

1                   A bill to be entitled  
2           An act relating to economic development;  
3           authorizing the Secretary of State to appoint  
4           Florida international notaries; providing  
5           definitions; providing rulemaking authority;  
6           authorizing the use of authentication methods  
7           by international notaries; providing for effect  
8           of acts of international notaries; amending s.  
9           114, chapter 96-320, Laws of Florida; revising  
10          the definition of "matching private funds";  
11          amending s. 14.2015, F.S.; removing redundant  
12          language; removing provisions allowing the  
13          Office of Tourism, Trade, and Economic  
14          Development to contract and use a percentage of  
15          appropriated funds for administrative purposes;  
16          authorizing the office to enter into certain  
17          contract in connection with filfilling certain  
18          duties; requiring the office to adopt certain  
19          rules; amending s. 15.182, F.S.; requiring  
20          certain state-funded musical, cultural, or  
21          artistic organizations to notify the Department  
22          of State of their international travel plans;  
23          directing the department, in conjunction with  
24          Enterprise Florida, Inc., to act as an  
25          intermediary between such organizations and  
26          Florida businesses; requiring the Department of  
27          Lottery to determine the feasibility of  
28          marketing the Florida Lottery internationally;  
29          amending s. 48.194, F.S.; specifying that  
30          service of process on persons outside the  
31          United States may be required to comply with a

1 certain international convention; authorizing  
2 the Office of Tourism, Trade, and Economic  
3 Development to establish a pilot matching grant  
4 program for the provision of job-training  
5 grants; requiring the office to establish  
6 guidelines for the program; limiting the use of  
7 grant funds; requiring a grant agreement and a  
8 report on program results; specifying that the  
9 same proposal may not provide the basis for the  
10 award of training under this pilot training  
11 program and the Quick Response Training  
12 Program; creating s. 110.191, F.S.; providing  
13 for state employee leasing under certain  
14 circumstances; providing criteria; providing  
15 requirements; providing limitations relating to  
16 certain positions; amending s. 110.205, F.S.;  
17 specifying positions leased under a state  
18 employee lease agreement as exempt from career  
19 service provisions; amending s. 288.012, F.S.;  
20 providing legislative intent; requiring the  
21 Office of Tourism, Trade, and Economic  
22 Development to develop a plan for State of  
23 Florida foreign offices; requiring each foreign  
24 office to have an operational plan; amending s.  
25 288.047, F.S.; proscribing certain uses of  
26 funds for the Quick-Response Training Program;  
27 amending s. 288.063, F.S.; proscribing certain  
28 uses of funds for contracts for economic  
29 development transportation projects; amending  
30 s. 288.1045, F.S.; proscribing certain uses of  
31 funds for the qualified defense contractor tax

1 refund program; prohibiting the expenditure of  
2 certain funds for business relocation;  
3 providing for certain prorated tax refunds;  
4 amending s. 288.106, F.S.; proscribing certain  
5 uses of funds for the tax refund program for  
6 qualified target industry businesses; amending  
7 s. 288.772, F.S.; revising the definition of  
8 the term "board" with respect to the Florida  
9 Export Finance Corporation; amending s.  
10 288.775, F.S.; requiring the board of the  
11 Florida Export Finance Corporation to create  
12 the Florida Export Finance Corporation  
13 guarantee account; amending s. 288.776, F.S.;  
14 revising the membership of the board of the  
15 Florida Export Finance Corporation; providing  
16 for appointment of members to the board;  
17 amending s. 288.777, F.S.; revising provisions  
18 relating to the appointment of a president for  
19 the Florida Export Finance Corporation;  
20 directing the board of the corporation to  
21 appoint such president; amending s. 288.7771,  
22 F.S.; revising the deadline for submitting an  
23 annual report for the Florida Export Finance  
24 Corporation; amending s. 288.816, F.S.;  
25 revising the responsibilities of the Secretary  
26 of State with respect to intergovernmental  
27 relations; requiring law enforcement agencies  
28 to inform the Department of State about the  
29 arrest or incarceration of foreign citizens;  
30 requiring the secretary to report to the  
31 Legislature on actions taken to inform law

1 enforcement agencies on proper procedures  
 2 relating to such arrest or incarceration;  
 3 amending s. 288.8175, F.S.; authorizing the  
 4 Florida linkage institutes to accept and  
 5 administer funds from the Department of State  
 6 for research and development of international  
 7 trade; amending s. 288.901, F.S.; authorizing  
 8 Enterprise Florida, Inc., to hire certain  
 9 persons under a lease agreement program of the  
 10 Department of Management Services; amending s.  
 11 288.9015, F.S.; requiring Enterprise Florida,  
 12 Inc., to prepare a guide and checklist for  
 13 starting and operating a business in Florida;  
 14 amending s. 288.903, F.S.; requiring the  
 15 president of Enterprise Florida, Inc., to  
 16 coordinate Enterprise Florida, Inc., activities  
 17 with respect to participants in the WAGES  
 18 Program; amending s. 288.905, F.S.; revising  
 19 requirements for the strategic plan prepared by  
 20 Enterprise Florida, Inc.; providing for  
 21 modifications and updates to the strategic  
 22 plan; requiring specific issues to be included  
 23 in the strategic plan; requiring the  
 24 development of measurable objectives and  
 25 performance outcomes; providing limitations on  
 26 pay raises or bonuses for certain persons under  
 27 certain circumstances; amending s. 288.906,  
 28 F.S.; revising requirements for the annual  
 29 report by Enterprise Florida, Inc.; requiring  
 30 specific evaluations and assessments to be  
 31 included in the annual report; requiring an

1 annual compliance and financial audit; creating  
2 s. 288.9415, F.S.; authorizing the Office of  
3 Tourism, Trade, and Economic Development to  
4 administer funds for international trade  
5 promotion grants; providing application  
6 criteria for such grants; directing the  
7 International Trade and Economic Development  
8 Board of Enterprise Florida, Inc., to review  
9 such grant applications and make  
10 recommendations to the Office of Tourism,  
11 Trade, and Economic Development; authorizing  
12 the Office of Tourism, Trade, and Economic  
13 Development to establish a targeted market  
14 pilot grant program to provide funding designed  
15 to match Florida businesses with international  
16 trade opportunities; providing application  
17 procedures and criteria; authorizing the Office  
18 of Tourism, Trade, and Economic Development to  
19 contract with the Enterprise Florida Capital  
20 Development Board to take actions for the  
21 development of microenterprises; requiring the  
22 office to adopt guidelines to administer the  
23 microenterprise development program; requiring  
24 the office to establish criteria for  
25 competitive evaluation of funding applications  
26 and program performance measures; amending s.  
27 290.0411, F.S.; revising the legislative intent  
28 for the Florida Small Cities Community  
29 Development Block Grant Program Act to include  
30 pledging public money to guarantee loans;  
31 amending s. 290.044, F.S.; expanding

1 administration of the Florida Small Cities  
2 Community Development Block Grant Program Fund  
3 to include loan guarantees; conforming  
4 provisions; creating s. 290.0455, F.S.;  
5 creating the Small Cities Community Development  
6 Block Grant Loan Guarantee Program; providing  
7 for the purpose, administration, and conditions  
8 of the program; authorizing the Department of  
9 Community Affairs to pledge revenues from the  
10 community development block grant program in  
11 order to guarantee certain loans; amending s.  
12 290.047, F.S.; exempting the loan guarantee  
13 program authorized under s. 290.0455, F.S.,  
14 from certain grant ceiling requirements;  
15 providing for grant ceilings under the  
16 Community Development Block Grant Program to be  
17 reduced based on defaults on guaranteed loans;  
18 amending s. 290.048, F.S.; authorizing the  
19 Department of Community Affairs to pledge  
20 community development block grant revenues to  
21 guarantee certain notes or obligations;  
22 amending s. 311.07, F.S.; providing for grant  
23 funding for certain seaport intermodal access  
24 projects; amending s. 311.11, F.S.; providing  
25 that the Seaport Employment Training Grant  
26 Program shall grant funds for the purpose of  
27 stimulating and supporting seaport training and  
28 employment programs; amending s. 320.20, F.S.;  
29 requiring the deposit of a certain amount of  
30 funds into the State Transportation Trust Fund  
31 for purposes of funding the Florida Seaport

1           Transportation and Economic Development Program  
2           and certain seaport intermodal access projects;  
3           specifying uses and allocations of such funds;  
4           creating s. 337.023, F.S.; authorizing the  
5           Department of Transportation, when selling a  
6           building, to accept the construction of a  
7           replacement building totally or partially in  
8           lieu of cash; providing for review and approval  
9           of such action; amending s. 380.06, F.S.;  
10          requiring local government comprehensive plan  
11          amendments related to a proposed development of  
12          regional impact to be considered concurrently  
13          with the application for development approval;  
14          amending s. 455.213, F.S.; authorizing the  
15          Department of Business and Professional  
16          Regulation to appoint the county tax collector  
17          as an agent of the department for purposes of  
18          accepting applications for licenses or renewals  
19          of licenses; amending s. 455.2141, F.S.;  
20          authorizing the Agency for Health Care  
21          Administration to appoint the county tax  
22          collector as an agent of the agency for  
23          purposes of accepting applications for licenses  
24          or renewals of licenses; authorizing the  
25          Department of State and the Department of Labor  
26          and Employment Security to appoint the county  
27          tax collector as an agent of the department for  
28          purposes of accepting applications for licenses  
29          or similar registrations, or renewals of  
30          licenses or similar registrations; amending s.  
31          624.426, F.S.; exempting certain U.S. Customs

1 surety bonds from the resident agent and  
2 counter-signature law; creating a tax refund  
3 program for hiring certain school-aged  
4 employees; providing for administration by the  
5 Office of Tourism, Trade, and Economic  
6 Development; providing definitions; providing  
7 for employment/tax refund agreements; providing  
8 penalties for fraudulent claims for refunds;  
9 providing for future repeal; repealing s.  
10 14.2015(7), F.S., relating to authorization for  
11 the Office of Tourism, Trade, and Economic  
12 Development to contract for assistance in  
13 administering certain programs and functions;  
14 repealing ss. 118.01, 118.02, 118.03, 118.04,  
15 F.S., relating to commissioners of deeds;  
16 providing appropriations for programs contained  
17 in this act; providing severability; providing  
18 for application; providing an incentive to  
19 facilitate increased employment in Florida's  
20 boat motor and vessel manufacturing industry;  
21 providing for application; providing an  
22 effective date.

