

**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

261448	A	S	RCS	ATD, Latvala	Delete L.886:	03/23 05:03 PM
--------	---	---	-----	--------------	---------------	----------------

**CS/SB 1246 by CM, Detert;** (Similar to H 7099) Individuals with Disabilities

119544	A	S	RS	ATD, Detert	Delete L.40 - 164:	03/23 05:02 PM
565830	SA	S	RCS	ATD, Detert	Delete L.40 - 164:	03/23 05:02 PM

**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	<b>SB 676</b> 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 Favorable FP	Favorable Yeas 9 Nays 0
2	<b>SB 956</b> 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 Favorable FP	Favorable Yeas 9 Nays 0

**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	<b>SB 1214</b> 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 Fav/CS AP	Fav/CS Yeas 9 Nays 0
4	<b>CS/SB 1246</b> Commerce and Tourism / Detert (Similar H 7099)	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 Fav/CS FP	Fav/CS Yeas 8 Nays 0
5	Review and Discussion of Fiscal Year 2015-2016 Budget Issues Relating to:		Discussed
	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>Recommend: Favorable</u>
3.	_____	_____	<u>FP</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.<sup>1</sup>

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:

---

<sup>1</sup> 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 fee<sup>2</sup>, 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.<sup>3</sup> 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.<sup>4</sup> 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.<sup>5 6</sup>

The DHSMV has reviewed the FBCF's submitted application requirements<sup>7</sup>, and has approved the FBCF to pursue legislation to create a voluntary contribution check-off on motor vehicle registration and driver license renewal notices.<sup>8</sup>

### **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.

---

<sup>2</sup> State funds may not be used to pay the application fee.

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

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

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

<sup>7</sup> In accordance with ss. 320.023 and 322.081, F.S.

<sup>8</sup> 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.<sup>9</sup>

**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.

---

<sup>9</sup> 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

2015676\_\_

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.

Page 1 of 5

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

30-00706-15

2015676\_\_

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

Page 2 of 5

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

30-00706-15

2015676\_\_

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

Page 3 of 5

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

30-00706-15

2015676\_\_

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.

Page 4 of 5

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

30-00706-15

2015676\_\_

117

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>	<b>Favorable</b>
2.	<u>Sneed</u>	<u>Miller</u>	<u>ATD</u>	<b>Recommend: Favorable</b>
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.<sup>1</sup>

#### ***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.<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup>

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

#### ***Intermodal Logistics Center Infrastructure Program***

Additionally, in 2012, the Legislature created the Intermodal Logistics Center Infrastructure Program<sup>6</sup> within the FDOT to provide funds for roads, rail facilities, or other means for the shipment of goods through a seaport.<sup>7</sup> 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.<sup>8</sup> In selecting a project for funding, the FDOT must consider a number of statutory criteria and

---

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

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

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

<sup>4</sup> *Id.* at (a).

<sup>5</sup> *Id.* at (b).

<sup>6</sup> 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]."

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

<sup>8</sup> *See* s. 339.135(4), F.S.

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

### ***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.<sup>11</sup> A requesting facility must meet the criteria established by the FDOT; meet the definition of “intermodal logistics center;”<sup>12</sup> and must have been designated in a local comprehensive plan or local government development order as an intermodal logistics center or equivalent planning term.<sup>13</sup> Designation as part of the SIS makes the facility eligible to receive funding for transportation capacity improvements.<sup>14</sup>

### **Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)**

At the federal level, in 2012, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act recommended that states develop plans for the immediate and long-range planning activities and investments of the state with respect to freight.<sup>15</sup> 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.<sup>16</sup>

### **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,<sup>17</sup> quick action closing fund,<sup>18</sup> brownfield redevelopment bonus refund,<sup>19</sup> high impact performance incentive grant,<sup>20</sup> and quick response training.<sup>21</sup> 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.

<sup>9</sup> Section 311.101(3),(4), F.S.

<sup>10</sup> *Id.* at (6).

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

<sup>12</sup> *Supra* note 6.

<sup>13</sup> Section 339.63(5), F.S.

<sup>14</sup> *See* s. 339.61(1), F.S.

<sup>15</sup> P.L. 112-141, s. 1118 (July 6, 2012).

<sup>16</sup> *Id.* at s. 1116.

<sup>17</sup> Section 288.106, F.S.

<sup>18</sup> Section 288.1088, F.S.

<sup>19</sup> Section 288.107, F.S.

<sup>20</sup> Section 288.108, F.S.

<sup>21</sup> 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.<sup>22</sup> These advantages are designed to lower the costs of U.S.-based businesses that are engaged in international trade.<sup>23</sup>

There are currently 22 foreign trade zones in Florida, each of which is managed by a local government entity.<sup>24</sup> 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.<sup>25</sup>

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.<sup>26</sup>

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

---

<sup>22</sup> 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).

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

<sup>24</sup> 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).

<sup>25</sup> DEO and Enterprise Florida, Inc., *2013 Annual Incentives Report* at 72.

<sup>26</sup> *Id.* at 75.

intermodal logistics center as defined in s. 311.101(2), F.S.<sup>27</sup> 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.

---

<sup>27</sup> *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.<sup>28</sup>

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

---

<sup>28</sup> 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.<sup>29</sup>

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.<sup>30</sup>

**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.

---

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

<sup>30</sup> 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

Page 1 of 3

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

18-00890-15

2015956\_\_

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,

Page 2 of 3

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

18-00890-15

2015956\_\_

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: PCS/SB 1214 (123970)

INTRODUCER: Appropriations Committee (Recommended by Subcommittee on Transportation, Tourism, and Economic Development) and Senator Latvala

SUBJECT: Economic Development

DATE: March 23, 2015

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Askey</u>	<u>McKay</u>	<u>CM</u>	<b>Favorable</b>
2.	<u>Gusky</u>	<u>Miller</u>	<u>ATD</u>	<b>Recommended: Fav/CS</b>
3.	_____	_____	<u>AP</u>	_____

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

PCS/SB 1214 makes a number of changes to the state's economic development programs to provide more flexibility in some programs, and to increase transparency and accountability across those programs. Specifically, the bill:

- Standardizes the economic development application and evaluation processes.
- Specifies incentive project approval based upon the amount of required funding. Projects requiring:
  - Less than \$2 million may be approved by the Governor without legislative consultation.
  - \$2 million up to \$7.5 million require 10-day notice to the Legislative Budget Commission (LBC) before the Governor can give approval.
  - \$7.5 million or more, and projects requiring \$5 million or more with a waiver of program requirements, must receive approval from the LBC before the Governor can give approval.
  - This application approval process applies to the:
    - Quick Action Closing (QAC) Fund;
    - Qualified Target Industry Business (QTI) Tax Refund;
    - High-Impact Business Performance Grants;
    - Qualified Defense Contractor and Space Flight Business Tax Refund Program (QDSC);
    - Innovation Incentive Program;
    - Brownfield Redevelopment Bonus Refund; and

- Local Government Distressed Area Matching Grant Program.
- Creates the following requirements for contracts for economic development incentives:
  - Capital investment must remain in the state for the duration of the contract.
  - Contract terms cannot be longer than 10 years, except for projects receiving \$20 million or more in total state incentives.
  - The business must use the Employ Florida Marketplace to post new jobs.
  - The average private sector wage must reflect the wages in the local area where the business is located.
- Requires a 3-day advanced notice to the Legislature of any proposed amendment to an economic development contract and a 10-day legislative consultation period for a proposed amendment that reduces the projected economic benefits by 0.50 or more. Amendments that reduce the project's economic benefits must include a proportionate reduction in the award amount.
- Extends the date applicants can be certified under the QDSC Program until June 30, 2020.
- Makes the following changes to the criteria for projects eligible for funding from the QAC Fund:
  - The required economic benefit ratio is lowered from 5 to 1, to 4 to 1, and cannot be waived below 2:1;
  - The contract may not waive the annual wage requirement below 100 percent of the wages in the local area;
  - The contract may only waive two of the five program criteria;
  - The contract may not waive the criteria that the incentive is an inducement to the project's location or expansion in this state; and
  - No payments may be made to a project until contracted performance goals have been achieved.
- 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 the option to exempt local financial support is exercised; and
  - Permits businesses to receive a prorated award if at least 90 percent of agreed-to higher wage requirements are met.
- Prohibits any state or local funds from being counted toward a business' required capital investment, and clarifies that the state's investment for purposes of determining the project's economic benefits includes all state funds spent or forgone to benefit the business.

The bill requires the president of Enterprise Florida, Inc., (EFI) to be subject to Senate confirmation, and prohibits him or her from engaging in lobbying efforts before the Legislature and Executive branch for two years after vacating the position, similar to the prohibition that applies to other state agency heads. These changes apply to presidents of EFI appointed or reappointed after July 1, 2015.

The bill creates a cap on the amount of funds that can be obligated for payments each fiscal year under economic development incentive contracts for the same programs to which the application approval process applies as discussed above. The total amount of actual or projected payments in any fiscal year cannot exceed \$50 million. This limitation may be waived in the General Appropriations Act (GAA). Annually, the Department of Economic Opportunity (DEO) must provide the Legislature with the amount of estimated payments, and the Legislature must

annually appropriate in the GAA the amount estimated to be sufficient to satisfy scheduled payments.

As to the funds presently held in escrow by EFI for current Quick Action Closing Fund contracts, the bill directs EFI to return any funds held on June 30, 2015, to the state treasury by July 10, 2015. Such funds will be held in a newly created “Quick Action Closing Fund Escrow Account” in the Economic Development Trust Fund within the DEO.

The provisions of the bill that eliminate the DEO practice of disbursing funds to Enterprise Florida, Inc. (EFI), upon execution of a Quick Action Closing Fund (QAC) contract or agreement will have a positive impact on state revenues and the state’s economy as a whole. Using a “pay-as-you-go” approach for QAC projects will enable the state to use funds that would be otherwise transferred outside the state treasury for other priorities each fiscal year.

The extension of the Qualified Defense Contractor and Space Flight tax refund program to allow the DEO to certify applications through June 30, 2020, will have a negative 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, and processing incentive and local financial support payments. 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.<sup>1</sup> 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.<sup>2</sup> Additionally the department reported that of the 1,110 contracts executed from the beginning of the program to June 30, 2014, 322 contracts are active and 122 contracts were successfully completed.<sup>3</sup>

### ***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.<sup>4</sup>

### ***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

---

<sup>1</sup> Section. 288.095, F.S.

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

<sup>3</sup> 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).

<sup>4</sup> *Id.*



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.<sup>5</sup>

## **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 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.<sup>6</sup>

### ***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.<sup>7</sup> 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

---

<sup>5</sup> See *supra* note 3.

<sup>6</sup> See *supra* note 3, at 12-13, 22.

<sup>7</sup> 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).

