not restricted.

From the funds in Specific Appropriation 1914, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is specifically limited to an expenditure level of \$2,000,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the absence of express legislative authority.

1927 FIXED CAPITAL OUTLAY
ECONOMIC DEVELOPMENT TRANSPORTATION
PROJECTS - ROAD FUND

From the funds in Specific Appropriation 1927, a portion of the funds shall be allocated as follows:

City of Fernandina Beach N. Fletcher Rd - Nassau.....	1,000,000
Lake Worth Park of Commerce - Palm Beach.....	2,500,000
Opa Locka Airport Development - Miami-Dade.....	1,000,000
US 19 Revitalization Program - Pasco.....	500,000
Citrus Grove Road from US 27 to Turnpike - Lake.....	1,000,000
CR 466A Phase 3 Right of Way - Lake.....	2,500,000
Whiting Aviation Park - Santa Rosa.....	2,000,000
The Underline Linear Park and Urban Trail - Miami-Dade.....	2,000,000
Williamson Blvd Road - Volusia.....	2,500,000
City of Belle Glade Gateway Redevelopment Roadway Improvement - Palm Beach.....	506,000
City of Sebring US 27 Lighting - Highlands.....	1,000,000
Port of Panama City Industrial Basin Improvements - Bay.....	1,000,000
Burnt Store Road -Charlotte.....	1,000,000
Ludlam Trail Corridor Improvements Phase 2- Miami-Dade.....	3,000,000
Glades Area Street Resurfacing/Reconstruction Phase 2- Palm Beach.....	1,000,000
City of North Miami Beach-NE 163rd Str/NE 35th Ave U-Turn...	1,000,000
Miami Lakes Greenways and Trails Master Plan Implementation.	400,000
White Springs ED I-75/CR 136 Mixed Use Site Development Plan	250,000
174th Street Pedestrian Bridge, Sunny Isles - Miami-Dade....	1,000,000
Clearwater SR 60 Alternative Water Transportation - Pinellas	300,000
Commercial Jet Aviation Training Center - Hendry.....	3,000,000
Britt Road Bridge Replacement Project - Martin.....	1,500,000
Village of Tequesta Transportation Alternatives - Palm Beach	200,000
St Johns River Ferry Phase II.....	1,000,000
Black Creek Trail Segment B - Miami-Dade.....	200,000

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

1970 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS

From the funds in Specific Appropriation 1970, an amount not less than \$2,560,000 in state revenues shall be used for the Road Ranger program. Road Ranger services provided through sponsorships, local contributions or federal funds are not restricted.

From the funds in Specific Appropriation 1970, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is specifically limited to an expenditure level of \$2,000,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the

absence of express legislative authority.

The moneys contained herein are appropriated from the named funds to Administered Funds, Department of Business and Professional Regulation, Department of Citrus, Department of Economic Opportunity, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

ECONOMIC OPPORTUNITY, DEPARTMENT OF

From the funds in Specific Appropriations +++++ through +++++, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The department head or a designee must certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It is the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

From the funds in Specific Appropriations +++++ through +++++, no federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, CareerSource Florida, or the Department of Economic Opportunity if it has been determined by whichever entity is the lessee that there is no longer a need for the leased space. All leases, and performance and obligations under the leases, are subject to and contingent upon an annual appropriation by the Florida Legislature. In the event that such annual appropriation does not occur, or in the alternative, there is either a reduction in funding from the prior annual appropriation or the entity which is the lessee determines that the annual appropriation is insufficient to meet the requirements of the leases, then the lessee has the right to terminate the lease upon written notice by the lessee and the lessee shall have no further obligations under the contracts.

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

2172 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

Funds provided in Specific Appropriation 2172 from the State Economic Enhancement and Development Trust Fund, the Tourism Promotional Trust Fund, and the Florida International Trade and Promotion Trust Fund, shall only be used to represent the state's interest in the Digital Domain Media Group, Inc., bankruptcy action.