23

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

25

26 Section 1. (1) As used in this section, the term:  
27 (a) "Authentication instrument" means an instrument  
28 executed by a Florida international notary referencing this  
29 section, which includes the particulars and capacities to act  
30 of transacting parties, a confirmation of the full text of the  
31 instrument, the signatures of the parties or legal equivalent



1 thereof, and the signature and seal of a Florida international  
2 notary as prescribed by the Florida Secretary of State for use  
3 in a jurisdiction outside the borders of the United States.

4 (b) "Florida international notary" means a person who  
5 is admitted to the practice of law in this state, who has  
6 practiced law for at least 5 years, and who is appointed by  
7 the Secretary of State as a Florida international notary.

8 (c) "Protocol" means a registry maintained by a  
9 Florida international notary in which the acts of the Florida  
10 international notary are archived.

11 (2) The Secretary of State shall have the power to  
12 appoint Florida international notaries and administer this  
13 section.

14 (3) A Florida international notary is authorized to  
15 issue authentication instruments for use in non-United States  
16 jurisdictions.

17 (4) The authentication instruments of a Florida  
18 international notary shall not be considered authentication  
19 instruments within the borders of the United States and shall  
20 have no consequences or effects as authentication instruments  
21 in the United States.

22 (5) The authentication instruments of a Florida  
23 international notary shall be recorded in the Florida  
24 international notary's protocol in a manner prescribed by the  
25 Secretary of State.

26 (6) The Secretary of State may adopt rules  
27 prescribing:

28 (a) The form and content of signatures and seals or  
29 their legal equivalents for authentication instruments.

30 (b) Procedures for the permanent archiving of  
31 authentication instruments.

1       (c) The charging of reasonable fees to be retained by  
2 the Secretary of State for the purpose of administering this  
3 section.

4       (d) Educational requirements and procedures for  
5 testing applicants' knowledge of the effects and consequences  
6 associated with authentication instruments in jurisdictions  
7 outside the United States.

8       (e) Procedures for the disciplining of Florida  
9 international notaries, including the suspension and  
10 revocation of appointments for misrepresentation or fraud  
11 regarding the Florida international notary's authority, the  
12 effect of the Florida international notary's authentication  
13 instruments, or the identities or acts of the parties to a  
14 transaction.

15       (f) Other matters necessary for administering this  
16 section.

17       (7) The Secretary of State shall not regulate,  
18 discipline or attempt to discipline, or establish any  
19 educational requirements for any Florida international notary  
20 for, or with regard to, any action or conduct that would  
21 constitute the practice of law in this state. The Secretary of  
22 State shall not establish as a prerequisite to the appointment  
23 of a Florida international notary any test containing any  
24 question that inquires of the applicant's knowledge regarding  
25 the practice of law in the United States.

26       (8) This section shall not be construed as abrogating  
27 the provisions of any other act relating to notaries public,  
28 attorneys, or the practice of law in this state.

29       Section 2. Subsection (3) of section 114 of chapter  
30 96-320, Laws of Florida, is amended to read:

31       Section 114.

1           (3)(a) For the purposes of this section, matching  
2 private funds include a conveyance of property, ~~employee wages~~  
3 ~~paid during training~~, or payment or distribution of cash,  
4 property, or anything of value, including contributions  
5 in-kind having an attributable monetary value in any form,  
6 made in response to a solicitation by Enterprise Florida,  
7 Inc., and used exclusively by Enterprise Florida, Inc., in its  
8 operations or programs. Contributions in-kind include, but  
9 are not limited to, goods or services rendered. The cost of  
10 the contribution shall be the reasonable cost to the sponsor  
11 of the goods or services.

12           (b) Matching private funds do not include any payment,  
13 distribution, or conveyance made by any entity to qualify for  
14 any Enterprise Florida, Inc., state, or local incentive, grant  
15 or loan program, or any funds received by Enterprise Florida,  
16 Inc., pursuant to a grant or contract.

17           Section 3. Subsection (2) of section 14.2015, Florida  
18 Statutes, 1996 Supplement, is amended to read:

19           14.2015 Office of Tourism, Trade, and Economic  
20 Development; creation; powers and duties.--

21           (2) The purpose of the Office of Tourism, Trade, and  
22 Economic Development is to assist the Governor in working with  
23 the Legislature, state agencies, business leaders, and  
24 economic development professionals to formulate and implement  
25 coherent and consistent policies and strategies designed to  
26 provide economic opportunities for all Floridians. To  
27 accomplish such purposes, the Office of Tourism, Trade, and  
28 Economic Development shall:

29           ~~(a) Contract, notwithstanding the provisions of part I~~  
30 ~~of chapter 287, with Enterprise Florida, Inc., to guide,~~  
31

1 ~~stimulate, and promote the economic and trade development of~~  
2 ~~the state.~~

3 ~~(b) Contract with the Florida Commission on Tourism to~~  
4 ~~guide, stimulate, and promote the travel and leisure~~  
5 ~~development of the state.~~

6 (a)~~(e)~~ Contract, notwithstanding the provisions of  
7 part I of chapter 287, with the direct-support organization  
8 created under s. 288.1228, or a designated Florida  
9 not-for-profit corporation whose board members have had prior  
10 experience in promoting, throughout the state, the economic  
11 development of the Florida motion picture, television, radio,  
12 video, recording, and entertainment industries, to guide,  
13 stimulate, and promote the entertainment industry in the  
14 state.

15 (b)~~(d)~~ Contract, notwithstanding the provisions of  
16 part I of chapter 287, with the direct-support organization  
17 created under s. 288.1229 to guide, stimulate, and promote the  
18 sports industry in the state.

19 (c)~~(e)~~ Monitor the activities of public-private  
20 partnerships and state agencies in order to avoid duplication  
21 and promote coordinated and consistent implementation of  
22 programs in areas including, but not limited to, tourism;  
23 international trade and investment; business recruitment,  
24 creation, retention, and expansion; minority and small  
25 business development; and rural community development.

26 (d)~~(f)~~ Facilitate the direct involvement of the  
27 Governor and the Lieutenant Governor in economic development  
28 projects designed to create, expand, and retain Florida  
29 businesses and to recruit worldwide business.

30 (e)~~(g)~~ Assist the Governor, in cooperation with  
31 Enterprise Florida, Inc., and the Florida Commission on

1 Tourism, in preparing an annual report to the Legislature on  
 2 the state of the business climate in Florida and on the state  
 3 of economic development in Florida which will include the  
 4 identification of problems and the recommendation of  
 5 solutions. This report shall be submitted to the President of  
 6 the Senate, the Speaker of the House of Representatives, the  
 7 Senate Minority Leader, and the House Minority Leader by  
 8 January 1 of each year, and it shall be in addition to the  
 9 Governor's message to the Legislature under the State  
 10 Constitution and any other economic reports required by law.

11 (f)~~(h)~~ Plan and conduct at least three ~~quarterly~~  
 12 meetings per calendar year of leaders in business, government,  
 13 and economic development called by the Governor to address the  
 14 business climate in the state, develop a common vision for the  
 15 economic future of the state, and identify economic  
 16 development efforts to fulfill that vision.

17 (g)~~(i)~~ Administer the Florida Enterprise Zone Act  
 18 under ss. 290.001-290.016, the community contribution tax  
 19 credit program under ss. 220.183 and 624.5105, the tax refund  
 20 program for qualified target industry businesses under s.  
 21 288.106, contracts for transportation projects under s.  
 22 288.063, the sports franchise facility program under s.  
 23 288.1162, the professional golf hall of fame facility program  
 24 under s. 288.1168, the Florida Jobs Siting Act under ss.  
 25 403.950-403.972, the Rural Community Development Revolving  
 26 Loan Fund under s. 288.065, the Regional Rural Development  
 27 Grants Program under s. 288.018, the Florida State Rural  
 28 Development Council, and the Rural Economic Development  
 29 Initiative.

30 2. The office may enter into contracts in connection  
 31 with the fulfillment of its duties concerning the Florida

1 First Business Bond Pool under chapter 159, foreign offices  
 2 under chapter 288, the Enterprise Zone program under chapter  
 3 290, the Seaport Employment Training program under chapter  
 4 311, the Florida Professional Sports Team License Plates under  
 5 chapter 320, Spaceport Florida under chapter 331, Job Siting  
 6 and Expedited Permitting under chapter 403, and in carrying  
 7 out other functions that are specifically assigned to the  
 8 office by law.

9 (h)(j) Serve as contract administrator for the state  
 10 with respect to contracts with Enterprise Florida, Inc., the  
 11 Florida Commission on Tourism, and all direct-support  
 12 organizations under this act, excluding those relating to  
 13 tourism. To accomplish the provisions of this act and  
 14 applicable provisions of chapter 288, and notwithstanding the  
 15 provisions of part I of chapter 287, the office shall enter  
 16 into specific contracts with Enterprise Florida, Inc., the  
 17 Florida Commission on Tourism, and other appropriate  
 18 direct-support organizations. Such contracts may be multiyear  
 19 and shall include specific performance measures for each year.  
 20 The office shall provide the President of the Senate and the  
 21 Speaker of the House of Representatives with a report by  
 22 February 1 of each year on the status of these contracts,  
 23 including the extent to which specific contract performance  
 24 measures have been met by these contractors.

25 (i)(k) Prepare and submit as a separate budget entity  
 26 a unified budget request for tourism, trade, and economic  
 27 development in accordance with chapter 216 for, and in  
 28 conjunction with, Enterprise Florida, Inc., and its boards,  
 29 the Florida Commission on Tourism and its direct-support  
 30 organization, the Florida Black Business Investment Board, and  
 31

1 the direct-support organizations created to promote the  
2 entertainment and sports industries.