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.<sup>8</sup> 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. Additionally, the report stated that 144 contracts have been executed through June 30, 2014, with 106 active contracts and ten successfully completed contracts.<sup>9</sup>

### ***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).<sup>10</sup>

### ***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.<sup>11</sup>

## **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,

---

<sup>8</sup> See *supra* note 3, at 12 and 17.

<sup>9</sup> See *supra* note 3, at 12 and 17.

<sup>10</sup> See *supra* note 3, at 19.

<sup>11</sup> See *supra* note 3, at 12.

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 Program<sup>12</sup> and the Microfinance Guarantee Program.<sup>13</sup> 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.

### **The President of Enterprise Florida, Inc.**

The president of Enterprise Florida, Inc. (EFI), is appointed by the Board of Directors, serves at the pleasure of the Governor, and is the “chief administrative and operational officer” of the board and EFI. Additionally, the president may be known as the ‘secretary of commerce’ and serves as the Governor’s chief negotiator for business recruitment and business expansion.”<sup>14</sup>

## **III. Effect of Proposed Changes:**

The bill makes a number of changes to the state’s economic development programs to provide more flexibility in some programs, and to increase transparency and accountability across those programs.

### **Economic Development Incentive Application and Evaluation**

In section 4, the bill amends s. 288.061, F.S., to create uniform methods for the application, evaluation, and approval of economic development incentives projects.

The bill directs the Department of Economic Opportunity (DEO or department) to create a uniform application form for incentive applications beginning January 1, 2016, which must 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 application, they must be submitted before DEO disburses any incentive payments or grants 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;

---

<sup>12</sup> Section 288.9934, F.S.

<sup>13</sup> Section 288.9935, F.S.

<sup>14</sup> Section 288.905, F.S.

- 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 for the DEO to review and evaluate each incentive application. The department's evaluation of an application must 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 development incentive applications for 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.

Within 10 days of receiving a complete application, the DEO must recommend a project for approval or disapproval to the Governor. Recommendations must include a justification for the recommendation and the proposed performance conditions the project must meet to receive incentive funds. The approval process for a project is dependent upon the total amount of funds that the project is awarded. Projects requiring:

- Less than \$2 million may be approved by the Governor without Legislative consultation.
- \$2 million and up to \$7.5 million require the Governor to 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 makes a determination on the project.
- \$7.5 million or more must be approved by the LBC before final approval by the Governor.
- \$5 million or more that also waive program requirements also must be approved by the LBC before final approval by the Governor.

Current law provides that the executive director of the DEO may approve applications under these programs, 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 require legislative consultation; and projects exceeding \$5 million in funding are subject to approval by the LBC. Sections 11 and 12 of the bill amend ss. 288.1088 and 288.1089, F.S., respectively, to conform to the changes in the approval process for incentives.

### **Economic Benefits**

The DEO is required to calculate the economic benefits of the potential award of state incentives proposed for each project. Under current law, the Office of Economic and Demographic Research (EDR) establishes the methodology and model used to calculate the economic benefits. Section 4 of the bill directs the EDR to include guidelines for the appropriate application of the DEO's internal model.

Current law also allows the EDR to use an amended version of the term "economic benefits" for the DEO's internal model. The bill requires that, for the amended definition of "economic benefits," the state's investment must include all state funds spent or forgone to benefit the business, including state funds appropriated to public and private entities, to the extent that such funds are "reasonably known to the department at the time of approval."

Section 3 amends s. 288.005, F.S., and revises the definition of "economic benefits" to specify that the state's investment includes "all state funds spent or forgone to benefit the business, including state funds appropriated to public and private entities." The current definition includes state grants, tax exemptions, tax refunds, tax grants, and other state incentives. The term "economic benefits" means "the direct, indirect, and induced gains in state revenue as a percentage of the state's investment."

The economic benefits calculation takes into account capital investment associated with a project. When evaluating an application for economic development incentives, the DEO is prohibited from attributing to a business any investment by the business made using state funds. The bill makes similar amendments to the definition of "cumulative capital investment" in s. 288.191, F.S., related to the Capital Investment Tax Credit (section 1); the term "fixed capital investment" in s. 288.107, F.S., related to the Brownfield Redevelopment Bonus Refund (section 9); and requires Quick Action Closing Fund contracts to specify capital investment to be made "by the business" (section 11).

### **Economic Development Incentives Contracts**

Approved projects must be certified by the DEO as qualified for award of funds under the programs. The bill amends s. 288.061, F.S., in section 4 and clarifies that, upon certification, an applicant and the DEO will enter into contract. The duration of a contract may not exceed 10 years. The bill provides that the DEO may enter into successive agreements for a project to extend the first 10-year term, providing that each successive contract is contingent upon the successful completion of the previous contract. Contracts that have a total of \$20 million or more of combined state incentives are not subject to the restriction on the duration.

The bill also requires that:

- Any contract that requires capital investment to be made by the applicant must also require that capital investment remain in this state for the duration of the contract.
- If the contract has any performance conditions related to job creation, the contract must require the applicant to use the Employ Florida Marketplace.<sup>15</sup>

Most economic development incentive programs also require the contract to specify a required average annual wage that the applicant agrees to meet. The bill requires that the average annual wage must reflect the wages in the local area where the business is or will be located (county or standard metropolitan area). The bill makes conforming changes in sections 7, 8, 11, and 12, which amend ss. 288.107, 288.106, 288.1088, and 288.1089, F.S., respectively, and does not permit contracts to be based on the statewide average wage.

The DEO must provide the Legislature with notice, including an updated description and evaluation, of each executed and finalized contract.

The bill requires a 3-day advanced notice to the Legislature of any proposed changes to the contract by the DEO. Amendments that result in a reduction of the projected economic benefits require a 10-day Legislative consultation. This requirement applies when the projected economic benefit ratio is reduced by:

- 0.50 or more, or
- Below any statutorily required level for receipt of funds.

An amendment that reduces the economic benefits as described above 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 must suspend all action until the LBC or the Legislature makes a determination on the project.

### **Cap on Contract Obligations**

Section 4 of the bill amends s. 288.061, F.S., to create a cap on the amount of funds that can be obligated each fiscal year under contracts for the economic development programs to which the new application approval process applies. The total amount of actual or projected payments in any fiscal year cannot exceed \$50 million. This limitation may be waived in the General Appropriations Act (GAA).

Annually, the DEO must provide the Legislature with the amount of estimated payments for the upcoming fiscal year (due January 2) and then the list of claims filed for payment in the upcoming fiscal year (due March 1). Using this information, the Legislature must annually appropriate in the GAA an amount estimated to be sufficient to satisfy scheduled payments in the upcoming fiscal year. If the amount appropriated is insufficient to make all payments, the DEO must pay the unfunded claims from the next year's appropriation. The DEO is required to notify

---

<sup>15</sup> The DEO and CareerSource Florida, Inc., (formerly Workforce Florida, Inc.) implement the workforce information systems required under s. 445.011, F.S.

the Legislature of any anticipated shortfalls by March 1 of each year. However, if any funds remain unexpended by June 30, those funds will revert and may not be transferred to an escrow account.

The DEO may not make payments under an economic development incentive contract until it has validated that the contractual performance conditions have been met by the business. The DEO may only make payments to the business under the contract and not to any third party.

As to the funds presently held in escrow by EFI for current Quick Action Closing Fund contracts, the bill (section 6) directs EFI to return any funds held on June 30, 2015, to the state treasury by July 10, 2015. Such funds will be held in a newly created “Quick Action Closing Fund Escrow Account” in the Economic Development Trust Fund within the DEO (see section 5, amending s. 288.095, F.S.). The bill creates a continuing appropriation for this account. Funds may be paid out of the account upon validation that the contractual performance conditions for each project have been satisfied. If a project with funds in the account is terminated, the funds revert to the State Economic Enhancement and Development (SEED) Trust Fund. Any interest earned in this account also reverts to the SEED Trust Fund. This account in the Economic Development Trust Fund expires on June 30, 2029, the estimated time by which all current contracts will have been completed. Section 13 of the bill amends s. 288.1208, F.S., to provide for the reversions into the SEED Trust Fund.

The bill clarifies that the Economic Development Incentives Account in the Economic Development Trust Fund also consists of local financial support required under the QTI, QDSC, and Brownfield Redevelopment Bonus programs. The bill makes conforming changes in sections 7, 8, 9, 10, and 11, amending ss. 288.107, 288.106, 288.107, 288.108, and 288.1088, F.S., respectively, to implement this provision.

### **The Qualified Defense Contractor and Space Flight Business Tax Refund**

The bill, in section 7 amends the Qualified Defense Contractor and Space Flight Business Tax Refund Program<sup>16</sup> to allow the DEO to certify applicants for this program until June 30, 2020 (Section 7). Under current law, the DEO may not certify any applicants after June 30, 2014, but tax refund agreements in existence on that date are continued in accordance with their terms.

Additionally, the bill also increases the period of time that the DEO may grant extensions to applicants applying for a tax refund. The bill authorizes the DEO to allow an extension for submission of refund claims and information for a refund for up to 60 days, rather than the 30 days allowed by current law.

### **The Qualified Target Industry Tax Refund**

The bill in section 8 amends the Tax Refund Program for Qualified Target Industry Businesses (QTI)<sup>17</sup> to allow 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

---

<sup>16</sup> Section 288.1045, F.S.

<sup>17</sup> Section 288.106, F.S.

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. An applicant that is locating in a brownfield area, a rural city, or a rural community can exercise an option to be exempt from the 20 percent local financial support requirements of the program.

Under current law, additional per-job tax refund payments are available to applicants for each job created if the applicant commits to paying an annual average wage greater than the minimum requirement of 115 percent of the average wage in the area. 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), in the area. A prorated tax refund, with a 5 percent penalty, can be awarded if the business paid at least 90 percent of the wage specified in the contract. The bill clarifies when a business that commits to the higher wage it can receive the prorated tax refund:

- A business that commits to pay 150 percent of the average wage must pay an annual average wage of no less than 135 percent of the annual private sector wage.
- A business that commits to pay 200 percent of the average wage must pay an annual average wage of no less than 180 percent of the average private sector wage.

The bill also increases the period of time that the DEO may grant extensions to applicants applying for a tax refund. The bill authorizes the DEO to allow an extension for submission of refund claims and information for a refund for up to 60 days, rather than the 30 days allowed by current law.

### **The Quick Action Closing Fund**

The bill, in section 11, amends the criteria for the Quick Action Closing (QAC) Fund.<sup>18</sup> Under current law, in order to be eligible for QAC funds a project must meet 5 criteria:

- Be in a qualified target industry;
- 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.

The DEO is permitted to waive these criteria under certain conditions.