PROGRAM: WORKFORCE SERVICES

WORKFORCE DEVELOPMENT

From the funds in Specific Appropriations +++++ through +++++, the Department of Economic Opportunity must determine if any funds provided for specific workforce programs, projects, or initiatives are not an allowable use of federal funds. If the department finds that any workforce program, project, or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the department must notify the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

When allocating full-time equivalent (FTE) positions to individual regional workforce boards, the Department of Economic Opportunity must ensure that workforce services are effectively and efficiently provided throughout the state. The department is authorized to reallocate any FTE position allocated to a regional workforce board that has been or becomes vacant for more than 180 days. When reallocating a vacant FTE position, the department must give priority to a regional workforce

board that would use the FTE position to provide additional services to veterans.

2196A SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE PROJECTS

Funds provided in Specific Appropriation 2196A from the XXX fund shall be allocated as follows:

INSERT LIST

The Department of Economic Opportunity shall directly contract with the entities allocated funds from Specific Appropriation 2196A.

2197 SPECIAL CATEGORIES
NON CUSTODIAL PARENT PROGRAM

Funds provided in Specific Appropriation 2197 from the Welfare Transition Trust Fund are provided to continue and expand the Gulf Coast Jewish Family and Community Services' Non Custodial Parent Employment Program in Miami-Dade, Pinellas, Pasco, Hillsborough, and Hernando counties, allocated as follows: Miami-Dade County - \$666,000; Pinellas, Pasco, and Hillsborough counties - \$750,000; and Hernando County - \$209,000. CareerSource Pinellas shall administer the funds.

2199 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE
BOARDS

Funds provided in Specific Appropriation 2199 from the Welfare Transition Trust Fund are allocated for workforce services based on a plan approved by CareerSource Florida. The plan must maximize funds distributed directly to the regional workforce boards, and must identify any funds allocated for state-level and discretionary initiatives. The plan must equitably distribute funds to the boards based on anticipated client caseload to maximize the ability of the state to meet performance standards, including federal work participation rate requirements, and prioritize services provided to one-parent families. Copies of the proposed allocation must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

From the funds provided in Specific Appropriation 2199, any expenditures by a regional workforce board for "outreach," "advertising," or "public relations" must have a direct program benefit and must be spent in strict accordance with all applicable federal regulations and guidance. A regional workforce board must obtain prior approval from the Department of Economic Opportunity before purchasing: promotional items, including but not limited to capes, blankets, clothing; and memorabilia, models, gifts, and souvenirs, which exceed \$5,000 for outreach purposes.

Funds in Specific Appropriation 2199 may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, CareerSource Florida, or the Department of Economic Opportunity except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel established in section 112.061, Florida Statutes, shall be in compliance with all applicable federal and state requirements. Funds in Specific Appropriation 2196 may not be used for entertainment costs and recreational activities for board members, staff, or employees.

Funds in Specific Appropriation 2199 may not be used for any contract exceeding \$25,000 between a regional workforce board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Department of Economic Opportunity and CareerSource Florida.

CAREERSOURCE FLORIDA

2215A SPECIAL CATEGORIES
QUICK RESPONSE TRAINING

The funds provided from the State Economic Enhancement and Development Trust Fund in Specific Appropriation 2215A are provided to CareerSource Florida to market and promote the Quick Response Training Program.

PROGRAM: COMMUNITY DEVELOPMENT

HOUSING AND COMMUNITY DEVELOPMENT

2233A SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING AND COMMUNITY
DEVELOPMENT PROJECTS

Funds provided in Specific Appropriation 2233A from the XXX fund shall be allocated as follows:

INSERT LIST

The Department of Economic Opportunity shall directly contract with the entities allocated funds from Specific Appropriation 2233A.

FLORIDA HOUSING FINANCE CORPORATION

2240 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE
CORPORATION (HFC) - AFFORDABLE HOUSING
PROGRAMS

From the funds in Specific Appropriation 2240, \$XXX is provided to fund the construction or rehabilitation of units through the State Apartment Incentive Loan (SAIL) Program. Each SAIL development that receives an award from these funds and will be targeted to families, elderly persons, and persons who are homeless pursuant to section 420.5087 (3), Florida Statutes, must include not less than 5 percent and no more than 10 percent of its units designed, constructed, and targeted for persons with a disabling condition as defined in section 420.0004 (7), Florida Statutes. Each development shall be required to enter into an agreement with at least one designated supportive services lead agency, such as the Local Center for Independent Living, the Agency for Persons with Disabilities, or any other such agency approved by the Florida Housing Finance Corporation (FHFC), for the purpose of coordinating services and housing for persons with disabilities.