3 (j) Promulgate rules to carry out its functions in  
4 connection with the administration of the Qualified Target  
5 Industry program, the Qualified Defense Contractor program,  
6 the Enterprise Zone program and the Florida First Business  
7 Bond pool.

8 Section 4. Section 15.182, Florida Statutes, is  
9 created to read:

10 15.182 International travel by state-funded musical,  
11 cultural, or artistic organizations; notification to  
12 Department of State.--

13 (1) If a musical, cultural, or artistic organization  
14 that receives state funding is traveling internationally for a  
15 presentation, performance, or other significant public  
16 viewing, including an organization associated with a college  
17 or university, such organization shall notify the Department  
18 of State of its intentions to travel, together with the date,  
19 time, and location of each appearance. It is the desire of the  
20 Legislature that such cultural exchanges be coordinated with  
21 the state's economic development goals. The Secretary of State  
22 shall notify Enterprise Florida, Inc., of the intended travel  
23 schedule of all such organizations, including, but not limited  
24 to, symphonies, orchestras, dance troops, bands, choirs,  
25 choral groups, drama troops, musical performing groups,  
26 traveling exhibitions sponsored by museums, and performance  
27 artists.

28 (2) The Department of State, in conjunction with  
29 Enterprise Florida, Inc., shall act as an intermediary between  
30 performing musical, cultural, and artistic organizations and  
31 Florida businesses to encourage and coordinate joint

1 undertakings. Such coordination may include, but is not  
2 limited to, encouraging business and industry to sponsor  
3 cultural events, assistance with travel of such organizations,  
4 and coordinating travel schedules of cultural performance  
5 groups and international trade missions.

6 (3) An organization shall provide the notification to  
7 the Department of State required by this section at least 30  
8 days prior to the date the international travel is to commence  
9 or, when an intention to travel internationally is not formed  
10 at least 30 days in advance of the date the travel is to  
11 commence, as soon as feasible after forming such travel  
12 intention. The Department of State shall take an active role  
13 in informing such groups of the responsibility to notify the  
14 department of travel intentions.

15 Section 5. The Florida Department of Lottery shall  
16 determine the feasibility of marketing the Florida Lottery  
17 internationally and issue a report regarding such feasibility  
18 to the Legislature by January 2, 1998.

19 Section 6. Subsection (1) of section 48.194, Florida  
20 Statutes, is amended to read:

21 48.194 Personal service outside state.--

22 (1) Except as otherwise provided herein, service of  
23 process on persons outside of this state shall be made in the  
24 same manner as service within this state by any officer  
25 authorized to serve process in the state where the person is  
26 served. No order of court is required. An affidavit of the  
27 officer shall be filed, stating the time, manner, and place of  
28 service. The court may consider the affidavit, or any other  
29 competent evidence, in determining whether service has been  
30 properly made. Service of process on persons outside the  
31 United States may be required to conform to the provisions of



1 the Hague Convention on the Service Abroad of Judicial and  
2 Extrajudicial Documents in Civil or Commercial Matters.

3 Section 7. (1) Subject to specific appropriations in  
4 the General Appropriations Act, the Office of Tourism, Trade,  
5 and Economic Development may, for the 1997-1998 fiscal year,  
6 establish a pilot matching grant program through which funding  
7 will be provided on a competitive basis in order to create  
8 employment opportunities for citizens of this state,  
9 particularly participants in the Work and Gain Economic  
10 Self-sufficiency (WAGES) Program. The grant program shall  
11 encourage the submission of innovative, cost-efficient, and  
12 performance-based training proposals designed to meet the  
13 employment needs of specific businesses or business sectors.

14 An application for funding may be submitted by a private  
15 business, an educational institution, a not-for-profit  
16 corporation, a local or regional economic development council,  
17 or other organization, or an application may be submitted  
18 jointly on behalf of a combination of such entities.

19 (2) The Office of Tourism, Trade, and Economic  
20 Development shall adopt guidelines for administering the  
21 program and shall establish criteria for the competitive  
22 evaluation of applications for funding. Evaluation criteria  
23 must include, but need not be limited to:

24 (a) The number of people to be trained.

25 (b) The estimated number of jobs that will be created  
26 as a result of the training.

27 (c) The extent to which the proposed training is not  
28 currently available through other sources or the extent to  
29 which the proposed training improves upon training currently  
30 available through other sources.

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1       (d) The forecasts of employment demand for the  
2 occupation to which the training will apply.

3       (e) The commitment of the applicant to hire or to  
4 secure employment for participants in the WAGES Program.

5       (f) The qualifications of the proposed training  
6 provider.

7       (3) Priority shall be given to proposals submitted on  
8 behalf of a coalition of businesses.

9       (4) Funds may not be expended to subsidize the ongoing  
10 staff development program of any business or industry.

11       (5) The Office of Tourism, Trade, and Economic  
12 Development may award grants for not more than four  
13 applications in any one fiscal year. Each grant awarded under  
14 this program is limited to \$500,000 and must be matched on a  
15 one-for-one basis by nonstate dollars. Matching funds under  
16 this section shall not count toward the private matching funds  
17 required under s. 114, chapter 96-320, Laws of Florida.

18       (6) Before allocating funds for any request under this  
19 program, the Office of Tourism, Trade, and Economic  
20 Development shall prepare a grant agreement between the grant  
21 recipient and the Office of Tourism, Trade, and Economic  
22 Development. Such agreement must include, but is not limited  
23 to, permission for the Office of Tourism, Trade, and Economic  
24 Development to access information specific to the job  
25 placement and performance of program participants upon the  
26 completion of instruction for evaluation purposes. If funds  
27 are being allocated directly to a private business or group of  
28 private businesses, the agreement prepared under this  
29 subsection must provide that 50 percent of the public training  
30 funds will be withheld until the Office of Tourism, Trade, and  
31 Economic Development determines that the business has or

1 businesses have created the number of positions specified in  
2 the agreement and filled those positions with individuals who  
3 have completed the training.

4 (7) Upon completing all training funded under this  
5 pilot program, the Office of Tourism, Trade, and Economic  
6 Development shall report on the outputs and outcomes for this  
7 program as part of the annual report prepared under s.  
8 14.2015(2)(g), Florida Statutes. Such report must include a  
9 recommendation on whether it would be sound public policy to  
10 continue or discontinue funding for the program.

11 (8) The Office of Tourism, Trade, and Economic  
12 Development may not award a grant under this section if the  
13 same training proposal provided the basis for training awarded  
14 under s. 288.047, Florida Statutes. An applicant awarded a  
15 training grant under this section may not thereafter receive  
16 training under s. 288.047, Florida Statutes, in connection  
17 with the same training proposal.

18 Section 8. Section 110.191, Florida Statutes, is  
19 created to read:

20 110.191 State Employee Leasing.--

21 (1) In situations where the legislature has expressly  
22 authorized the state, an agency or the judicial branch as  
23 defined in s. 110.203 to lease employees, the Executive Office  
24 of the Governor for the executive branch or the Chief Justice  
25 for the judicial branch may authorize any of the following  
26 actions related to such state employee leasing activities,  
27 provided that the direct cost of such actions are to be paid  
28 or reimbursed within 30 days after payment by the entity or  
29 person to whom the employees are leased:

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31

1           (a) Create a separate budget entity from which leased  
2 employees shall be paid and transfer the positions authorized  
3 to be leased to that budget entity.

4           (b) Provide increases in the operating budget entity.

5           (c) Authorized lump-sum salary bonuses to leased  
6 employees, however any lump-sum salary bonus above the  
7 automatic salary increases which may be contained in the  
8 General Appropriations Act must be funded from private  
9 sources.

10           (d) Approve increases in salary rate for positions  
11 which are leased, however, any salary rate above the automatic  
12 salary increases which may be contained in the General  
13 Appropriations Act must be funded from private sources.

14           (e) Waive any requirement for automatic salary  
15 increases which may be contained in the General Appropriations  
16 Act.

17           (2) Positions which are in the Senior Management  
18 Service System or the Selected Exempt Service System on the  
19 day before the state employee lease agreement takes effect  
20 shall remain in the respective system if the duties performed  
21 by the position during the assignment of the state employee  
22 lease agreement are comparable as determined by the  
23 department. Those Senior Management Service System or  
24 Selected Exempt Service System positions which are not  
25 determined comparable by the department and positions which  
26 are in other pay plans on the day before the lease agreement  
27 takes effect shall have the same salaries and benefits  
28 provided to employees of the Office of the Governor pursuant  
29 to s. 110.205(2)(k)2.

30           Section 9. Paragraph (u) of subsection (2) of section  
31 110.205, Florida Statutes, is created to read:

1 110.205 Career service; exemptions.--

2 (2) EXEMPT POSITIONS.--The exempt positions which are  
3 not covered by this part include the following, provided that  
4 no position, except for positions established for a limited  
5 period of time pursuant to paragraph (h), shall be exempted if  
6 the position reports to a position in the career service:

7 (u) Positions which are leased pursuant to a state  
8 employee lease agreement expressly authorized by the  
9 legislature pursuant to s. 110.191.

10 Section 10. Section 288.012, Florida Statutes, 1996  
11 Supplement, is amended to read:

12 288.012 State of Florida foreign offices.--The  
13 Legislature finds that the expansion of international trade  
14 and tourism is vital to the overall health and growth of the  
15 economy of this state. This expansion is hampered by the lack  
16 of technical and business assistance, financial assistance,  
17 and information services for businesses in this state. The  
18 Legislature finds that these businesses could be assisted by  
19 providing these services at State of Florida foreign offices.  
20 The Legislature further finds that the accessibility and  
21 provision of services at these offices can be enhanced through  
22 cooperative agreements or strategic alliances between state  
23 entities, local entities, foreign entities, and private  
24 businesses.