The bill requires that a request for a waiver and the granting of a waiver must be in writing and provide the specific justification for the waiver. Similar to the requirements of other economic development programs, the DEO may not grant a waiver for more than 2 of the 5 criteria. The bill also:

- Lowers the required economic benefit ratio to 4 to 1, and prohibits the ratio from being waived below 2 to 1.
- Requires the average annual wage for a project to reflect the wages in the local area where the business is or will be located (county or standard metropolitan area) and prohibits the

---

<sup>18</sup> Section 288.1088, F.S.



average annual wage from being waived below 100 percent of the average private sector wage in the area.

- Prohibits waiver of the criteria that the incentive be an inducement to the project's location or expansion in this state.

If a contract contains an option to award additional funds if additional jobs are created above the minimum commitment, 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. The bill specifies that the contract should include the minimum and maximum amount of funds that may be awarded and the minimum and maximum number of jobs that will be created.

The bill requires that payment may not be made to a business until the business has satisfied all contracted performance requirements.

### **The President of Enterprise Florida, Inc.**

Section 14 of the bill amends s. 288.905, F.S., to require the EFI president to be subject to Senate confirmation (Section 14). Former presidents of EFI, who are appointed or reappointed on or after July 1, 2015, are prohibited from receiving compensation for representing certain entities before the Legislative or Executive branch of the state's government for a period of 2 years after vacating the office. This prohibition applies if an entity applied for, received, or negotiated with EFI for the receipt of state funds, regardless of whether or not any state funds were received.

### **Reporting and Miscellaneous Changes**

The bill, in section 2, requires the Economic Development Programs Evaluation required in s. 288.0001, F.S., include an analysis of the state's retention of Major League Baseball spring training franchises program in s. 288.11631, F.S. This evaluation must be completed by January 1, 2018, and every 3 years thereafter.

Section 16 of the bill requires OPPAGA, in addition to EDR, to evaluate the Microfinance Loan Program and Microfinance Guarantee Program. Because multiple reports are due January 1, 2018, (e.g., reports in s. 288.0001, F.S.) these additional reports must be submitted by January 15, 2018.

Section 17 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:**

Under PCS/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 a negative impact to state revenues. The Revenue Estimating Impact Conference has not yet reviewed the bill.

**B. Private Sector Impact:**

The fiscal impact to the private sector is indeterminate.

**C. Government Sector Impact:**

The provisions of the bill that eliminate the practice of the DEO disbursing funds to Enterprise Florida, Inc. (EFI), upon execution of a Quick Action Closing Fund (QAC) contract or agreement will have a positive impact on state revenues and the state's economy as a whole. Currently, the return on investment (ROI) for a QAC project is calculated from the time that the DEO disburses an award to EFI for deposit into an escrow account. Because the ROI Model accounts for the time value of money, the return on investment will increase for projects when funds are no longer held in escrow. Additionally, using a "pay-as-you-go" approach for QAC projects will enable the state to use funds that would otherwise reside in an escrow account for other priorities each fiscal year.

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.<sup>19</sup>

**VI. Technical Deficiencies:**

None.

---

<sup>19</sup> Conversation with Bill Wilson, Legislative and Cabinet Affairs, Department of Economic Opportunity (DEO) (Mar. 2, 2015).

**VII. Related Issues:**

The DEO is authorized to adopt rules to prescribe a form for applications for economic development and other changes made in s. 288.061, F.S.; and for the administration of the Quick Action Closing Fund Escrow Account.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 220.191, 288.0001, 288.005, 288.061, 288.095, 288.1045, 288.106, 288.107, 288.108, 288.1088, 288.1089, 288.1201, 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.)

**Recommended CS by Appropriations Subcommittee on Transportation, Tourism, and Economic Development on March 19, 2015:**

The committee substitute:

- Creates a cap (\$50 million) on the amount of funds that can be obligated for payment each fiscal year for specified economic development incentive programs, which may be waived in the General Appropriations Act (GAA).
- Requires the Department of Economic Opportunity (DEO) to annually provide the Legislature with the amount of estimated and scheduled payments for the upcoming fiscal year. The Legislature will use this information to appropriate in the GAA the amount estimated to be sufficient to satisfy scheduled payments in the upcoming fiscal year.
- Provides for action in the case of shortfall or excess in the appropriation.
- Prohibits the DEO from making payments to a business until the DEO has validated that applicable contractual performance requirements have been satisfied by the business, and prohibits payments to third parties.
- Directs Enterprise Florida, Inc. (EFI) to return any funds held in escrow on June 30, 2015, to the state treasury by July 10, 2015, to be held the “Quick Action Closing Fund Escrow Account” within the Economic Development Trust Fund.
- Creates a continuing appropriation category to make payments from the “Quick Action Closing Escrow Account” and provides an expiration date of June 30, 2029 for both the account and the continuing appropriation category.
- Clarifies that the Economic Development Incentives Account within the Economic Development Trust Fund within the DEO consists of local financial support required under the Qualified Target Industry Business Tax Refund, Qualified Defense and Space Contractor Tax Refund, and Brownfield Redevelopment Bonus programs.
- Makes conforming and clarifying changes.

**B. Amendments:**

None.

---

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

---



261448

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2015	.	
	.	
	.	
	.	

---

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



261448

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



261448

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.—



261448

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





261448

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~~



261448

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:



261448

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.



261448

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



261448

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.—



261448

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



261448

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



261448

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.





261448

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



261448

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.—



261448

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~~



261448

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.;



261448

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



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



261448

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

20-00790B-15

20151214\_\_

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

Page 1 of 31

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

20-00790B-15

20151214\_\_

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

Page 2 of 31

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



20-00790B-15

20151214\_\_

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

Page 3 of 31

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

20-00790B-15

20151214\_\_

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

Page 4 of 31

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

20-00790B-15

20151214\_\_

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

Page 5 of 31

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

20-00790B-15

20151214\_\_

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:

Page 6 of 31

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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,

Page 13 of 31

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

20-00790B-15

20151214\_\_

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

Page 14 of 31

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

20-00790B-15 20151214\_\_

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

20-00790B-15 20151214\_\_

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

20-00790B-15 20151214\_\_

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

20-00790B-15 20151214\_\_

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



20-00790B-15

20151214\_\_

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

Page 19 of 31

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

20-00790B-15

20151214\_\_

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

Page 20 of 31

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

20-00790B-15

20151214\_\_

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:

Page 21 of 31

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

20-00790B-15

20151214\_\_

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.

Page 22 of 31

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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;

20-00790B-15

20151214\_\_

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~~

Page 25 of 31

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

20-00790B-15

20151214\_\_

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

Page 26 of 31

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

20-00790B-15

20151214\_\_

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

20-00790B-15

20151214\_\_

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

20-00790B-15 20151214\_\_

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

20-00790B-15 20151214\_\_

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

20-00790B-15

20151214\_\_

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: PCS/CS/SB 1246 (897622)

INTRODUCER: Appropriations (Recommended by Subcommittee on Transportation, Tourism, and Economic Development); Commerce and Tourism Committee; and Senator Detert

SUBJECT: Individuals with Disabilities

DATE: March 23, 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>Recommend: Fav/CS</u>
3.	_____	_____	<u>FP</u>	_____

---

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

---

**I. Summary:**

PCS/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 or contribute to the establishment of 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 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 the 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, and then annually thereafter on the program's progress.



For the 2015-2016 fiscal year, the bill appropriates \$100,000 in recurring funds and \$100,000 in nonrecurring funds from the Special Employment Security Administration Trust Fund to fund the development, implementation and administration of the Florida Unique Abilities Partner program.

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.<sup>1</sup> 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.<sup>2</sup>

### Corporate Social Responsibility and Consumer Response

Corporate social responsibility is now a standard practice in the business world.<sup>3</sup> Corporate social responsibility is defined as a company's sense of responsibility toward the community and environment,<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup>

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 businesses that are committed to making a positive social and

---

<sup>1</sup> 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](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_1YR_S1810&prodType=table) (last visited Mar. 13, 2015).

<sup>2</sup> 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](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_1YR_S1811&prodType=table) (last visited Mar. 13, 2015).

<sup>3</sup> 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](http://sloanreview.mit.edu/article/communicating-corporate-social-responsibility-to-a-cynical-public/?use_credit=db34fbf0a135038c9c9102e028c614be) (last visited Mar. 13, 2015).

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

<sup>5</sup> 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).

<sup>6</sup> 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).

environmental impact.<sup>7</sup> Consumers are becoming “more deliberate and purposeful” in their shopping decisions by patronizing businesses that have similar values to their own.<sup>8</sup> 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.<sup>9</sup> 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 local or national disability organizations; or
- Contributions to or the 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, including employee volunteer hours, to a local or national disability organization or a contribution in support of individuals who have a disability; or
- Establish or contribute to the establishment of a program that contributes to the independence of individuals who have a disability.

---

<sup>7</sup> 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).

<sup>8</sup> 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).

<sup>9</sup> 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).

Contributions must be documented by providing copies of written receipts, program materials or letters of acknowledgment from recipients, volunteers, or donees. A business entity with 100 or fewer employees must make a financial or in-kind contribution of at least \$1,000, and a business entity with more than 100 employees must make a financial or in-kind contribution of at least \$5,000.

A business entity that applies to be designated as a Florida Unique Abilities Partner must be awarded the designation if it meets the above listed requirements.

In lieu of the application process, the DEO must also consider nominations from members of the community regarding a local business entity's qualification for designation as a Florida Unique Abilities Partner. The nomination must identify the business entity's achievements in one or more of the above-referenced categories. Upon receipt of a nomination, the DEO must determine whether the nominee meets the requirements of the program based on the information provided and may request additional information from the nominee if needed. If the nominee meets the requirements, the DEO must notify the nominated business and provide the business the qualifying criteria asserted in the nomination.

The nominee has 30 days from the receipt of notice to certify that the information in the notice is true and correct and to accept or decline the nomination. If the nominee accepts the nomination, the DEO must award the designation. If a business does not accept the nomination within 30 days, the DEO may not award the designation. If the nominee declines the nomination, the DEO may not award the designation.

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 DEO must adopt procedures for the application, nomination and designation processes for the Florida Unique Abilities Partner program. The business's name, location and contact information must also be included in business entity's application or nomination. 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. 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, at a minimum, provides:

- The list of businesses, by county, that currently have the Florida Unique Abilities Partners designation, updated quarterly;
- Information on the eligibility requirements for the designation and the methods to apply or nominate; and
- The best practices for businesses to facilitate the inclusion of individuals who have a disability, updated annually.

The website may provide links to the websites of organizations or other resources that will aid business entities to employ or support 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 and CareerSource, Florida, Inc., must identify the employers that currently have a designation as a Florida Unique Abilities Partner designation.