From the funds in Specific Appropriation 2240, \$XXX is provided to fund a competitive grant program for housing developments designed, constructed, and targeted for persons with developmental disabilities as defined in section 393.063, Florida Statutes. Private nonprofit organizations whose primary mission includes serving persons with developmental disabilities as defined in section 393.063, Florida Statutes, shall be eligible for these grant funds. Housing projects funded with these grants may include community residential homes as defined in section 419.001, Florida Statutes, or individual housing units, and may include new construction and renovation of existing housing units. In evaluating proposals for these funds, the FHFC shall consider: the extent to which funds from local and other sources will be used by the applicant to leverage the grant funds provided under this section; employment opportunities and supports that will be available to residents of the proposed housing; a plan for residents to effectively and efficiently access community-based services, resources, and amenities; and partnerships with other supportive services agencies.

2241 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE
CORPORATION (HFC) - STATE HOUSING
INITIATIVES PARTNERSHIP (SHIP) PROGRAM

From the funds in Specific Appropriation 2241, each local government must use a minimum of 20 percent of its allocation to serve persons with special needs as defined in section 420.0004, Florida Statutes. Before this portion of the allocation is released by the Florida Housing Finance Corporation (FHFC), a local government must certify that it will meet this requirement through existing approved strategies in the local assistance plan or submit a new local housing assistance plan strategy for this purpose to the FHFC for approval to ensure that it meets these specifications. The first priority of these special needs funds must be to serve persons with developmental disabilities as defined in section 393.063, Florida Statutes, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership.

From the funds in Specific Appropriation 2241, \$4 million shall be used to provide services to homeless persons. Of the \$4 million, \$3,800,000 shall be transferred to the Department of Children and Families to implement the provisions of section 420.622, Florida Statutes, and \$200,000 shall be used by the Department of Economic Opportunity to provide training and technical assistance regarding affordable housing to designated lead agencies of homeless assistance

continuums of care.

PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

2246 LUMP SUM
ECONOMIC DEVELOPMENT TOOLS

Funds provided in Specific Appropriation 2246 are provided for the Qualified Target Industry (QTI) Tax Refund, Qualified Defense Contractor and Space Flight Business Tax Refund, QTI Tax Refund - Brownfield Redevelopment Bonus, Brownfield Redevelopment Tax Refund, High Impact Performance Incentive Grant, Quick Action Closing, Innovation Incentive, Local Government Distressed Area Matching Grant programs, and transportation facilities, and only for projects that meet the eligibility requirements of law. These funds shall not be released for any other purpose and may only be disbursed when projects meet the contracted performance requirements. Funds provided in Specific Appropriation 2246 from the Economic Development Trust Fund represent local matching funds.

2247 SPECIAL CATEGORIES
GRANTS AND AIDS - INSTITUTE FOR THE
COMMERCIALIZATION OF PUBLIC RESEARCH

From the funds provided in the State Economic Enhancement and Development Trust Fund in Specific Appropriation 2247, \$1,500,000 is provided for on-going operations of the Institute for the Commercialization of Public Research (ICPR) and \$5,000,000 is provided for seed stage funds to be allocated by the ICPR.

2249 SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL
RELATIONSHIPS

The recurring funds provided in Specific Appropriation 2249 from the Florida International Trade and Promotion Trust Fund are allocated as follows:

CAMACOL - Florida Trade and Exhibition Center.....	400,000
Southeast US/Japan Association & Florida/Korea Economic Cooperation Committee.....	200,000

The Department of Economic Opportunity shall directly contract with these entities.

2249A SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS

Funds provided in Specific Appropriation 2249A from XX fund shall be allocated as follows:

INSERT LIST

The Department of Economic Opportunity shall directly contract with the entities allocated funds from Specific Appropriation 2249A.