25 (1) The Office of Tourism, Trade, and Economic  
26 Development is authorized to:

27 (a) Establish and operate offices in foreign countries  
28 for the purpose of promoting the trade and economic  
29 development of the state, and promoting the gathering of trade  
30 data information and research on trade opportunities in  
31 specific countries.

1 (b) Enter into agreements with governmental and  
 2 private sector entities to establish and operate offices in  
 3 foreign countries containing provisions which may be in  
 4 conflict with general laws of the state pertaining to the  
 5 purchase of office space, employment of personnel, and  
 6 contracts for services. When agreements pursuant to this  
 7 section are made which set compensation in foreign currency,  
 8 such agreements shall be subject to the requirements of s.  
 9 215.425, but the purchase of foreign currency by the Office of  
 10 Tourism, Trade, and Economic Development to meet such  
 11 obligations shall be subject only to s. 216.311.

12 (c) By September 1, 1997, the Office of Tourism,  
 13 Trade, and Economic Development shall develop a plan for the  
 14 disposition of the current foreign offices and the development  
 15 and location of additional foreign offices. The plan shall  
 16 include, but is not limited to, a determination of the level  
 17 of funding needed to operate the current offices and any  
 18 additional offices and whether any of the current offices need  
 19 to be closed or relocated. Enterprise Florida, Inc., the  
 20 Florida Tourism Commission, the Florida Ports Council, the  
 21 Department of State, the Department of Citrus, and the  
 22 Department of Agriculture shall assist the Office of Tourism,  
 23 Trade, and Economic Development in the preparation of the  
 24 plan. All parties shall cooperate on the disposition or  
 25 establishment of the offices and ensure that needed space,  
 26 technical assistance, and support services are provided to  
 27 such entities at such foreign offices.

28 (2) By June 30, 1998, each foreign office shall have  
 29 in place an operational plan approved by the participating  
 30 boards or other governing authority, a copy of which shall be  
 31 provided to the Office of Tourism, Trade, and Economic

1 Development. These operating plans shall be reviewed and  
2 updated each fiscal year and shall include, at a minimum, the  
3 following:

4 (a) Specific policies and procedures encompassing the  
5 entire scope of the operation and management of each office.

6 (b) A comprehensive, commercial strategic plan  
7 identifying marketing opportunities and industry-sector  
8 priorities for the foreign country or area in which a foreign  
9 office is located.

10 (c) Provisions for access to information for Florida  
11 businesses through the Florida Trade Data Center. Each  
12 foreign office shall obtain and forward trade leads and  
13 inquiries to the center on a regular basis as called for in  
14 the plan pursuant to paragraph (1)(c).

15 (d) Identification of new and emerging market  
16 opportunities for Florida businesses. Each foreign office  
17 shall provide the Florida Trade Data Center with a compilation  
18 of foreign buyers and importers in industry-sector priority  
19 areas on an annual basis. In return, the Florida Trade Data  
20 Center shall make available to each foreign office, and to the  
21 entities identified in paragraph (1)(c), trade industry,  
22 commodity, and opportunity information as specified in the  
23 plan required in that paragraph. This information shall be  
24 provided to the offices and the entities identified in  
25 paragraph (1)(c) either free of charge or on a fee basis with  
26 fees set only to recover the costs of providing the  
27 information.

28 (e) Provision of access for Florida businesses to the  
29 services of the Florida Trade Data Center, international trade  
30 assistance services provided by state and local entities,  
31

1 seaport and airport information, and other services identified  
2 in the plan pursuant to paragraph (1)(c).

3 (f) Qualitative and quantitative performance measures  
4 for each office including, but not limited to, the number of  
5 businesses assisted, the number of trade leads and inquiries  
6 generated, the number of foreign buyers and importers  
7 contacted, and the amount and type of marketing conducted.

8 ~~(3)(2)~~ The Office of Tourism, Trade, and Economic  
9 Development, in connection with the establishment, operation,  
10 and management of any of its offices located in a foreign  
11 country, is exempt from the provisions of ss. 255.21, 255.25,  
12 and 255.254 relating to leasing of buildings; ss. 283.33 and  
13 283.35 relating to bids for printing; ss. 287.001-287.20  
14 relating to purchasing and motor vehicles; and ss.  
15 282.003-282.111 relating to communications, and from all  
16 statutory provisions relating to state employment.

17 (a) The Office of Tourism, Trade, and Economic  
18 Development may exercise such exemptions only upon prior  
19 approval of the Governor.

20 (b) If approval for an exemption under this section is  
21 granted as an integral part of a plan of operation for a  
22 specified foreign office, such action shall constitute  
23 continuing authority for the Office of Tourism, Trade, and  
24 Economic Development to exercise the exemption, but only in  
25 the context and upon the terms originally granted. Any  
26 modification of the approved plan of operation with respect to  
27 an exemption contained therein must be resubmitted to the  
28 Governor for his or her approval. An approval granted to  
29 exercise an exemption in any other context shall be restricted  
30 to the specific instance for which the exemption is to be  
31 exercised.



1 (c) As used in this subsection, the term "plan of  
 2 operation" means the plan developed pursuant to subsection (2)  
 3 ~~a compilation of the specific policies and procedures~~  
 4 ~~encompassing the entire scope of the operation and management~~  
 5 ~~of an office established by the Office of Tourism, Trade, and~~  
 6 ~~Economic Development in a foreign country.~~

7 (d) Upon final action by the Governor with respect to  
 8 a request to exercise the exemption authorized in this  
 9 subsection, the Office of Tourism, Trade, and Economic  
 10 Development shall report such action, along with the original  
 11 request and any modifications thereto, to the President of the  
 12 Senate and the Speaker of the House of Representatives within  
 13 30 days.

14 (4)~~(3)~~ Where feasible and appropriate, and subject to  
 15 s. 288.1224(10), foreign offices established and operated  
 16 under this section may provide one-stop access to the economic  
 17 development, trade, and tourism information, services, and  
 18 programs of the state. Where feasible and appropriate, and  
 19 subject to s. 288.1224(10), such offices may also be  
 20 collocated with other foreign offices of the state.

21 (5)~~(4)~~ The Office of Tourism, Trade, and Economic  
 22 Development is authorized to make and to enter into contracts  
 23 with Enterprise Florida, Inc., and the Florida Commission on  
 24 Tourism to carry out the provisions of this section. The  
 25 authority, duties, and exemptions provided in this section  
 26 apply to Enterprise Florida, Inc., and the Florida Commission  
 27 on Tourism to the same degree and subject to the same  
 28 conditions as applied to the Office of Tourism, Trade, and  
 29 Economic Development. To the greatest extent possible, such  
 30 contracts shall include provisions for cooperative agreements  
 31 or strategic alliances between state entities, foreign

1 entities, local entities, and private businesses to operate  
2 foreign offices.

3 Section 11. Subsection (3) of section 288.047, Florida  
4 Statutes, 1996 Supplement, is amended to read:

5 288.047 Quick-response training for economic  
6 development.--

7 (3) Enterprise Florida, Inc., shall ensure that  
8 instruction funded pursuant to this section is not available  
9 through the local community college, school district, or  
10 private industry council and that the instruction promotes  
11 economic development by providing specialized entry-level  
12 skills to new workers or supplemental skills to current  
13 employees whose job descriptions are changing. Such funds may  
14 not be expended to subsidize the ongoing staff development  
15 program of any business or industry or to provide training for  
16 instruction related to retail businesses. Funds made available  
17 pursuant to this section may not be expended in connection  
18 with the relocation of a business from one community to  
19 another community in this state unless Enterprise Florida,  
20 Inc., determines that without such relocation the business  
21 will move outside this state or determines that the business  
22 has a compelling economic rationale for the relocation which  
23 creates additional jobs.

24 Section 12. Subsection (3) of section 288.063, Florida  
25 Statutes, 1996 Supplement, is amended to read:

26 288.063 Contracts for transportation projects.--

27 (3) With respect to any contract executed pursuant to  
28 this section, the term "transportation project" means a  
29 transportation facility as defined in s. 334.03(31) which is  
30 necessary in the judgment of the Office of Tourism, Trade, and  
31 Economic Development to facilitate the economic development

1 and growth of the state. Except for applications received  
 2 prior to July 1, 1996, such transportation projects shall be  
 3 approved only as a consideration to attract new employment  
 4 opportunities to the state or expand or retain employment in  
 5 existing companies operating within the state, or to allow for  
 6 the construction or expansion of a state or federal  
 7 correctional facility in a county with a population of 50,000  
 8 or less that creates new employment opportunities or expands  
 9 or retains employment in the county. The Office of Tourism,  
 10 Trade, and Economic Development shall institute procedures to  
 11 ensure that small and minority businesses have equal access to  
 12 funding provided under this section. Funding for approved  
 13 transportation projects may include any expenses, other than  
 14 administrative costs and equipment purchases specified in the  
 15 contract, necessary for new, or improvement to existing,  
 16 transportation facilities. Funds made available pursuant to  
 17 this section may not be expended in connection with the  
 18 relocation of a business from one community to another  
 19 community in this state unless the Office of Tourism, Trade,  
 20 and Economic Development determines that without such  
 21 relocation the business will move outside this state or  
 22 determines that the business has a compelling economic  
 23 rationale for the relocation which creates additional jobs.

24 Section 13. Paragraph (h) is added to subsection (2)  
 25 and paragraph (g) is added to subsection (5) of section  
 26 288.1045, Florida Statutes, 1996 Supplement, and paragraph (c)  
 27 of subsection (4) of said section is amended, to read:

28 288.1045 Qualified defense contractor tax refund  
 29 program.--

30 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.--

31

1       (h) Funds made available pursuant to this section may  
2 not be expended in connection with the relocation of a  
3 business from one community to another community in this state  
4 unless the Office of Tourism, Trade, and Economic Development  
5 determines that without such relocation the business will move  
6 outside this state or determines that the business has a  
7 compelling economic rationale for the relocation which creates  
8 additional jobs.