The DEO is required to provide a list of businesses that have a designation as a Florida Unique Abilities Partner to VISIT Florida<sup>10</sup> 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. Also, beginning in 2016, the DEO must describe the progress and use of the program in its annual report required under s. 20.60, F.S.<sup>11</sup>

**Section 2** provides an appropriation to the DEO to develop, implement, and administer the Florida Unique Abilities Partner program in Fiscal Year 2015-2016 (*See Section V.*)

**Section 3** 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.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

---

<sup>10</sup> VISIT Florida is statutorily referred to as the Florida Tourism Industry Marketing Corporation. s. 288.1226, F.S.

<sup>11</sup> This report is due to the Legislature on November 1 annually.

**B. Private Sector Impact:**

Under PCS/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:**

For the 2015-2016 fiscal year, the bill appropriates \$100,000 in recurring funds and \$100,000 in nonrecurring funds from the Special Employment Security Administration Trust Fund to the DEO to cover costs associated with developing, implementing, and administering the Florida Unique Abilities Partner program. Costs include staff time to develop the program, process applications, determine compliance, and designate businesses. Staff time is also required to create, maintain, and update the website that is required by the bill.<sup>12</sup>

**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.<sup>13</sup> 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 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.<sup>14</sup>

**VIII. Statutes Affected:**

This bill creates an unnumbered section of the Florida Statutes.

---

<sup>12</sup> 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).

<sup>13</sup> See 42 U.S.C. s. 12112.

<sup>14</sup> 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).

**IX. Additional Information:**

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

**Recommended CS Barcode 897622 by Appropriations Subcommittee on Transportation, Tourism, and Economic Development on March 19, 2015:**

The committee substitute:

- Makes clarifying changes to the structure of the program.
- Requires the DEO to include the progress and use of the Florida Unique Abilities program in its annual report to the Governor and Legislature.
- Appropriates \$200,000 from the Special Employment Security Administration Trust Fund to the DEO to implement the program in Fiscal Year 2015-2016.

**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.



119544

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/23/2015	.	
	.	
	.	
	.	

---

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



119544

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





119544

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



119544

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.



119544

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



119544

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



119544

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 =====



119544

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



119544

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.



565830

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2015	.	
	.	
	.	
	.	

---

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





565830

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



565830

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.



565830

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



565830

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



565830

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



565830

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



565830

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



565830

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

20151246c1

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:

Page 2 of 6

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

577-02088-15

20151246c1

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

Page 3 of 6

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

577-02088-15

20151246c1

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

Page 4 of 6

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

577-02088-15 20151246c1

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

577-02088-15 20151246c1

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  
DEVELOPMENT APPROPRIATIONS**

		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		<b>ECONOMIC OPPORTUNITY</b>					
2	1100001	<b>Startup (OPERATING)</b>	1,620.50	2,966,362		756,139,146	759,105,508
3	1100002	<b>Startup Recurring Fixed Capital Outlay (DEBT SERVICE/OTHER)</b>		-		3,200,000	3,200,000
4	1801020	<b>Resource Transfer from Reemployment Assistance to Information Systems and Support Services - Add</b> <b>Department's LBR</b> 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. <b>Governor's Recommendation</b> 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	<b>Resource Transfer from Workforce Development to Finance and Administration - Add</b> <b>Department's LBR</b> 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. <b>Governor's Recommendation</b> 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	<b>Resource Transfer from Reemployment Assistance to Information Systems and Support Services - Deduct</b> Companion issue to Issue #1801020 - nets to zero.	(12.00)	-		(805,832)	(805,832)
7	1802030	<b>Resource Transfer from Workforce Development to Finance and Administration - Deduct</b> Companion issue to Issue #1801030 - nets to zero.	(4.00)	-		(209,788)	(209,788)
8	1803010	<b>Division of Community Development Budget Restructure - Add</b> <b>Department's LBR</b> 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	<b>Division of Community Development Budget Restructure - Deduct</b> Companion issue to Issue #1803010 - nets to zero.	(39.00)	(1,874,326)		(6,496,993)	(8,371,319)
10	2000100	<b>Realign Budget Authority to More Accurately Reflect Program Expenditures - Deduct</b> 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	<b>Realign Budget Authority to More Accurately Reflect Program Expenditures - Add</b> Companion issue to Issue # 2000100 - nets to zero.		-		4,700,000	4,700,000

**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
14	2503080	<b>Direct Billing for Administrative Hearings</b> <b>Statewide issue</b> 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	<b>Increased Workload for Data Center to Support an Agency</b> <b>Statewide issue</b> 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	<b>Management Position Reductions - Efficiencies</b> 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. <b>Senate Proposal:</b> 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	<b>Contract Savings</b> <b>Governor's Recommendation</b> 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	<b>Small Cities Community Development Block Grant Funds to Federal Grants Trust Fund - Deduct</b> 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	<b>Small Cities Community Development Block Grant Funds to Federal Grants Trust Fund - Add</b> Companion issue to Issue #34F0010 - nets to zero.		-		32,502,972	32,502,972
21	3402050	<b>Initial Skills Assessment and Training Fund Realignment - Add</b> 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	<b>Initial Skills Assessment and Training Fund Realignment - Deduct</b> Companion issue to Issue # 3402050 - nets to zero.		-		(1,500,000)	(1,500,000)
27	36201C0	<b>Provide Additional Funding to Support Department-Wide Information Technology Needs</b> <b>Department's LBR</b> provides additional state and federal funds to: implement a Security Information and Event Management (SIEM) process (\$156,891); <b>replace network switches that have reached the end of their life cycle (\$119,000)</b> ; implement an Intrusion Detection System (IDS) (\$7,135); and migrate to Sharepoint Solution to replace the existing intranet environment (\$6,283). <b>Governor's Recommendation</b> did not include funding for the IDS and the Sharepoint Solution migration.		-		119,000	119,000

**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
28	36328C0	<b>Reemployment Assistance Benefits Support Positions</b> 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	<b>Increase Operations for Community Development</b> <b>Department's LBR</b> 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). <b>Governor's Recommendation</b> 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	<b>Reemployment Assistance Fraud Prevention Detection</b> Provides nonrecurring "P & I" funds to expand fraud prevention and detection services through the CONNECT System.		-	-	1,000,000	1,000,000
32	4100500	<b>Grants and Aids - Professional Sports Development</b> Provides recurring SEED trust funds to the Florida Sports Foundation to support the Sunshine State Games.		-	-	200,000	200,000
33	4101000	<b>Economic Development Incentive Payments</b> 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	<b>Establish and Market a Statewide Business Brand for Florida</b> <b>Governor's Recommendation</b> 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	<b>Florida Sports Foundation - Increase Current Funding Level</b> 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	<b>Florida Sports Foundation - Continuation Funding</b> 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)	<b>Visit Florida - Maintain &amp; Increase Current Funding Level</b> <b>Department's LBR</b> provides \$24 million above the base budget to maintain VISIT FLORIDA's funding at the FY 2014-15 level - \$74 million. <b>Governor's Recommendation</b> 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	<b>Space Florida - Maintain Current Funding Level</b> <b>Governor's Recommendation</b> 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

**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
42	4500100	<b>Continue Funding to Support the Institute for the Commercialization of Public Research (ICPR)</b> 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	<b>Economic Development Projects and Initiatives</b>			-	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	<b>Economic Development Incubator Projects</b>			-	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	<b>Transfer Marketing Activities of Office of Film and Entertainment to Enterprise Florida - Deduct</b>	(2.00)		-	(315,578)	(315,578)
46	4900020	<b>Transfer Marketing Activities of Office of Film and Entertainment to Enterprise Florida - Add</b>			-	315,578	315,578
47	4900200	<b>Qualified Television Revolving Loan Fund</b> <i>Contingent upon passage of substantive legislation</i>			-	10,000,000	10,000,000
48	5000130	<b>Strategic Business Development (SBD) - Provide Additional Funding for Contracted Services</b> 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. <b>Governor's Recommendation</b> 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	<b>Community Resiliency Program Continuation Funding</b> 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

**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
50	6100300	<b>Increase Funding for Technical Planning and Assistance</b> 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	<b>Housing and Community Development Projects</b>			-	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 &amp; 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	<b>State Small Business Credit Initiative</b> 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	<b>Establish Additional Operating Budget Authority for Recurring Community Development Block Grant (CDBG) Program</b> <b>Technical issue</b> 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	<b>Affordable Housing Programs</b> <b>Department's LBR</b> 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). <b>Governor's Recommendation</b> includes a \$12.4 million sweep from the State Housing Trust Fund to the General Revenue Fund.			-	102,400,000	102,400,000



**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
56	6507600	<b>State Housing Initiatives Partnership (SHIP) Program</b> <b>Department's LBR</b> reflects FHFC's request to spend all revenues available in the Local Government Housing Trust Fund for the State Housing Initiatives Partnership (SHIP) Program. <b>Governor's Recommendation</b> 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.			-	153,600,000	153,600,000
57	7000020	<b>Strategic Business Development Litigation - Provide Funding To Contract With Outside Legal Counsel</b> 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.			-	200,000	200,000
59	8000100	<b>Workforce Development Projects</b>			-	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	<b>Quick Response Training (QRT) Program - Maintain Current Funding Level</b> 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.			-	3,000,000	3,000,000
61	8100500	<b>Supplemental Nutrition Assistance Program (SNAP)</b> <b>Department's Amended LBR</b> 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.			-	2,100,000	2,100,000
62	8100900	<b>Reemployment Assistance Additional Resources</b>			-	6,500,000	6,500,000

**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
63	8101100	<b>Workforce State Training Fund</b> 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	<b>Maintenance and Repair</b>			-		
65	080903	<b>Reed Act Projects - Statewide</b> <b>Department's LBR</b> 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. <b>Governor's Recommendation</b> does not include funding for landscaping projects.			-	315,000	315,000
66	<b>Total</b>	<b>ECONOMIC OPPORTUNITY</b>	<b>1,618.50</b>	<b>2,921,410</b>	<b>-</b>	<b>1,160,567,453</b>	<b>1,163,488,863</b>
67							
68		<b>HIGHWAY SAFETY</b>					
69	1100001	<b>Startup (OPERATING)</b>	<b>4,414.00</b>	<b>-</b>	<b>-</b>	<b>421,473,383</b>	<b>421,473,383</b>
70	2000400	<b>Realign Budget Authority to More Accurately Reflect Expenditures - Deduct</b>			-	(138,238)	(138,238)
71	2000410	<b>Realign Budget Authority to More Accurately Reflect Expenditures - Add</b>			-	138,238	138,238
72	2401030	<b>Provide Funding for the Florida Highway Patrol Conducted Electrical Weapon (TASER) Replacement</b> 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	<b>Replacement of Pursuit Vehicles with 100,000 Miles for the Florida Highway Patrol</b> <b>Department's Amended LBR</b> 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. <b>Governor's Recommendation</b> 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	<b>Replacement of Non-Pursuit Vehicles per Department of Management Services Criteria</b> 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	<b>Direct Billing for Administrative Hearings</b> <b>Statewide issue</b> 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	<b>Provide Funding for Digital In-Car Camera System Maintenance</b> 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	<b>Florida Highway Patrol Auxiliary - Uniforms, Equipment and Training</b> Provides nonrecurring state trust fund authority for the FHP Auxiliary, in addition to \$138,238 in the base budget.			-	50,000	50,000