2251 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA
PROGRAM

From the International Trade and Promotion Trust Fund in Specific Appropriation 2251, \$XXX is allocated for international programs, and \$XXX is allocated to maintain Florida's international offices.

From the funds in Specific Appropriation 2251 from the State Economic Enhancement and Development Trust Fund, \$5,000,000 is contingent upon interest earnings generated in the state treasury's Quick Action Closing Fund Escrow Account and funds available from terminated Quick Action Closing Fund projects.

2252 SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION

Funds in Specific Appropriation 2252 are allocated as follows:

Military Base Protection.....	150,000
Defense Reinvestment.....	850,000

2254 SPECIAL CATEGORIES
GRANTS AND AIDS - VISIT FLORIDA

From the funds provided in Specific Appropriation 2254 from the State Economic Enhancement and Development Trust Fund, \$1,000,000 shall be used to market the state to veterans as a permanent home, and disseminate information to improve veterans' knowledge of and access to benefits in Florida.

2256 SPECIAL CATEGORIES
GRANTS AND AIDS - SPACE FLORIDA

From the funds in Specific Appropriation 2256, \$1,000,000 of recurring funds from the State Economic Enhancement and Development Trust Fund is provided to support collaborative research, development, and commercialization of projects related to aerospace and other technology and life sciences as further described through a Memorandum of Understanding (MOU) which Space Florida has entered into with the State of Israel.

From the funds in Specific Appropriation 2256, \$1,500,000 of recurring funds from the State Economic Enhancement and Development Trust Fund shall be used to market and promote the space tourism industry in the State of Florida. Funds may also be used to support marketing and promotion initiatives undertaken by businesses engaged in or relating to the space tourism industry in the State of Florida, which shall include but not be limited to Spaceflight entities as defined in section 331.501, Florida Statutes, and entities related to launch and landing sites or launch and landing facilities. No later than February 3, 2015, Space Florida shall submit a report to the Governor, the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Department of Economic Opportunity which shall include at a minimum: an overview of the marketing initiatives executed; consumer reach of the marketing initiatives executed; methods, strategies, and messages utilized; total expenditures; and total impact achieved, financial and otherwise, to the space tourism industry in the State of Florida.

Funds in Specific Appropriation 2256 may not be used directly or indirectly to pay for the development of space launch facilities at the Shiloh site prior to the submission of a report by Space Florida that summarizes the findings of the Federal Aviation Administration's completed Environmental Impact Study of the site. The report must be submitted to the Governor, the Cabinet, the President of the Senate, and the Speaker of the House. The study and the report must be reviewed by the Florida Department of Environmental Protection prior to submission and Space Florida must include that department's comments on the Environmental Impact Study in the report.

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: EMERGENCY MANAGEMENT

EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE

The Division of Emergency Management must submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the Executive Office of the Governor, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

2564 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE AND FEDERAL
DISASTER RELIEF OPERATIONS -
ADMINISTRATIVE

From the funds provided in Specific Appropriation 2564, \$250,000 is allocated to contract with a not-for-profit corporation to conduct a statewide public education campaign on television and radio to promote hurricane preparedness. Funds must be matched on a 3 to 1 basis for this purpose.

2567 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC ASSISTANCE

From the funds in Specific Appropriation 2567, up to \$107,321 from the Grants and Donations Trust Fund is provided to the Division of Emergency Management to reimburse the Federal Emergency Management Agency for public assistance funds deobligated from Pahokey Marina projects on

behalf of the City of Pahokee.

2574 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS
MITIGATION

Grants and Donations Trust Funds in the following Specific Appropriations reflect the transfer of \$7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes, as follows:

Salaries and Benefits (SA #2552).....	57,918
Other Personal Services (SA #2553).....	214,717
Expenses (SA #2554).....	188,430
Operating Capital Outlay (SA #2556).....	7,500
Contracted Services (SA #2559).....	138,447
Risk Management Services (SA #2563).....	548
Transfer to DMS - Human Resources Services (SA #2576).....	296
State Data Center - Agency for State Technology (SA #2580)...	1,441
Grants and Aids - Hurricane Loss Mitigation (SA # 2574)....	6,384,280
Indirect Costs.....	6,424

These funds must be used for Hurricane Loss Mitigation programs as specified in section 215.559, Florida Statutes. The funds allocated in section 215.559(2)(a), Florida Statutes, must be distributed directly to Tallahassee Community College for the uses described in section 215.559(2)(b), Florida Statutes.