9           (4) QUALIFIED DEFENSE CONTRACTOR TAX REFUND  
10 AGREEMENT.--

11           (c) The agreement shall be signed by the secretary and  
12 the authorized officer of the qualified applicant ~~within 30~~  
13 ~~days after the entry of a final order certifying the qualified~~  
14 ~~applicant pursuant to subsection (3).~~

15           (5) ANNUAL CLAIM FOR REFUND FROM A QUALIFIED DEFENSE  
16 CONTRACTOR.--

17           (g) A prorated tax refund, less a 5 percent penalty,  
18 shall be approved for a qualified applicant provided all other  
19 applicable requirements have been satisfied and the applicant  
20 proves to the satisfaction of the director that it has  
21 achieved at least 80 percent of its projected employment.

22           Section 14. Paragraph (b) of subsection (3) of section  
23 288.106, Florida Statutes, 1996 Supplement, is amended to  
24 read:

25           288.106 Tax refund program for qualified target  
26 industry businesses.--

27           (3) TAX REFUND; ELIGIBLE AMOUNTS.--

28           (b) The director may approve a qualified target  
29 industry business to receive tax refund payments of up to  
30 \$5,000 times the number of jobs specified in the tax refund  
31 agreement under subparagraph (5)(a)1., or up to \$7,500 times

1 the number of jobs if the project is located in an enterprise  
2 zone. A qualified target industry business may not receive  
3 refund payments of more than 25 percent of the total tax  
4 refunds specified in the tax refund agreement under  
5 subparagraph (5)(a)1. in any fiscal year. Further, a qualified  
6 target industry business may not receive more than \$1.5  
7 million in refunds under this section in any single fiscal  
8 year, or more than \$2.5 million in any single fiscal year if  
9 the project is located in an enterprise zone. A qualified  
10 target industry may not receive more than \$5 million in refund  
11 payments under this section in all fiscal years, or more than  
12 \$7.5 million if the project is located in an enterprise zone.  
13 Funds made available pursuant to this section may not be  
14 expended in connection with the relocation of a business from  
15 one community to another community in this state unless the  
16 Office of Tourism, Trade, and Economic Development determines  
17 that without such relocation the business will move outside  
18 this state or determines that the business has a compelling  
19 economic rationale for the relocation which creates additional  
20 jobs.

21 Section 15. Subsection (2) of section 288.772, Florida  
22 Statutes, 1996 Supplement, is amended to read:

23 288.772 Definitions.--For purposes of ss.  
24 288.771-288.778:

25 (2) "Board" means the board of directors of the  
26 Florida Export Finance Enterprise Florida International Trade  
27 and Economic Development Board or persons designated by  
28 Enterprise Florida, Inc., to oversee the operations of the  
29 Corporation.

30 Section 16. Subsection (1) of section 288.775, Florida  
31 Statutes, 1996 Supplement, is amended to read:

1           288.775 Florida Export Finance Corporation Account.--

2           (1) The board ~~Florida Intergovernmental Relations~~  
3 ~~Foundation, Inc., as established in s. 288.809,~~ shall create  
4 the Florida Export Finance Corporation Guarantee Account for  
5 the purpose of receiving state, federal, and private financial  
6 resources, and the return from investments of those resources,  
7 and for the purposes of this part. The account shall be under  
8 the exclusive control of the board.

9           Section 17. Section 288.776, Florida Statutes, 1996  
10 Supplement, is amended to read:

11           288.776 Board of directors; powers and duties.--

12           (1)(a) The corporation shall have a board of directors  
13 consisting of 15 members representing all geographic areas of  
14 the state. Minority and gender representation must be  
15 considered when making appointments to the board. The board  
16 membership must include:

17           1. A representative of the following businesses, all  
18 of which must be registered to do business in this state: a  
19 foreign bank, a state bank, a federal bank, an insurance  
20 company involved in covering trade financing risks, and a  
21 small or medium-sized exporter.

22           2. The following persons or their designee: the  
23 President of Enterprise Florida, Inc., the Comptroller, the  
24 Secretary of State, a senior official of the United States  
25 Department of Commerce, and the chair of the Black Business  
26 Investment Board.

27           (b) Appointees who are not state or Federal Government  
28 officials shall serve for a term of 3 years and shall be  
29 eligible for reappointment. Nonstate and nonfederal official  
30 vacancies on the board shall be filled by the board within 30  
31 days after the effective date of the vacancy.

1           (2) Board members shall serve without compensation but  
2 may be reimbursed for all necessary expenses in the  
3 performance of their duties, including attending board  
4 meetings and conducting board business.

5           (3) The board shall:

6           (a)~~(1)~~ Prior to the expenditure of funds from the  
7 export finance account, adopt bylaws, rules, and policies  
8 which are necessary to carry out the responsibilities under  
9 this part, particularly with respect to the implementation of  
10 the corporation's programs to insure, coinsure, lend, provide  
11 loan guarantees, and make direct, guaranteed, or  
12 collateralized loans by the corporation to support export  
13 transactions. The corporation's bylaws, rules, and policies  
14 shall be reviewed and approved by Enterprise Florida, Inc.,  
15 prior to final adoption by the board.

16           (b)~~(2)~~ Hold regularly scheduled meetings, at least  
17 quarterly, in order to carry out the objectives and  
18 responsibilities of the board.

19           (c)~~(3)~~ Issue an annual report to Enterprise Florida,  
20 Inc., on the activities of the corporation, including an  
21 evaluation of activities and recommendations for change. The  
22 evaluation shall include the corporation's impact on the  
23 following:

24           1.~~(a)~~ Participation of private banks and other private  
25 organizations and individuals in the corporation's export  
26 financing programs.

27           2.~~(b)~~ Access of small and medium-sized businesses in  
28 this state to federal export financing programs.

29           3.~~(c)~~ Export volume of the small and medium-sized  
30 businesses in this state accessing the corporation's programs.

31

1           4.~~(d)~~ Other economic and social benefits to  
2 international programs in this state.

3           (d)~~(4)~~ Adopt policies, including criteria,  
4 establishing which exporters and export transactions shall be  
5 eligible for insurance, coinsurance, loan guarantees, and  
6 direct, guaranteed, or collateralized loans which may be  
7 extended by the corporation. Pursuant to this subsection, the  
8 board shall adopt rules to include the following criteria:

9           1.~~(a)~~ Any individual signing any corporation loan  
10 application and loan or guarantee agreement shall have an  
11 equity in the business applying for financial assistance.

12           2.~~(b)~~ Each program shall exclusively support the  
13 export of goods and services by small and medium-sized  
14 businesses which are domiciled in this state. Priority shall  
15 be given to goods which have value added in this state.

16           3.~~(c)~~ Financial assistance shall only be extended when  
17 at least one of the following circumstances exists:

18           a.1. The assistance is required to secure the  
19 participation of small and medium-sized export businesses in  
20 federal, state, or private financing programs.

21           b.2. No conventional source of lender support is  
22 available for the business from public or private financing  
23 sources.

24  
25 Personal financial records, trade secrets, or proprietary  
26 information of applicants shall be confidential and exempt  
27 from the provisions of s. 119.07(1).

28           (e)~~(5)~~ Adopt requirements to ensure the full repayment  
29 of loans and loan guarantees, plus accrued interest,  
30 full-recourse claims, and indemnities on direct loan  
31



1 originations sold by the corporation, and the solvency of any  
2 insurance and coinsurance program extended under this part.

3 (f)~~(6)~~ Approve any extension of insurance,  
4 coinsurance, loans, loan guarantees, or direct loan  
5 originations for sale, under this part.

6 (g)~~(7)~~ Consult with Enterprise Florida, Inc., and its  
7 boards, or any state or federal agency, to ensure that the  
8 respective loan guarantee or working capital loan origination  
9 programs are not duplicative and that each program makes full  
10 use of, to the extent practicable, the resources of the other.

11 (h)~~(8)~~ Work to secure a delegated line of authority  
12 from the United States Export-Import Bank or other appropriate  
13 federal or state agency or private sector entity in order to  
14 take advantage of this possible funding or guarantee source.

15 (i)~~(9)~~ Develop a streamlined application and review  
16 process, including a survey of businesses to obtain the  
17 statistics required in paragraph (c)~~subsection (3)~~.

18 Section 18. Subsection (1) of section 288.777, Florida  
19 Statutes, 1996 Supplement, is amended to read:

20 288.777 President of the corporation.--

21 (1) ~~The board of directors of Enterprise Florida,~~  
22 ~~Inc., shall appoint a president of the Florida Export Finance~~  
23 ~~Corporation from a list of nominees submitted by the board.~~  
24 The president shall be knowledgeable about private and public  
25 export assistance and export financing programs.

26 Section 19. Section 288.7771, Florida Statutes, 1996  
27 Supplement, is amended to read:

28 288.7771 Annual report of Florida Export Finance  
29 Corporation.--By March 31 ~~December 1~~ of each year, the  
30 corporation shall submit to the Governor, the President of the  
31 Senate, the Speaker of the House of Representatives, the

1 Senate Minority Leader, and the House Minority Leader a  
2 complete and detailed report setting forth:

- 3 (1) The evaluation required in s. 288.7772(1).  
4 (2) The report required in s. 288.776(3).  
5 (3) Its assets and liabilities at the end of its most  
6 recent fiscal year.

7 Section 20. Paragraph (f) of subsection (2) of section  
8 288.816, Florida Statutes, 1996 Supplement, is amended to  
9 read:

10 288.816 Intergovernmental relations.--

11 (2) The secretary shall be responsible for all  
12 consular relations between the state and all foreign  
13 governments doing business in Florida. The secretary shall  
14 monitor United States laws and directives to ensure that all  
15 federal treaties regarding foreign privileges and immunities  
16 are properly observed. The secretary shall promulgate rules  
17 which shall:

18 (f) Establish a system of communication to provide all  
19 state and local law enforcement agencies with information  
20 regarding proper procedures relating to the arrest or  
21 incarceration of a foreign citizen. Florida law enforcement  
22 agencies shall inform the Department of State ~~Such agencies~~  
23 ~~shall be informed that~~ when such arrest or incarceration  
24 occurs, ~~the agency must notify~~ The secretary, ~~who~~ in turn  
25 shall notify the appropriate foreign governmental official.  
26 The secretary shall annually report on the actions taken to  
27 inform law enforcement agencies, and on the cooperation from  
28 such agencies, to the President of the Senate and the Speaker  
29 of the House of Representatives.