**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
78	3001A00	<b>Establish New Hire Rates for Motorist Services Driver Licenses Examiners and Other Field Office Classes</b> 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	<b>Provide Trooper Overtime Pay</b> 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	<b>Trooper Recruitment and Retention Plan</b> 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	<b>Decreased Workload for Data Center to Support an Agency</b> 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	<b>Provide Increased Funding for Additional License Plate Purchases</b> 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	<b>Motorcycle Safety Education Program</b>			-	300,000	300,000
85	3008300	<b>Provide Funding for the Official Florida Driver's Handbook</b>			-	300,000	300,000
86	36115C0	<b>Motorist Modernization Phase I</b> 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	<b>Maintenance and Repair</b>					
90	080016	<b>Special Projects &amp; Improvements - Administrative Services</b> Provides maintenance and repairs to the Neil Kirkman Building.			-	3,581,500	3,581,500
91	083643	<b>Maintenance, Repairs and Construction - Statewide</b> 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	<b>Total</b>	<b>HIGHWAY SAFETY</b>	<b>4,414.00</b>		<b>-</b>	<b>450,310,969</b>	<b>450,310,969</b>
93							
94		<b>MILITARY AFFAIRS</b>					
95	1100001	<b>Startup (OPERATING)</b>	459.00	18,405,749		43,061,766	61,467,515
96	2000100	<b>Realignment of Expenditures - Deduct</b> 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	<b>Realignment of Expenditures - Add</b> 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

**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
98	24010C0	<b>Information Technology Infrastructure Replacement</b> 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	<b>Additional Equipment - Camp Blanding</b> 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	<b>Additional Equipment - Cooperative Agreement Program Support</b> 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	<b>Decreased Workload for Data Center to Support an Agency</b> 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	<b>Increase National Guard Tuition Assistance</b> Provides additional recurring funding for the Education Dollars for Duty Program for National Guard troops.		200,000		-	200,000
105	4200500	<b>Forward March Program</b> 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	<b>About Face Program</b> 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	<b>Worker Compensation For State Active Duty</b> 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	<b>Minor Repairs To Camp Blanding Structures</b> Provides funding to revitalize facilities that the Camp Blanding Joint Training Center.			-	200,000	200,000
111	990M000	<b>Maintenance And Repair</b>			-	-	-
112	086920	<b>Design/Build-Flagler Armory</b> 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	<b>Ready Centers Revitalization Plan</b> <b>Agency's request</b> provides for funding for the 4 remaining armories on the Armory Renovation Priority List. <b>Senate proposal</b> provides funding for the Wauchula Armory.			-	2,600,000	2,600,000
114	990S000	<b>Special Purpose</b>			-	-	-
115	083643	<b>Maintenance/Repair/Construction-Statewide</b> 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	<b>Federal Grants Trust Fund-Minor Construction</b> Provides budget authority to expend federal grant revenues as they become available throughout the fiscal year.			-	3,500,000	3,500,000
117	<b>Total</b>	<b>MILITARY AFFAIRS</b>	<b>459.00</b>	<b>18,605,509</b>	<b>9,305,338</b>	<b>47,664,176</b>	<b>75,575,023</b>
118							
119		<b>DEPT OF STATE</b>					
120	1100001	<b>Startup (OPERATING)</b>	<b>408.00</b>	<b>52,466,231</b>		<b>29,055,765</b>	<b>81,521,996</b>

**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
127	2401500	<b>Replacement of Motor Vehicles</b> 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	<b>Direct Billing for Administrative Hearings</b> 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	<b>Fund Shift Position From Federal Grants Trust Fund To Grants And Donations Trust Fund - Add</b> 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	<b>Fund Shift Position from Federal Grants Trust Fund to Grants And Donations Trust Fund - Deduct</b> 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	<b>Convert .5 Full Time Equivalent to Full Time Equivalent Positions - Add</b> 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	<b>Convert .5 Full Time Equivalent to Full Time Equivalent Positions - Deduct</b> Conversion of 4 part-time positions (.5 FTE each) to 2 full-time equivalent positions.	(2.00)	-	-	(95,139)	(95,139)
137	30011C0	<b>Decreased Workload for Data Center to Support an Agency</b> 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	<b>Additional Staff for Historical Programs</b> 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	<b>Management Position Reductions - Efficiencies</b> 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	<b>Administrative Code and Weekly Expense Category Reduction</b> Reduces Division of Library & Information Services Expense budget to align with Division's expenses.			-	(34,600)	(34,600)
141	3408300	<b>Transfer to Land Acquisition Trust Fund for Water and Land Conservation Constitutional Amendment</b>		(3,661,271)		(5,501,609)	(9,162,880)
142	3408320	<b>Transfer from General Revenue for Water and Land Conservation Constitutional Amendment</b>				3,661,271	3,661,271
143	3408360	<b>Transfer from Grants and Donations Trust Fund for Water and Land Conservation Constitutional Amendment</b>		645,719		5,501,609	6,147,328

**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
144	3408460	<b>Transfer to General Revenue for Water and Land Conservation Constitutional Amendment</b>				(645,719)	(645,719)
146	4100300	<b>Design Expansion of Archaeological Collection Facility</b> 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	<b>Additional Operating Capital Outlay Budget</b> Requests funding increase to furnish and equip state-managed historical sites.				10,000	10,000
148	4200100	<b>Additional Contracted Services Budget</b> 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	<b>Department Wide Litigation Expenses</b> 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	<b>Tenant Improvement Reimbursement</b> 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	<b>Cultural and Museum Grants (General Program Support)</b> 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	<b>Other Cultural and Museum Grants</b>				-	-
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	<b>Florida Humanities Council</b> 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	<b>Holocaust Documentation and Education Center</b> 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

**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
157	5400000	<b>Cultural (Fine Arts) Endowment Grants</b> 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	<b>Library Cooperative Grant Program</b> 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	<b>Increased Funding for State Aid to Libraries</b> 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	<b>Reimbursements to Counties for Special Elections</b> 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	<b>Cultural Facilities Grants (FCO)</b> 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	<b>Other Cultural Facilities Grants (FCO)</b>					
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	<b>Historic Preservation Grants (Small Matching Grants)</b> 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	<b>Historic Preservation - Acquisition, Restoration (Special Category Grants) (FCO)</b> 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

**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
	990G000	<b>Other Historic Preservation - Acquisition, Restoration (Spec Cat Grants) (FCO)</b>					
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	<b>Library Construction Grants (FCO)</b> 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	<b>Other Library Construction Grants</b>					
166A		<i>East Lake Library Expansion</i>			1,000,000	-	1,000,000
167	<b>Total</b>	<b>DEPT OF STATE</b>	<b>407.00</b>	<b>49,305,513</b>	<b>31,562,230</b>	<b>32,319,240</b>	<b>113,186,983</b>
168							
169		<b>DEPT OF TRANSPORTATION</b>					
170	1100001	<b>Startup (OPERATING)</b>	<b>6,504.00</b>	-	-	<b>736,636,466</b>	<b>736,636,466</b>
171	1803040	<b>Realign Base - Deduct</b> 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	<b>Realign Base - Add</b> 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	<b>Realign Existing Positions between Budget Entities - Deduct</b> 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	<b>Realign Existing Positions between Budget Entities - Add</b> 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	<b>Realign Existing Positions between Program Components Within Same Budget Entity - Deduct</b> 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	<b>Realign Existing Positions between Program Components within same Budget Entity - Add</b> 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	<b>Replacement Equipment for Materials And Testing Laboratories</b> 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	<b>Additional Equipment for The Materials and Testing Laboratories</b> Provides nonrecurring funding for specialized equipment for the State Materials Laboratory in Gainesville. This equipment will analyze pavement drainage capabilities.		-	-	222,000	222,000



**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
179	2503080	<b>Direct Billing for Administrative Hearings</b> 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	<b>Increased Workload for Data Center to Support an Agency</b> Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.			-	-	-
181	30011C0	<b>Decreased Workload for Data Center to Support an Agency</b> 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	<b>Enhanced Traffic Law Enforcement for State Road 93 - Alligator Alley</b> 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	<b>Transportation Disadvantaged Managed Care</b> 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	<b>Management Position Reductions - Efficiencies</b> 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	<b>Vacant Position Reductions</b> Eliminates 50 vacant positions based on organizational efficiencies being implemented by the department.	(50.00)		-	(885,586)	(885,586)
186	33050C0	<b>Construction Material Acceptance Certification - Deduct</b> 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	<b>Transportation Work Program Integration Initiative</b> 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	<b>Contract Funds Management (CFM) System Maintenance</b> 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	<b>Permit Application System</b> 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	<b>Construction Material Acceptance Certification</b> 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	<b>Legal Discovery And Public Records Automation</b> 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	<b>Claims Management Database</b> 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	<b>Geospatial Roadway Data Strategic Framework</b> 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	<b>Econstruction Paperless Workflow Initiative</b> 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	<b>Support For Construction Management</b> 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	<b>Buildings and Grounds - Maintenance and Repair</b> 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	<b>Support for Transportation Disadvantaged</b> 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	<b>Code Corrections:</b>			-	-		
203	080002	<b>Minor Repairs/Improvements - State</b> 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	<b>Environmental Projects:</b>			-	-		