2581 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY MANAGEMENT CRITICAL FACILITY
NEEDS

Funds in Specific Appropriation 2581 from the Grants and Donations Trust Fund reflect the transfer of \$3,000,000 of mitigation funds from the Hurricane Catastrophe Fund pursuant to 215.555(7)(c), Florida Statutes. These funds shall be used to retrofit existing facilities used as public hurricane shelters as specified in section 215.559(1)(b), Florida Statutes.

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

2602 SPECIAL CATEGORIES
OVERTIME

From the funds in Specific Appropriation 2602, the Department of Highway Safety and Motor Vehicles shall allocate funds as necessary to efficiently manage overtime activities of the Florida Highway Patrol. These activities include, but are not limited to, the State Overtime Action Response (SOAR) Program and the Incidental and Court overtime programs.

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

2657 SPECIAL CATEGORIES
CONTRACTED SERVICES

From the funds in Specific Appropriation 2657, \$7,966,000 of nonrecurring funds from the Highway Safety Operating Trust Fund is provided to the Department of Highway Safety and Motor Vehicles to contract for project support and staff augmentation to continue the Motorist Modernization project. These funds will be placed in reserve. Contingent upon the submission of detailed operational work and project spending plans, the department is authorized to submit a budget amendment(s) to request release of the funds pursuant to the provisions in chapter 216, Florida Statutes.

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE

MILITARY READINESS AND RESPONSE

2945 FIXED CAPITAL OUTLAY

DESIGN/BUILD - FLAGLER ARMORY

From the funds in Specific Appropriation 2945, \$2,857,000 from nonrecurring funds from the General Revenue Fund is provided for the design and construction of a new armory in Flagler County.

2946 FIXED CAPITAL OUTLAY
FLORIDA READINESS CENTERS REVITALIZATION
PLAN - STATEWIDE

From the funds in Specific Appropriation 2946, \$2,600,000 from nonrecurring funds from the General Revenue Fund is provided for the restoration and revitalization of the Wauchula Armory.

FEDERAL/STATE COOPERATIVE AGREEMENTS

2966 SPECIAL CATEGORIES
CONTRACTED SERVICES

From the nonrecurring general revenue funds in Specific Appropriation 2966, \$750,000 is provided for the Forward March Program and \$1,250,000 is provided for the About Face Program.

STATE, DEPARTMENT OF

Funds provided in Specific Appropriations 3054 through +++++ from the Land Acquisition Trust Fund in the Department of State are contingent upon Senate Bills 576, 578, 580, 582, 584 and 586, or similar legislation to implement Article X, section 28 of the Florida Constitution, becoming law.

PROGRAM: ELECTIONS

ELECTIONS

3078 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ELECTION
ACTIVITIES (HELP AMERICA VOTE ACT)

Funds in Specific Appropriation 3078 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

Before a county supervisor of elections receives funds for any software or hardware technology, including, but not limited to, any emerging technology that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, or the certification of accurate and complete official election results, the software or technology must first be certified or approved, whichever is applicable, by the Department of State. Additionally, before the supervisor can receive funds for emerging or enhancing technology, the county supervisor of elections and the chairperson of the county governing body must certify that the county has purchased and made available sufficient equipment for casting and counting ballots to meet the needs of the county electors, including reducing the wait time at the polls during the early voting period and on election day for the next regularly scheduled general election.

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining on June 30 of each fiscal year.

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

3088 SPECIAL CATEGORIES

GRANTS AND AIDS - HISTORIC PRESERVATION
GRANTS

From the funds in Specific Appropriation 3088, \$1,500,000 of recurring general revenue funds are provided for the 2015-2016 Small Matching Grants ranked list, as provided on the Department of State website.