30 Section 21. Subsection (10) is added to section  
31 288.8175, Florida Statutes, 1996 Supplement, to read:

1           288.8175 Linkage institutes between postsecondary  
2 institutions in this state and foreign countries.--

3           (10) Linkage institutes may accept and administer  
4 moneys provided by the Department of State for research and  
5 development of international trade. The Secretary of State  
6 shall, by March 1, report to the Governor, the President of  
7 the Senate, and the Speaker of the House of Representatives in  
8 each year in which the Department of State has provided moneys  
9 for a linkage institute. The report must detail the purpose of  
10 the expenditure by the Department of State and the use of the  
11 moneys by the linkage institutes and must include a copy of  
12 the research documents or related materials produced, if any.

13           Section 22. Subsection (2) of section 288.901, Florida  
14 Statutes, is amended to read:

15           288.901 Enterprise Florida, Inc.; creation;  
16 membership; organization; meetings; disclosure.--

17           (2) Enterprise Florida, Inc., shall establish one or  
18 more corporate offices, at least one of which shall be located  
19 in Leon County. Persons employed by the Department of Commerce  
20 on the day prior to July 1, 1996, whose jobs are privatized,  
21 shall be given preference, if qualified, for similar jobs at  
22 Enterprise Florida, Inc. When practical, those jobs shall be  
23 located in Leon County. All available resources, including  
24 telecommuting, must be employed to minimize the negative  
25 impact on the Leon County economy caused by job losses  
26 associated with the privatization of the Department of  
27 Commerce. The Department of Management Services may establish  
28 a lease agreement program under which Enterprise Florida,  
29 Inc., may hire any individual who, as of June 30, 1996, is  
30 employed by the Department of Commerce or who, as of January  
31 1, 1997, is employed by the Executive Office of the Governor

1 and has responsibilities specifically in support of the  
2 Workforce Development Board established under s. 288.9620 of  
3 this act. Under such agreement, the employee shall retain his  
4 or her status as a state employee but shall work under the  
5 direct supervision of Enterprise Florida, Inc. Retention of  
6 state employee status shall include the right to participate  
7 in the Florida Retirement System. The Department of Management  
8 Services shall establish the terms and conditions of such  
9 lease agreements.

10 Section 23. Paragraph (b) of subsection (3) of section  
11 288.9015, Florida Statutes, 1996 Supplement, is amended, and  
12 subsection (5) is added to said section, to read:

13 288.9015 Enterprise Florida, Inc.; purpose; duties.--

14 (3) It shall be the responsibility of Enterprise  
15 Florida, Inc., to develop a comprehensive approach to  
16 workforce development that will result in better employment  
17 opportunities for the residents of this state. Such  
18 comprehensive approach must include:

19 (b) Training, educating, and assisting target  
20 populations, such as those who are economically disadvantaged  
21 or who participate in the WAGES Program or otherwise receive  
22 public assistance to become independent, self-reliant, and  
23 self-sufficient. This approach must ensure the effective use  
24 of federal, state, local, and private resources in reducing  
25 the need for public assistance.

26 (5) As part of its business development and marketing  
27 responsibilities, Enterprise Florida, Inc., shall prepare a  
28 business guide and checklist that contains basic information  
29 on the federal, state, and local requirements for starting and  
30 operating a business in this state. The guide and checklist  
31 must describe how additional information can be obtained on

1 any such requirements and shall include, to the extent  
2 feasible, the names, addresses, and telephone numbers of  
3 appropriate government agency representatives. The guide and  
4 checklist must also contain information useful to persons who  
5 may be starting a business for the first time, including, but  
6 not limited to, information on business structure, financing,  
7 and planning.

8           Section 24. Paragraph (h) of subsection (3) of section  
9 288.903, Florida Statutes, 1996 Supplement, is redesignated as  
10 paragraph (i) and a new paragraph (h) is added to subsection  
11 (3) of said section to read:

12           288.903 Board of directors of Enterprise Florida,  
13 Inc.; president; employees.--

14           (3) The president:

15           (h) Shall coordinate all activities and  
16 responsibilities of Enterprise Florida, Inc., with respect to  
17 participants in the WAGES Program.

18           Section 25. Section 288.905, Florida Statutes, 1996  
19 Supplement, is amended to read:

20           288.905 Duties of the board of directors of Enterprise  
21 Florida, Inc.--

22           (1) In the performance of its functions and duties,  
23 the board of directors may establish and implement policies,  
24 strategies, and programs for Enterprise Florida, Inc., and its  
25 boards. ~~In developing such policies, strategies, and programs,~~  
26 ~~the board of directors shall, among other things, address the~~  
27 ~~needs of blighted inner-city communities that have~~  
28 ~~unacceptable levels of unemployment and economic~~  
29 ~~disinvestment, with the ultimate goal of creating jobs for the~~  
30 ~~residents of such communities.~~In developing such policies,  
31

1 strategies, and programs, the board of directors shall solicit  
2 advice from and consider the recommendations of its boards.

3 (2) The board of directors shall, in conjunction with  
4 the Office of Tourism, Trade, and Economic Development,  
5 develop a strategic plan for economic development for the  
6 State of Florida. Such plan shall be submitted to the  
7 Governor, the President of the Senate, the Speaker of the  
8 House of Representatives, the Senate Minority Leader, and the  
9 House Minority Leader by January 1, 1997, and shall be updated  
10 or modified before January 1, 1998, and annually thereafter.  
11 The plan must be approved by the board of directors prior to  
12 submission to the Governor and Legislature. The plan shall  
13 include, but is not limited to:

14 (a) Allocation of public and private resources to  
15 specific activities that will return the greatest benefit to  
16 the economy of this state. Including delineation on the amount  
17 of funds that should be expended on each component of the  
18 plan.

19 (b) Identification of programs that will enhance the  
20 capabilities of small and minority businesses. The plan  
21 should include ways to improve and increase the access to  
22 information, services, and assistance for small and minority  
23 businesses.

24 (c)1. Specific provisions for the stimulation of  
25 economic development and job creation in rural areas and  
26 mid-size cities and counties of the state. These provisions  
27 shall include, but are not limited to, the identification of  
28 all rural counties in the state and rural cities located in  
29 nonrural counties; the identification of all mid-size cities  
30 and counties in the state; the identification of the economic  
31 development and job creation goals of the rural cities and

1 counties and mid-size cities; the identification of rural  
2 areas of critical concern; the identification of specific  
3 local, state, and federal financial and technical assistance  
4 resources available to rural cities and counties and mid-size  
5 cities and counties for economic and community development;  
6 the identification of private sector resources available to  
7 rural cities and counties and mid-size cities and counties for  
8 economic and community development; and specific methods for  
9 the use of the resources identified in the plan to meet the  
10 goals identified in the plan.

11 2. Enterprise Florida, Inc., shall involve the local  
12 governments of the cities and counties identified pursuant to  
13 subparagraph 1., as well as any other local, state, and  
14 federal rural development entities, both public and private,  
15 in developing and carrying out any provisions.

16 (d)1. Specific provisions for the stimulation of  
17 economic development and job creation in small businesses and  
18 minority businesses. These provisions shall include, but are  
19 not limited to, the identification of federal, state, and  
20 local financial and technical resources available for small  
21 businesses and minority businesses; and specific methods for  
22 the use of the resources identified in the plan to meet the  
23 goal of job creation in small businesses and minority  
24 businesses in the state.

25 2. Enterprise Florida, Inc., shall involve local,  
26 state, and federal small business and minority business  
27 development agencies and organizations, both public and  
28 private, in developing and carrying out any provisions.

29 (e) Creation of workforce training programs that lead  
30 to better employment opportunities and higher wages.

31

1           (f) Promotion of business formation, expansion,  
2 recruitment, and retention, including programs that enhance  
3 access to appropriate forms of financing for businesses in  
4 this state.

5           (g) Promotion of the successful long-term  
6 internationalization of this state, including programs that  
7 establish viable overseas markets, generate foreign  
8 investment, assist in meeting the financing requirements of  
9 export-ready firms, broaden opportunities for international  
10 joint venture relationships, use the resources of academic and  
11 other institutions, coordinate trade assistance and  
12 facilitation services, and facilitate availability of and  
13 access to education and training programs which will assure  
14 requisite skills and competencies necessary to compete  
15 successfully in the global marketplace.

16           (h) Promotion of the growth of high technology and  
17 other value-added industries and jobs.

18           (i) Addressing the needs of blighted inner-city  
19 communities that have unacceptable levels of unemployment and  
20 economic disinvestment, with the ultimate goal of creating  
21 jobs for the residents of such communities.

22           (j) Identifying business sectors that are of current  
23 or future importance to the state's economy and to the state's  
24 worldwide business image, and developing specific strategies  
25 to promote the development of such sectors.

26           (3)(a) The strategic plan shall also include  
27 recommendations regarding specific performance standards and  
28 measurable outcomes. By July 1, 1997, Enterprise Florida,  
29 Inc., in consultation with the Office of Program Policy  
30 Analysis and Government Accountability, shall establish  
31 performance-measure outcomes for Enterprise Florida, Inc., and



1 its boards. Enterprise Florida, Inc., in consultation with  
 2 the Office of Program Policy Analysis and Government  
 3 Accountability, shall develop a plan for monitoring its  
 4 operations to ensure that performance data are maintained and  
 5 supported by records of the organization. By July 1, 1998, and  
 6 biennially thereafter, Enterprise Florida, Inc., in  
 7 consultation with the Office of Program Policy Analysis and  
 8 Government Accountability, shall review the  
 9 performance-measure outcomes for Enterprise Florida, Inc., and  
 10 its boards, and make any appropriate modifications to them. In  
 11 developing measurable objectives and performance outcomes,  
 12 Enterprise Florida, Inc., shall consider the effect of its  
 13 programs, activities, and services on its client population.  
 14 Enterprise Florida, Inc., shall establish standards such as  
 15 job growth among client firms, growth in the number and  
 16 strength of businesses within targeted sectors, client  
 17 satisfaction, venture capital dollars invested in small and  
 18 minority businesses, businesses retained and recruited,  
 19 employer wage growth, minority business participation in  
 20 technology assistance and development programs, and increased  
 21 export sales among client companies to use in evaluating  
 22 performance toward accomplishing the mission of Enterprise  
 23 Florida, Inc.