**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	<b>Environmental Site Restoration</b> 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	<b>Support Facilities:</b>			-		
207	080002	<b>Minor Repairs/Improvements -State</b> Provides nonrecurring Fixed Capital Outlay funding for minor repairs and maintenance of DOT district facilities.			-	1,604,258	1,604,258
208	088745	<b>Cocoa Operations Center-Repairs/Renovations/Additions</b> 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	<b>Transportation Work Program</b> 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				<b>9,296,771,503</b>	<b>9,296,771,503</b>
210	080047	<b>Small Infrastructure Bank Loan Repayments</b>			-	10,936,528	10,936,528
211	085575	<b>Small County Resurface Assistance Program</b>			-	50,000,000	50,000,000
212	085576	<b>Small County Outreach Program</b>			-	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	<b>County Transportation Programs</b>			-	61,501,970	61,501,970
214	088703	<b>Bond Guarantee</b>			-	500,000	500,000
215	088704	<b>Transportation Planning Consultants</b>			-	57,111,018	57,111,018
216	088712	<b>Highway Maintenance Contracts</b>			-	482,721,942	482,721,942
217	088716	<b>Intrastate Highway Construction</b>			-	3,469,291,623	3,469,291,623
218	088717	<b>Arterial Highway Construction</b>			-	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	<b>Construction Inspection Consultants</b>			-	498,648,990	498,648,990
220	088719	<b>Aviation Development/Grants</b>			-	348,097,682	348,097,682
221	088774	<b>Public Transit Development/Grants</b> (PROVISO: Additional \$2 million transfer to Transportation Disadvantaged Trust Fund for non-Medicaid client trips)			-	522,048,571	522,048,571
222	088777	<b>Right-Of-Way Land Acquisition</b>			-	626,886,725	626,886,725
223	088790	<b>Seaport - Economic Development</b>			-	15,000,000	15,000,000
224	088791	<b>Seaports Access Program</b>			-	10,000,000	10,000,000
225	088794	<b>Seaport Grants</b>			-	69,421,949	69,421,949
226	088796	<b>Highway Safety Construction/Grants</b>			-	168,349,736	168,349,736
227	088797	<b>Resurfacing</b>			-	657,548,915	657,548,915
228	088799	<b>Bridge Construction</b>			-	242,603,184	242,603,184
229	088807	<b>Seaport Investment Program</b>			-	11,407,044	11,407,044
230	088808	<b>Rail Development/Grants</b>			-	188,892,357	188,892,357
230A		<i>Quiet Zone Improvements Grant Program</i>			-	10,000,000	10,000,000
231	088809	<b>Intermodal Development/Grants</b>			-	46,642,357	46,642,357
232	088810	<b>Contract Maintenance with Department of Corrections</b>			-	19,146,000	19,146,000
233	088849	<b>Preliminary Engineering Consultants</b>			-	843,586,467	843,586,467
234	088850	<b>Highway Beautification Grants</b>			-	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	<b>Right-of-Way Support</b>			-	88,586,079	88,586,079
236	088854	<b>Transport Planning Grants</b>			-	28,292,359	28,292,359
237	088857	<b>Materials And Research</b>			-	13,867,012	13,867,012
238	088864	<b>Bridge Inspection</b>			-	11,742,211	11,742,211
239	088865	<b>Economic Development Transportation Projects - Road Fund</b>			-	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	<b>Traffic Engineering Consultants</b>			-	123,514,713	123,514,713
241	088867	<b>Local Government Reimbursement</b>			-	954,737	954,737
242	088876	<b>Toll Operation Contracts</b>			-	78,675,000	78,675,000
243	088920	<b>Turnpike System Equipment and Development</b>			-	10,240,093	10,240,093
244	088922	<b>Tolls System Equipment and Development</b>			-	32,262,427	32,262,427
245	1100002	<b>Startup Recurring Fixed Capital Outlay (DEBT SERVICE)</b>			-	158,970,996	158,970,996
246	089070	<b>Debt Service (increase)</b>			-	7,443,924	7,443,924
247		<b>Total DEPT OF TRANSPORTATION</b>	<b>6,454.00</b>		<b>-</b>	<b>10,046,946,295</b>	<b>10,046,946,295</b>
248					-		
249		<b>EOG, DIVISION OF EMERGENCY MANAGEMENT</b>			-		
250	1100001	<b>Startup (OPERATING)</b>	<b>157.00</b>		-	<b>65,913,080</b>	<b>65,913,080</b>
251	1100002	<b>Startup Recurring Fixed Capital Outlay: G/A - FCO - Emergency Management Critical Facility Needs</b>			-	<b>3,000,000</b>	<b>3,000,000</b>
252	2000500	<b>Realign Budget Authority to More Accurately Reflect Program Expenditures - Deduct</b> 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.			-	<b>(3,238,798)</b>	<b>(3,238,798)</b>
253	2000600	<b>Realign Budget Authority to More Accurately Reflect Program Expenditures - Add</b> Companion to Issue #2000500 - nets to zero.			-	3,238,798	3,238,798
255	30011C0	<b>Decreased Workload for Data Center to Support an Agency</b> Statewide issue to adjust the department's base budget to align with the projected data center billing for FY 2015-16.			-	<b>(78,310)</b>	<b>(78,310)</b>

**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
257	33G0020	<b>Management Position Reductions - Efficiencies</b> 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	<b>Open Federally Declared Disasters - Funding to Communities</b>		-	-	245,841,018	245,841,018
259	5701500	<b>Open Federally Declared Disasters - State Management Costs</b>		-	-	15,153,881	15,153,881
260	570A040	<b>Continue Other Personal Services to Assist with County Emergency Management Accreditation</b> 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	<b>Additional Trust Fund Spending Authority for Open Emergency Management Performance Grants</b> <b>Governor's Recommendation</b> 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	<b>Purchase of Portable Radiation Detection Equipment</b> 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	<b>Statewide Emergency Alert and Notification System</b> <b>Governor's Recommendation</b> 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><b>Additional Trust Fund Spending Authority for Residential Construction Mitigation</b></p> <p><b>Governor's Recommendation</b> 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><b>Governor has proposed conforming bill language</b> to allow funds to be used for all types of mitigation programs, not just programs to improve wind resistance.</p>			-	-	-
270	<b>Total</b>	<b>GOVERNOR, EXECUTIVE OFFICE</b>	<b>149.00</b>	<b>-</b>	<b>-</b>	<b>330,647,741</b>	<b>330,647,741</b>
271	<b>Grand Total</b>		<b>13,501.50</b>	<b>70,832,432</b>	<b>40,867,568</b>	<b>12,068,455,874</b>	<b>12,180,155,874</b>

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 Pahoee 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
		<b>Transportation and Economic Development</b>			
1		<b>TRAILS.</b> 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		<b>HSMV - EXTENSION OF DRIVER LICENSE EQUIPMENT AND CONSUMABLES CONTRACT</b> 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		<b>SMALL COUNTY ROAD ASSISTANCE (SCRAP) PROGRAM.</b> 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		<b>QUIET ZONES.</b> 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)

# APPEARANCE RECORD

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

3/19/15

Meeting Date

676

Bill Number (if applicable)

Topic Voluntary Contributions/Breast Cancer

Amendment Barcode (if applicable)

Name Kelly Mallette

Job Title \_\_\_\_\_

Address 104 West Jefferson Street  
Street

Phone (850) 224-3427

Tallahassee, FL 32301  
City State Zip

Email Kelly@r/brookpa.com

Speaking:  For  Against  Information

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

Representing Florida Breast Cancer Foundation

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-19-15

Meeting Date

956

Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Richard Pinsky

Job Title \_\_\_\_\_

Address 106 E College Ave. # 1200

Phone \_\_\_\_\_

Street

Tallahassee

FL

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

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

Representing Port of Palm Beach

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/15  
Meeting Date

956  
Bill Number (if applicable)

Topic FREIGHT ZONES

Amendment Barcode (if applicable)

Name MICHAEL RUBIN

Job Title VP GOVT AFFAIRS

Address 502 E JEFFERSON ST

Phone 950-222-8028

City TALL State FL Zip 32301

Email \_\_\_\_\_

Speaking:  For  Against  Information

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

Representing FLORIDA PORTS COUNCIL

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

APPEARANCE RECORD

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

3/19/15

Meeting Date

956

Bill Number (if applicable)

Topic FREIGHT LOGISTICS ZONES

Amendment Barcode (if applicable)

Name NANCY STEPHENS

Job Title EXECUTIVE DIRECTOR

Address 1625 SUMMIT LAKE DR

Phone 850 402 2954

Street

TALLAHASSEE

FL

32317

Email nancy@matmg.com

City

State

Zip

Speaking:  For  Against  Information

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

Representing MANUFACTURERS ASSOCIATION OF FLORIDA

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

3/19/15

*Meeting Date*

956

*Bill Number (if applicable)*

Topic Freight Logistics Zones

*Amendment Barcode (if applicable)*

Name Carolyn Johnson

Job Title Policy Director

Address 136 S Bronough St

Phone 850-521-1235

*Street*

Tallahassee

FL

32301

Email cjohnson@flchamber.com

*City*

*State*

*Zip*

Speaking:  For  Against  Information

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

Representing Florida Chamber of Commerce

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

S-001 (10/14/14)



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

3/19/15

*Meeting Date*

1214

*Bill Number (if applicable)*

Topic Economic Development

*Amendment Barcode (if applicable)*

Name Carolyn Johnson

Job Title Policy Director

Address 136 S Bronough St

Phone 850-521-1235

*Street*

Tallahassee

FL

32301

Email cjohnson@flchamber.com

*City*

*State*

*Zip*

Speaking:  For  Against  Information

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

Representing Florida Chamber of Commerce

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

S-001 (10/14/14)



THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/15

Meeting Date

1214

Bill Number (if applicable)

261448

Amendment Barcode (if applicable)

Topic Economic Development

Name Carolyn Johnson

Job Title Policy Director

Address 136 S Bronough St

Street

Tallahassee

City

FL

State

32301

Zip

Phone 850-521-1235

Email cjohnson@flchamber.com

Speaking:  For  Against  Information

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

Representing Florida Chamber of Commerce

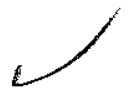
Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

THE FLORIDA SENATE  
**APPEARANCE RECORD**



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

March 19, 2015  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic Senate TED Appropriation - Dem

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name Bryan Koon

Job Title Director

Address 2555 Shumard Oak Blvd

Phone 850-413-9969

Street

Tallahassee  
City

FL  
State

32399  
Zip

Email Bryan.Koon@dem.myflorida.com

Speaking:  For  Against  Information

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

Representing FL Division of Emergency mgmt

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

3.19.15

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

Meeting Date

Bill Number (if applicable)

Topic Regional Planning Councils  
Name Rana Brown funding

Amendment Barcode (if applicable)

Job Title Consultant

Address 18851 NE 29 Ave., STE 1010  
Street  
Aventura FL 33180  
City State Zip

Phone 305 935 1866

Email RANA@RLBOOKPA.COM

Speaking:  For  Against  Information

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

Representing FRCA Florida Regional Councils Assoc.