3092A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES -
ACQUISITION, RESTORATION OF HISTORIC
PROPERTIES

From the funds in Specific Appropriation 3092A, \$2,106,547 of nonrecurring general revenue funds is provided for the 2015-2016 Special Category Grants ranked list, as provided on the Department of State website.

The remaining nonrecurring general revenue funds of \$1,104,000 in Specific Appropriation 3092A shall be allocated as follows:

Holocaust Memorial - Miami Beach.....	300,000
American Legion Post Building Restoration - Key West.....	154,000
Ma Barker House - Marion.....	400,000
Restoration of St. Marks Lighthouse - Wakulla.....	250,000

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

3112A FIXED CAPITAL OUTLAY
LIBRARY CONSTRUCTION GRANTS

From the funds in Specific Appropriation 3112A, \$2,000,000 of nonrecurring general revenue funds is provided for the 2015-2016 Library Construction grant list in its entirety, as provided on the Department of State website.

The remaining nonrecurring general revenue funds in Specific Appropriation 3112A shall be allocated for the East Lake Library Expansion.

PROGRAM: CULTURAL AFFAIRS

CULTURAL AFFAIRS

3116A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CULTURAL GRANTS

From the funds in Specific Appropriation 3116A, \$200,000 of nonrecurring general revenue funds are provided for the Actor's Playhouse Performing Arts Program in the City of Coral Gables.

3118 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL AND MUSEUM
GRANTS

From the funds in Specific Appropriation 3118, \$5,000,000 of recurring general revenue funds is provided for the 2015-2016 General Program Support ranked list in its entirety, as provided on the Department of State website.

3118B SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN
HERITAGE PRESERVATION NETWORK

From the nonrecurring funds in Specific Appropriation 3118B, the African -American Heritage Network shall...

3123A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL CATEGORIES -
CULTURAL FACILITIES PROGRAM

From the funds in Specific Appropriation 3123A, \$13,841,874 of

nonrecurring general revenue funds are provided for the 2015-2016 Cultural Facilities ranked list, as provided on the Department of State website.

The remaining nonrecurring general revenue funds of \$4,304,340 shall be allocated as follows:

Tampa Theatre Capital Improvement Plan.....	1,000,000
Clearwater Historical Society Museum.....	204,340
Camp Gordon Johnston WWII Museum.....	100,000
Norton Museum.....	1,000,000
Mahaffey Theater Acoustical Renovation.....	1,500,000
Tampa Bay History Center.....	500,000

2015-2016 Proposed Implementing Bill

Line No.	SPB 2502, section #	Description	SPB 2502: Specific Appropriation(s) Implemented	Ch. 2014-51 LOF: Specific Appropriation(s) Implemented	F.S. Cited
		Transportation and Economic Development			
1		TRAILS. Notwithstanding ss. 339.135(4)(i), 339.135(5)(a) and 339.135(5)(b), F.S., the Department of Transportation shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2015, in the department's 5-year work program.		1913	339.135(4)(i) 339.135(5)
2		HSMV - EXTENSION OF DRIVER LICENSE EQUIPMENT AND CONSUMABLES CONTRACT In order to implement Specific Appropriation XXXX (Purchase of Driver Licenses appropriation category) of the 2015-2016 General Appropriations Act and notwithstanding s. 287.057, Florida Statutes, the Department of Highway Safety and Motor Vehicles may extend the current contract for driver license equipment and consumables through December 31, 2017. The contract extension must be signed by both parties and executed no later than August 1, 2015. This section expires July 1, 2016.		N/A	287.057
3		SMALL COUNTY ROAD ASSISTANCE (SCRAP) PROGRAM. In order to implement XXXX, amends s. 339.2816(3), F.S., to enable the Department of Transportation to use up to \$50 million annually from the State Transportation Trust Fund for the purposes of funding the Small County Road Assistance Program in the 5-year work program for the 2015-16 fiscal year.			339.2816(3)
4		QUIET ZONES. In order to implement Specific Appropriation XXXX, amends s. 341.302(10), F.S., to enable Department of Transportation to use program funds to administer Quiet Zone grants, technical support, and safety monitoring.		1890	341.302(10)