24 (b) The performance standards and measurable outcomes  
 25 established and regularly reviewed by Enterprise Florida,  
 26 Inc., under this subsection must also include benchmarks and  
 27 goals to measure the impact of state economic development  
 28 policies and programs. Such benchmarks and goals may include,  
 29 but are not limited to:

30  
 31

1           1. Net annual job growth rate in this state compared  
2 to neighboring southern states and the United States as a  
3 whole.

4           2. Unemployment rate in this state compared to  
5 neighboring southern states and the United States as a whole.

6           3. Wage distribution based on the percentage of people  
7 working in this state who earned 15 percent below the state  
8 average, within 15 percent of the state average, and 15  
9 percent or more above the state average.

10          4. Annual percentage of growth in the production of  
11 goods and services within Florida compared to neighboring  
12 southern states and the United States as a whole.

13          5. Changes in jobs in this state by major industry  
14 based on the percentage of growth or decline in the number of  
15 full-time or part-time jobs in this state.

16          6. Number of new business startups in this state.

17          7. Goods produced in this state that are exported to  
18 other countries.

19          8. Capital investment for commercial and industrial  
20 purposes, agricultural production and processing, and  
21 international trade.

22          (c)(b) Prior to the 1999 Regular Session of the  
23 Legislature, the Office of Program Policy Analysis and  
24 Government Accountability shall conduct a review of Enterprise  
25 Florida, Inc., and its boards. The review shall be  
26 comprehensive in its scope, but, at a minimum, must be  
27 conducted in such a manner as to specifically determine:

28           1. The progress towards achieving the established  
29 outcomes.

30  
31

1           2. The circumstances contributing to the  
2 organization's ability to achieve, not achieve, or exceed its  
3 established outcomes.

4           3. The progress towards achieving the established  
5 goals of the Cypress Equity Fund and whether the strategy  
6 underlying the fund is appropriate.

7           4. Whether it would be sound public policy to continue  
8 or discontinue funding the organization, and the consequences  
9 of discontinuing the organizations. The report shall be  
10 submitted by January 1, 1999, to the President of the Senate,  
11 the Speaker of the House of Representatives, the Senate  
12 Minority Leader, and the House Minority Leader.

13           (d)~~(c)~~ Prior to the 2003 Regular Session of the  
14 Legislature, the Office of Program Policy Analysis and  
15 Government Accountability, shall conduct another review of  
16 Enterprise Florida, Inc., and its boards using the criteria in  
17 paragraph(c)~~(b)~~. The report shall be submitted by January 1,  
18 2003, to the President of the Senate, the Speaker of the House  
19 of Representatives, the Senate Minority Leader, and the House  
20 Minority Leader.

21           (4) The board of directors shall coordinate the  
22 economic development activities and policies of Enterprise  
23 Florida, Inc., with municipal, county, and regional economic  
24 development organizations to establish and further develop the  
25 role of local economic development organizations as the  
26 primary service-delivery agents for economic development  
27 services. Where feasible, the board shall work with regional  
28 economic development organizations in the delivery of services  
29 of Enterprise Florida, Inc., and its boards.

30           (5) Enterprise Florida, Inc., shall deposit into  
31 African-American-qualified public depositories and

1 Hispanic-American-qualified public depositories a portion of  
2 any moneys received by Enterprise Florida, Inc., and its  
3 boards from the state.

4 (6) Any employee leased by Enterprise Florida, Inc.,  
5 from the state, or any employee who derives their salary from  
6 funds appropriated by the Legislature, may not receive a pay  
7 raise or bonus in excess of a pay raise or bonus that is  
8 received by similarly situated state employees. However, this  
9 subsection does not prohibit the payment of a pay raise or  
10 bonus from funds received from sources other than the Florida  
11 Legislature.

12 Section 26. Subsection (1) of section 288.906, Florida  
13 Statutes, 1996 Supplement, is amended to read:

14 288.906 Annual report of Enterprise Florida, Inc.;  
15 audits; confidentiality.--

16 (1) Prior to December 1 of each year, Enterprise  
17 Florida, Inc., shall submit to the Governor, the President of  
18 the Senate, the Speaker of the House of Representatives, the  
19 Senate Minority Leader, and the House Minority Leader a  
20 complete and detailed report including, but not limited to  
21 setting forth:

22 (a) A description of the operations and  
23 accomplishments of Enterprise Florida, Inc., and its boards,  
24 and an identification of any major trends, initiatives, or  
25 developments affecting the performance of any program or  
26 activity. ~~Its operations and accomplishments during the~~  
27 fiscal year.

28 (b) An evaluation of progress towards achieving  
29 organizational goals and specific performance outcomes, both  
30 short term and long term, established pursuant to s. 288.905.  
31 ~~Its business and operational plan and its economic development~~

1 ~~plan, including recommendations on methods for implementing~~  
2 ~~and funding the economic development plan;~~

3 (c) Methods for implementing and funding the  
4 operations of Enterprise Florida, Inc., and its boards. Its  
5 assets and liabilities at the end of its most recent fiscal  
6 year; and

7 (d) A description of the operations and  
8 accomplishments of Enterprise Florida, Inc., and its boards,  
9 with respect to furthering the development and viability of  
10 small and minority businesses, including any accomplishments  
11 relating to capital access and technology and business  
12 development programs. A copy of an annual financial and  
13 compliance audit of its accounts and records conducted by an  
14 independent certified public accountant performed in  
15 accordance with rules adopted by the Auditor General.

16 (e) A description of the operations and  
17 accomplishments of Enterprise Florida, Inc., and its boards  
18 with respect to furthering the development and viability of  
19 rural cities and counties, and mid-size cities and counties in  
20 this state.

21 (f) A description and evaluation of the operations and  
22 accomplishments of Enterprise Florida, Inc., and its boards  
23 with respect to interaction with local and private economic  
24 development organizations, including an identification of any  
25 specific programs or activities which promoted the activities  
26 of such organizations and an identification of any specific  
27 programs or activities which promoted a comprehensive and  
28 coordinated approach to economic development in this state.

29 (g) An assessment of employee training and job  
30 creation that directly benefits participants in the WAGES  
31 Program.

1           (h) An annual compliance and financial audit of  
2 accounts and records by an independent certified public  
3 accountant at the end of its most recent fiscal year performed  
4 in accordance with rules adopted by the Auditor General.

5  
6 The detailed report required by this subsection shall also  
7 include the information identified in paragraphs (a)-~~(h)~~~~(d)~~,  
8 if applicable, for any board established within the corporate  
9 structure of Enterprise Florida, Inc.

10           Section 27. Effective July 1, 1998, section 288.9415,  
11 Florida Statutes, is created to read:

12           288.9415 International Trade Grants.--

13           (1) The Office of Tourism, Trade, and Economic  
14 Development in the Executive Office of the Governor may accept  
15 and administer moneys appropriated to the office for providing  
16 grants for promotion of international trade.

17           (2) A county, municipality, economic development  
18 council, or a not-for-profit association of businesses  
19 organized to assist in the promotion of international trade  
20 may apply for a grant of state funds for the promotion of  
21 international trade.

22           (3) The International Trade and Economic Development  
23 Board of Enterprise Florida, Inc., shall review each  
24 application for a grant to promote international trade and  
25 shall submit annually to the Office of Tourism, Trade, and  
26 Economic Development for approval lists of all applications  
27 that are recommended by the International Trade and Economic  
28 Development Board for the award of grants, arranged in order  
29 of priority. The Office of Tourism, Trade, and Economic  
30 Development may allocate grants only for projects that are  
31 approved or for which funds are appropriated by the

1 Legislature. Projects approved and recommended by the  
 2 International Trade and Economic Development Board which are  
 3 not funded by the Legislature shall be retained on the project  
 4 list for the following grant cycle only. All projects that  
 5 are retained shall be required to submit such information as  
 6 may be required by the Office of Tourism, Trade, and Economic  
 7 Development as of the established deadline date of the latest  
 8 grant cycle in order to adequately reflect the most current  
 9 status of the project.

10 Section 28. (1) For fiscal year 1997-1998 and subject  
 11 to appropriation in the General Appropriations Act, the Office  
 12 of Tourism, Trade, and Economic Development shall establish a  
 13 targeted market pilot project grant program, through which  
 14 funding will be provided on a competitive basis, which  
 15 successfully matches local businesses in this state with  
 16 specific international trade opportunities. The Legislature  
 17 finds that it is in the best interests of the state to  
 18 encourage and assist businesses in this state to actively  
 19 participate in international trade. Office of Tourism, Trade,  
 20 and Economic Development shall consult with the Florida  
 21 Council of International Development in the development of  
 22 this program.

23 (2) Grant proposals must be submitted by local or  
 24 regional economic development councils. Proposals must include  
 25 research assignments to the foreign offices of Enterprise  
 26 Florida, Inc., identifying potential foreign markets for  
 27 products now produced in this state, or which may easily be  
 28 produced by existing businesses in this state. Proposals must  
 29 also include a list of local businesses that are well suited  
 30 to participate in the program and the targeted international  
 31 market or products that the business would pursue.

1 Participating businesses are required to act as mentors,  
2 assisting the local or regional economic development councils  
3 in matching local businesses to future international trade  
4 opportunities.