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

THE FLORIDA SENATE  
**APPEARANCE RECORD**



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

Meeting Date \_\_\_\_\_

Bill Number (if applicable) \_\_\_\_\_

Topic \_\_\_\_\_

Amendment Barcode (if applicable) \_\_\_\_\_

Name Lisa Miller

Job Title Regional Planning

Address Regional Planning  
Street Council  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Speaking:  For  Against  Information

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

Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

# APPEARANCE RECORD

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

3-19-15

Meeting Date

Bill Number (if applicable)

Topic RPC Funding

Amendment Barcode (if applicable)

Name Melissa McKinlay

Job Title Commissioner

Address 301 N. Olive Ave.  
Street

Phone 561 355 2206

WPPB FL 33401  
City State Zip

Email mmckinlay@pbcpv.org

Speaking:  For  Against  Information

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

Representing Palm Beach County

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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

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

# CourtSmart Tag Report

**Room:** SB 301

**Case:**

**Type:**

**Caption:** Appropriations Subcommittee on Transportation, Tourism, and Economic Development **Judge:**

**Started:** 3/19/2015 9:31:27 AM

**Ends:** 3/19/2015 11:25:36 AM

**Length:** 01:54:10

9:31:33 AM Sen. Latvala (Chair)  
9:31:43 AM Roll call  
9:32:00 AM Sen. Latvala  
9:32:26 AM S 676  
9:32:27 AM Sen. Benacquisto  
9:32:51 AM Sen Latvala  
9:33:08 AM Sen. Latvala -waive in support - Kelly Mallette  
9:33:10 AM Sen. Benacquisto waive to close  
9:33:15 AM Roll call  
9:33:38 AM Sen. Latvala - S676 is reported favorably  
9:33:46 AM S 956  
9:33:55 AM Sen. Simpson  
9:34:18 AM Sen. Latvala  
9:34:28 AM Sen. Gibson - what is priority funding? Will there be any input from TPO's?  
9:34:53 AM Sen. Simpson  
9:35:57 AM Sen. Latvala - waiving in support: Richard Pinsky, Port of Palm Beach; Michael Rubin, Vice President, Government Affairs, Florida Ports Council; Nancy Stephens, Executive Director, Manufacturers Association of Florida; and Carolyn Johnson, Policy Director, Florida Chamber of Commerce  
9:36:40 AM Sen. Simpson - waive close on S 956  
9:36:45 AM Roll call  
9:37:06 AM Sen. Latvala - S 956 reported favorably  
9:37:10 AM Sen. Detert - may I be shown voting yes on S 676  
9:37:14 AM Sen. Latvala  
9:37:19 AM CS/SB 1246  
9:37:35 AM Sen. Detert  
9:38:50 AM Amendment Barcode 119544  
9:38:57 AM Sen. Latvala  
9:38:59 AM Sen. Detert  
9:39:08 AM Sen. Latvala - this is one of the bills on the joint Senate/House presiding officers work plan, isn't it  
9:39:26 AM Sen. Latvala  
9:39:31 AM Substitute Amendment Barcode 565830  
9:39:43 AM Sen. Detert  
9:39:58 AM Sen. Latvala - amendment adopted; we are back on the bill  
9:40:36 AM Sen. Detert - close  
9:41:11 AM Roll call  
9:41:26 AM Sen. Latvala - CS/SB 1246 will be reported favorably as a committee substitute; allows staff to make technical changes  
9:41:39 AM Sen. Clemens (Chair)  
9:41:47 AM SB 1214  
9:41:52 AM Sen. Latvala  
9:48:12 AM Sen. Clemens (Chair) bill is technical changes?  
9:48:16 AM Sen. Latvala - more than technical changes  
9:48:26 AM Amendment Barcode 261448  
9:48:34 AM Sen. Latvala  
9:52:41 AM Sen. Clemens  
9:53:00 AM Carolyn Johnson, Policy Director, Florida Chamber of Commerce; \$50 million cap might be too small  
9:54:07 AM Sen. Clemens  
9:54:14 AM Sen. Detert - \$85 million in an escrow account; is it a true escrow account not a trust fund and will there be competitive bidding on the part of the banks  
9:54:58 AM Sen. Latvala - a trust fund within the State Treasury  
9:56:08 AM Sen. Detert - It is in a trust fund, what prevents us from raiding it  
9:56:25 AM Sen. Latvala - it has already been appropriated

**9:56:34 AM** Sen. Hukill - the 50 million, is an aggregate for the numerated programs in the amendment

**9:56:49 AM** Sen. Latvala - yes

**9:56:50 AM** Sen. Hukill - but it doesn't include all the programs

**9:56:55 AM** Sen. Latvala - it's the tool kit programs

**9:57:16 AM** Sen. Hukill - you are not saying each program gets so much; all together in the aggregate gets \$50 million

**9:57:37 AM** Sen. Latvala - no, you would have to use it within the program it was originally granted; cap is on the total annually; last 6 - 8 years we have spent less than \$50 million

**9:58:16 AM** Sen. Clemens - so there is on individual cap on the individual sections of the program; just a cap on all of them combined

**9:58:30 AM** Sen. Sachs - money in escrow; earn interest; transfer into banks?

**9:59:02 AM** Sen. Latvala - there are a couple of funds in the State Treasury has, they are existing investment vehicles and we currently invest our money in, in the treasury to keep them secure

**9:59:42 AM** Sen. Sachs - in that existing program we will be able to have the money work for us; the next appointed director will be subject to Senate confirmation, has this always been the case?

**10:00:14 AM** Sen. Latvala - no, the director has not been subject to Senate confirmation, some believe that since there is some private money it is not a state agency; a vast majority of money that flows through Enterprise Florida is tax payer money

**10:01:17 AM** Sen. Clemens

**10:01:25 AM** Sen. Gibson - the interest could be used for branding, as well as projects; is there a percentage designated for branding, then the remainder for additional procuring process

**10:01:55 AM** Sen. Latvala - this amendment does not establish any of these particulars; that has to be established in the budget; we have a category for branding

**10:02:41 AM** Sen. Clemens

**10:02:45 AM** Sen. Gibson - I want to make sure the branding money doesn't outweigh the project money

**10:03:17 AM** Sen. Clemens - no objections the amendment is adopted

**10:03:27 AM** Sen. Clemens - back on the main bill

**10:03:33 AM** Sen. Hukill - what line is the branding language is on?

**10:03:36 AM** Sen. Latvala - when I do the budget I'll have them look that up

**10:03:48 AM** Sen. Clemens

**10:03:53 AM** Sen. Detert - the head of EFI is listed as the Secretary of Commerce; that is more a title; if we remove the title - do you still need Senate approval? How much tweaking of Public/Private partnerships are we going to do?

**10:05:09 AM** Sen. Latvala - the title of Secretary of Commerce is statutorily applied; when the private contributions are higher than the public we look at that, they are not

**10:06:49 AM** Sen. Clemens

**10:06:59 AM** Sen. Detert - is it right to change the ratio when the formula for return on investment has been criticized?

**10:08:06 AM** Sen. Latvala - this bill makes a change in calculating that, we are including everything in the states investment to get to that return

**10:09:07 AM** Sen. Clemens

**10:09:11 AM** Sen. Detert - I'm concerned fewer people will qualify for anything under that formula

**10:09:19 AM** Sen. Latvala - we do have the provisions for the continuing waiver of some of those factors

**10:09:36 AM** Sen. Clemens - public testimony in support

**10:09:43 AM** Carolyn Johnson - Policy Director, Florida Chamber of Commerce - waives in support

**10:09:50 AM** Sen. Clemens

**10:10:10 AM** Sen. Latvala - correction - credit for the escrow on the bill, was worked on by our staff and the House staff before I was named Chair of the committee

**10:10:48 AM** Sen. Latvala - closes

**10:11:26 AM** roll call on SB 1214

**10:11:53 AM** Sen. Clemens - passes unanimously, Sen. Latvala moves without objection to allow staff to make technical changes

**10:12:03 AM** Sen. Latvala (Chair) - spreadsheet; make some changes

**10:13:06 AM** Sen. Latvala - add under the DOT Economic Development Transportation list; Southwest Ranches guardrail installation for \$362,250.00; page 17 line 239; to pay, line 239N reduce to \$2.5 million

**10:14:09 AM** Sen. Latvala - on the Economic Development list

**10:14:24 AM** Kristin Gusky - page 4 line 43

**10:14:28 AM** Sen. Latvala - we are going to add \$500,000 for the Commander Ralph Middleton Monroe Reed Stadium in Miami

**10:15:08 AM** Sen. Latvala - add City of Miami, EB5 Regional Center for \$500,000

**10:15:22 AM** Sen. Latvala - what other projects

**10:15:51 AM** Sen. Sachs - expand the Ft Lauderdale International airport, terminal 4

**10:17:16 AM** Sen. Latvala - line 239, place holder for that project \$1 million for that project

**10:17:31 AM** Sen. Sachs - Ft. Lauderdale Rapid Rehousing Project

**10:17:57 AM** Sen. Latvala - in the Economic Development section where is the Beacon Street Ministries Homeless



program; page 5 line 52; replace with the Ft. Lauderdale Rapid Housing for \$800,00

- 10:18:41 AM** Sen. Sachs
- 10:18:43 AM** Sen. Latvala - I know you are speechless at my unselfishness
- 10:18:45 AM** Sen. Sachs - I do want the record to reflect that
- 10:19:04 AM** Sen. Detert - expansion of research, technology and science innovation infrastructure at Moat Marine
- 10:19:34 AM** Sen. Latvala - what would the amount be
- 10:19:37 AM** Sen. Detert - this one is for \$1.9 million
- 10:19:48 AM** Sen. Latvala - Kristine, what category would this go in?
- 10:19:55 AM** Kristin Gusky - probably housing and community development, its infrastructure
- 10:20:00 AM** Sen. Latvala - do we have a million dollars in that account?
- 10:20:33 AM** Sen. Thompson - I'm requesting \$200,000 for the High Speed Bandwidth Project in Winter Garden - it would attract more business
- 10:20:54 AM** Sen. Latvala - \$200,000 without objection
- 10:21:04 AM** Sen. Hukill - \$175,000 for a Surf Museum in New Smyrna
- 10:21:23 AM** Sen. Latvala - a museum is general revenue, put that on the list for general revenue
- 10:22:26 AM** Sen. Diaz de la Portilla - Viscaya is \$10 million, so we will take a place holder of \$1 million
- 10:22:38 AM** Sen. Latvala - what is the request for Deering
- 10:22:40 AM** Sen. Diaz de la Portilla - the request for Deering was \$10 million, \$5 million
- 10:22:50 AM** Sen. Latvala - with your concurrence, Viscaya - \$250,000; Deering - \$200,000; and Sen. Hukill's museum - \$175,000
- 10:23:30 AM** Sen. Diaz de la Portilla - and I concur with that
- 10:23:47 AM** Sen. Gibson - I don't remember us discussing increased aid to libraries on line 160
- 10:24:05 AM** Sen. Latvala - that was an allocation we were given from the chair of the committee; we are hopeful, these lists will get an increase like last year
- 10:24:34 AM** Sen. Gibson - certainly if there is a few dollars left, the Cecil Space Port would like a little
- 10:24:43 AM** Sen. Latvala - they are on there for \$2 million or \$2.5 million?
- 10:24:44 AM** Sen. Gibson - only \$2 million; the small \$25,000 bump on the EFI
- 10:25:09 AM** Sen. Latvala - wasn't that what you requested? It was \$50, without objection we will change that to \$50 million
- 10:25:19 AM** Sen. Thompson
- 10:25:46 AM** Sen. Latvala - how about a 100 just to put it on the list; it has been demonstrated to me how hard it is to get from Tallahassee to anywhere in the state
- 10:28:56 AM** Sen. Clemens - would we include some proviso language that they have to run some nonstop flights from South Florida to Tallahassee
- 10:29:06 AM** Sen. Latvala - this money is not going to the airlines
- 10:29:06 AM** Sen. Clemens
- 10:29:12 AM** Sen. Latvala - there is a bill floating around on a tax credit that airlines get for jobs
- 10:29:51 AM** Sen. Clemens - the more people we can move to and from Florida the better off we are going to be in terms of economic development and tourism
- 10:30:04 AM** Sen. Brandes - this is essentially a block grant to these two schools
- 10:30:10 AM** Sen. Latvala - it is still in development
- 10:30:12 AM** Sen. Brandes - a pilot loan program for individuals that fly for airlines that just service Florida
- 10:31:13 AM** Sen. Latvala - go ahead and put the line item in, as we get to conferences, flush that out
- 10:32:27 AM** Sen. Detert - did these 2 universities ask for money? Why should we design a program, shouldn't they design the program and come to us for the money?
- 10:33:32 AM** Sen. Latvala - It has been developed by the industry, it's been brought to us recently, I'm asking the committee to let us try this; get a place holder to allow us
- 10:35:23 AM** Sen. Sachs - we cannot develop as a state with not being able to get to the state capital; an investment into pilots, this is creating jobs, careers; this is the way to go
- 10:36:38 AM** Sen. Latvala
- 10:36:41 AM** Sen. Hukill - the problem with intra-travel is more than just pilots; you have infrastructure, usage, can communities support it
- 10:37:11 AM** Sen. Latvala - propose the staff work on this item along the lines Sen. Brandes' suggestion, reach out to these institutions; set aside \$1 million ; Sen. Hukill and Sen. Detert work with staff
- 10:39:03 AM** Bryan Koon, Director, Florida Division of Emergency Management
- 10:40:05 AM** Sen. Clemens - any questions about the mitigation part of the program
- 10:40:19 AM** Sen. Hukill - 4 million to spend down how much?
- 10:40:22 AM** B. Koon
- 10:40:43 AM** Sen. Hukill - authorization for 4 million to spend 4 million
- 10:40:45 AM** B. Koon
- 10:40:56 AM** Sen. Clemens
- 10:40:59 AM** Sen. Hukill - how much is spent to increase the awareness of the program and how much is left to spend

on the program?

**10:41:12 AM** B. Koon

**10:41:33 AM** Sen. Hukill - how do you increase the awareness of the program?

**10:41:41 AM** B. Koon

**10:42:17 AM** Sen. Hukill - does anyone know why people are not using it, I guess you are assuming they are not aware of it

**10:42:22 AM** B. Koon

**10:42:58 AM** Sen. Gibson - the committee needs a written proposal to make sure it's going to happen

**10:44:05 AM** Sen. Koon

**10:44:20 AM** Sen. Sachs - status quo has not worked; be more efficient with the money we already have in it; what means of communication didn't work and what do you plan to make it better

**10:45:41 AM** B. Koon - we can change the percentage go the money that goes toward the recipient vs the total amount we do on the marketing outreach effort

**10:46:11 AM** Sen. Sachs - that is absolutely vital; the more efficient use of money for communication the more we have to spend on the actual work we need to do

**10:46:34 AM** B. Koon

**10:47:02 AM** Sen. Thompson - people need to know that Florida has a wind mitigation program, what do you propose going forward to make people aware that the money is there, that they need and could use

**10:47:37 AM** B. Koon

**10:48:26 AM** Sen. Thompson - will you be able to use the money you have now to focus on the awareness piece

**10:48:34 AM** B. Koon

**10:48:51 AM** Sen. Hukill - it's not difficult to do town halls; cities are generally eager to do town halls to inform their citizens of programs

**10:49:35 AM** B. Koon

**10:50:11 AM** Sen. Hukill - financial information to the locals

**10:50:19 AM** B. Koon - financial information is required

**10:50:27 AM** Sen. Gibson - do you have a list of non-profit entities that have the capacity to do mitigation

**10:50:48 AM** B. Koon

**10:51:15 AM** Sen. Clemens - mitigation is one of the best ways to reduce wind insurance rates in Florida; the disconnect here is letting people know about the program; is there any objection to moving forward with the appropriation, no objections

**10:51:44 AM** Sen. Clemens - next issue - Community Rating System and Notification System

**10:51:50 AM** B. Koon

**10:53:43 AM** Sen. Clemens - line 266 of the budget

**10:53:46 AM** Sen. Brandes - these are federal funds?

**10:53:47 AM** B. Koon - that is correct, it's from the Emergency Management Performance Fund

**10:53:50 AM** Sen. Brandes - we will get a \$47 million benefit?

**10:53:56 AM** B. Koon - community rating system; there are other states that have done statewide notification systems

**10:54:32 AM** Sen. Sachs - how is this program going to notify every Floridian there is a storm coming

**10:54:54 AM** B. Koon

**10:56:22 AM** Sen. Sachs - when will this program be up and running

**10:56:25 AM** B. Koon - between now and the next Legislative session

**10:56:58 AM** Sen. Hukill - this is very different from what I heard two days ago, could you clarify

**10:57:39 AM** B. Koon - this system will evolve over time

**10:59:09 AM** Sen. Hukill - is your emergency management contact the person designated by the county

**10:59:13 AM** B. Koon

**10:59:32 AM** Sen. Hukill - it's been provided, in the past, the person designated for contact for you in a specific county, can you give that to us?

**10:59:49 AM** B. Koon

**11:00:11 AM** Sen. Hukill - in a perfect world, everyone would be on one system

**11:00:18 AM** B. Koon - a system of systems

**11:00:46 AM** Sen. Clemens - are you familiar with a new feature FEMA issued this week dealing with a climate change and requesting or demanding states to have a climate change plan before they issue some preparedness money

**11:01:18 AM** Sen. Clemens - is it going to effect this money

**11:01:19 AM** B. Koon - it will not; that refers a state's hazard mitigation plan

**11:03:06 AM** Sen. Latvala - one more issue; each year this committee has made an appropriation for the Regional Planning Council, each year it has been vetoed; unless someone can demonstrate that it's not going to get vetoed, why should we include the appropriation; anyone in the audience that would like to defend this appropriation

**11:05:06 AM** Rana Brown, Consultant, Florida Regional Councils Association

**11:06:16 AM** Sen. Diaz de la Portilla - I think we should put some amount as a place holder

**11:07:19 AM** Sen. Clemens - I concur with Sen. Diaz de la Portilla; I suggest \$200,000 as a place holder

**11:08:01 AM** Sen. Latvala

**11:08:06 AM** Lisa Miller, Regional Planning Council  
**11:09:23 AM** Sen. Detert - they need to reach out to us; there has been a lack of communication; speak to the bill sponsor  
**11:10:14 AM** L. Miller  
**11:10:41 AM** Sen. Latvala  
**11:10:54 AM** Melissa McKinley, Commissioner, Palm Beach County; Treasure Coast Regional Planning Council  
**11:11:53 AM** Sen. Latvala - any questions  
**11:11:56 AM** Sen. Latvala - if have a suggestion by Sen. Clemens to put a place holder in, to keep this alive; is there any objection to including a place holder for the funding of FRCA  
**11:12:22 AM** Sen. Detert - just wonder if we have to put a dollar amount  
**11:12:29 AM** Sen. Latvala - \$200,000; we will ask the staff to do that  
**11:12:49 AM** Sen. Clemens - motion to let staff make technical changes, once we finish our work here today  
**11:12:58 AM** Sen. Latvala - without objection it's adopted;  
**11:13:05 AM** Sen. Clemens  
**11:13:12 AM** Sen. Latvala - proposed proviso language  
**11:14:05 AM** Kristin Gusk - we will make sure the proviso is included where we noted it before  
**11:14:15 AM** Sen. Detert - last year, we had money for Medical Tourism that was in the budget and approved and the bill didn't pass we won't see that will we  
**11:14:38 AM** Sen. Latvala - that is why I'm bringing it up  
**11:15:29 AM** Sen. Brandes - could staff explain to us what we did with SHIP/SAIL proviso  
**11:15:36 AM** Sen. Latvala - I can explain how we split the money, then staff can explain the proviso  
**11:16:21 AM** Phillip Miller  
**11:17:20 AM** Sen. Latvala - there is one potentially controversial item I did put in this budget in the proviso language and it deals with Space Florida; Shiloh, new launch pad; is a green space and the Federal Government is doing an environmental assessment on it; when it is completed, our proviso language provides that it be submitted to our Department of Environmental Protection, so our regulators can look at it  
**11:19:12 AM** Sen. Hukill - they really should look at it; it is disturbed land  
**11:19:47 AM** Sen. Latvala - I have consulted with Sen. Altman, who is chairman of our Space Committee, who, I believe, agrees this is an area that needs a hard look; is there any objection  
**11:20:44 AM** Sen. Latvala - there is seed money for CRA's dealing with sink holes; Sen. Simpson has a bill to allow local communities to set up community redevelopment agencies; \$2 million  
**11:22:04 AM** Phillip Miller - an issue that relates to the constitutional amendment to the land acquisition trust fund, they transfer to both our Department of State and Department of Transportation, the language will be contingent on passage of those bills  
**11:22:37 AM** Sen. Detert - page 4 - 2172, Special Categories; Does this mean we are setting aside money to defend our side in a bankruptcy or what is the meaning of that paragraph  
**11:23:05 AM** P. Miller - yes, that is related to the bankruptcy litigation and consul will represent the State of Florida interests  
**11:23:15 AM** Sen. Detert - I thought that was taken care of last year  
**11:23:20 AM** Sen. Latvala - the film incentives that were set aside for digital domain were vacated and went back to the state; litigation is on going  
**11:23:45 AM** Sen. Latvala - any questions; then I recognize Sen. Clemens for the other motion  
**11:23:55 AM** Sen. Clemens - I move to accept the subcommittees proposal for Appropriations Subcommittee on Transportation, tourism and Economic Development budget, proviso language, conforming bill and implementing bill provisions  
**11:24:06 AM** Sen. Latvala - any objections; adopted  
**11:24:20 AM** Sen. Clemens - I move to forward our budget recommendations to the full Appropriations Committee  
**11:24:24 AM** Sen. Latvala - any objections; without objection that is adopted  
**11:24:29 AM** Sen. Latvala - closing remarks  
**11:25:28 AM** Sen. Thompson moves we rise