5 (3) The Office of Tourism, Trade, and Economic  
6 Development shall adopt guidelines for administering the  
7 program and shall establish criteria for the competitive  
8 evaluation of grant proposals for funding. Evaluation criteria  
9 must include, but is not limited to:

10 (a) The quality of the business identification  
11 research.

12 (b) Cost effectiveness and cost per business served.

13 (c) Comprehensiveness of services offered, including,  
14 but not limited to, training and guidance.

15 (d) Projected employment.

16 (e) Projected employment of WAGES Program  
17 participants.

18 (f) The extent to which existing grants address the  
19 targeted international market.

20 (4) The Office of Tourism, Trade, and Economic  
21 Development shall establish procedures for the identification  
22 and validation of targeted international markets by the  
23 Florida foreign offices, as established under s. 288.012,  
24 Florida Statutes, for use in this program.

25 (5) The Office of Tourism, Trade, and Economic  
26 Development shall establish performance measures for this  
27 program prior to providing grant moneys to any entity and  
28 shall report such measures to the Governor, the President of  
29 the Senate, and the Speaker of the House of Representatives.

30 Section 29. (1) Subject to specific appropriations in  
31 the General Appropriations Act, the Office of Tourism, Trade,



1 and Economic Development may contract with the Enterprise  
2 Florida Capital Development Board or some other appropriate  
3 not-for-profit or governmental organization for any action  
4 that the office deems necessary to foster the development of  
5 microenterprises in the state. As used within this section,  
6 microenterprises are extremely small business enterprises  
7 which enable low and moderate income individuals to achieve  
8 self-sufficiency through self-employment. Microenterprise  
9 programs are those which provide at least one of the  
10 following: small amounts of capital, business training and  
11 technical assistance. Where feasible, the office or  
12 organizations under contract with the office shall work in  
13 cooperation with other organizations active in the study and  
14 support of microenterprises. Such actions may include, but  
15 are not limited to:

16 (a) Maintaining a network of communication and  
17 coordination among existing microenterprise lending and  
18 assistance programs throughout the state.

19 (b) Providing information and technical help to  
20 community-based or regional organizations attempting to  
21 establish new microenterprise programs.

22 (c) Encouraging private-sector investment in  
23 microenterprises and microenterprise lending programs.

24 (d) Fostering mentoring and networking relationships  
25 among microenterprises and other businesses and public bodies  
26 in order to give microenterprises access to management advice  
27 and business leads.

28 (e) Incorporating microenterprise components into the  
29 capital development programs and other business development  
30 programs operated by Enterprise Florida, Inc., and its  
31 affiliates.

1           (f) Providing organizational, financial, and marketing  
2 support for conferences, workshops, or similar events that  
3 focus on microenterprise development.

4           (g) Establishing a program and guidelines for the  
5 award of matching grants on a competitive basis to support the  
6 operational expenses of not-for-profit organizations and  
7 government agencies that are engaged in microenterprise  
8 lending and other microenterprise assistance activities.

9           (h) Coordinating with other organizations to ensure  
10 that participants in the WAGES Program are given opportunities  
11 to create microenterprises.

12           (2) The office shall adopt guidelines for  
13 administering the program and shall establish criteria for the  
14 competitive evaluation of applications for funding. The  
15 office shall establish performance measures for this program  
16 prior to providing grant moneys to any entity and shall report  
17 such measures to the Governor, the President of the Senate,  
18 and the Speaker of the House of Representatives.

19           Section 30. Section 290.0411, Florida Statutes, is  
20 amended to read:

21           290.0411 Legislative intent and purpose of ss.  
22 290.0401-290.049.--It is the intent of the Legislature to  
23 provide the necessary means to develop, preserve, redevelop,  
24 and revitalize Florida communities exhibiting signs of decline  
25 or distress by enabling local governments to undertake the  
26 necessary community development programs. The overall  
27 objective is to create viable communities by providing decent  
28 housing and suitable living environments and expanding  
29 economic opportunities, principally for persons of low or  
30 moderate income. The purpose of ss. 290.0401-290.049 is to  
31 assist local governments in carrying out effective community

1 development activities to arrest and reverse community decline  
2 and restore community vitality. Community development  
3 activities to maintain viable communities, revitalize existing  
4 communities, expand economic development and employment  
5 opportunities, and improve housing conditions and expand  
6 housing opportunities, providing direct benefit to persons of  
7 low or moderate income, are the primary purposes of ss.  
8 290.0401-290.049. The Legislature, therefore, declares that  
9 the development, redevelopment, preservation, and  
10 revitalization of communities in this state and all the  
11 purposes of ss. 290.0401-290.049 are public purposes for which  
12 public money may be borrowed, expended, loaned, pledged to  
13 guarantee loans, and granted.

14 Section 31. Subsections (1), (2), (3), and (4) of  
15 section 290.044, Florida Statutes, are amended to read:

16 290.044 Florida Small Cities Community Development  
17 Block Grant Program Fund; administration; distribution.--

18 (1) The Florida Small Cities Community Development  
19 Block Grant Program Fund is created. All revenue designated  
20 for deposit in such fund shall be deposited by the appropriate  
21 agency. The department shall administer this fund as a grant  
22 and loan guarantee program for carrying out the purposes of  
23 ss. 290.0401-290.049 ~~this act~~.

24 (2) The department shall distribute such funds as loan  
25 guarantees and grants to eligible local governments on the  
26 basis of a competitive selection process.

27 (3) The department shall define the broad community  
28 development objective to be achieved by the activities in each  
29 of the following grant program categories, and require  
30 applicants for grants to compete against each other in these  
31 grant program categories:

1           (a) Housing.  
2           (b) Economic development.  
3           (c) Neighborhood revitalization.  
4           (d) Commercial revitalization.  
5           (4) The percentage of funds distributed in each of the  
6 grant program categories from federal funds for federal fiscal  
7 year 1985 shall be established by the Legislature in the  
8 appropriation process for the 1984 regular session and shall  
9 be established annually thereafter in the same manner. The  
10 department shall submit its recommendation on the distribution  
11 percentages to the Governor and Legislature as part of its  
12 regular budget proposals. The department shall provide for the  
13 set-aside of an amount of up to 10 percent of the funds  
14 allocated to the neighborhood revitalization category in its  
15 distribution percentages for use in any eligible local  
16 government jurisdiction for which an emergency or natural  
17 disaster has been declared by executive order. Such funds may  
18 only be provided to a local government to fund eligible  
19 emergency-related activities for which no other source of  
20 federal, state, or local disaster funds is available. The  
21 department shall provide for such set-aside by rule. In the  
22 last quarter of the state fiscal year, any funds not allocated  
23 under the emergency-related set-aside shall be used to fully  
24 fund any applications which were partially funded due to  
25 inadequate funds in the most recently completed neighborhood  
26 revitalization category funding cycle, and then any remaining  
27 funds shall be distributed to the next unfunded applications.

28           Section 32. Section 290.0455, Florida Statutes, is  
29 created to read:

30           290.0455 Small Cities Community Development Block  
31 Grant Loan Guarantee Program.--

1           (1) The Small Cities Community Development Block Grant  
2 Loan Guarantee Program is created. The department shall  
3 administer the loan guarantee program pursuant to s. 108 of  
4 Title I of the Housing and Community Development Act of 1974,  
5 as amended, and as further amended by s. 910 of the  
6 Cranston-Gonzalez National Affordable Housing Act. The purpose  
7 of the Small Cities Community Development Block Grant Loan  
8 Guarantee Program is to guarantee, or to make commitments to  
9 guarantee, notes or other obligations issued by public  
10 entities for the purposes of financing activities enumerated  
11 in 24 C.F.R. s. 570.703.

12           (2) Activities assisted under the loan guarantee  
13 program must meet the requirements contained in 24 C.F.R. ss.  
14 570.700-570.710 and may not otherwise be financed in whole or  
15 in part from the Florida Small Cities Community Development  
16 Block Grant Program.

17           (3) The department may pledge existing revenues on  
18 deposit or future revenues projected to be available for  
19 deposit in the Florida Small Cities Community Development  
20 Block Grant Program in order to guarantee, in whole or in  
21 part, the payment of principal and interest on a loan made  
22 under the loan guarantee program.

23           (4) The department must submit all applications it  
24 receives to the United States Department of Housing and Urban  
25 Development for loan approval, in the order received, subject  
26 to the department determining that the application meets all  
27 eligibility requirements contained in 24 C.F.R. ss.  
28 570.700-570.710, and provided that the applicant has submitted  
29 the proposed activity to a loan underwriter to document its  
30 financial feasibility.

31

1           (5) The maximum amount of loan guarantee commitments  
2 that any eligible local government may receive may be limited  
3 to \$7 million pursuant to 24 C.F.R. s. 570.705, and the  
4 maximum amount of loan guarantee commitments statewide may not  
5 exceed an amount equal to five times the amount of the most  
6 recent grant received by the department under the Florida  
7 Small Cities Community Development Block Grant Program.

8           (6) Loans guaranteed by the loan guarantee program  
9 must be repaid within 20 years.

10           (7) Loan guarantees may be used for an activity only  
11 if the local government provides evidence to the department  
12 that alternative financing services were investigated and were  
13 unavailable or insufficient to meet the financing needs of the  
14 activity.

15           (8) The department must, before approving an  
16 application for a loan, evaluate the applicant's prior  
17 administration of block grant funds for community development.  
18 The evaluation of past performance must take into account the  
19 procedural aspects of previous grants or loans as well as  
20 substantive results. If the department finds that any  
21 applicant has failed to substantially accomplish the results  
22 proposed in the applicant's last previously funded  
23 application, the department may prohibit the applicant from  
24 receiving a loan or may penalize the applicant in the rating  
25 of the current application.

26           Section 33. Subsections (7) and (8) are added to  
27 section 290.047, Florida Statutes, to read

28           290.047 Establishment of grant ceilings and maximum  
29 administrative cost percentages; elimination of population  
30 bias.--

31

1           (7) Grant ceilings do not apply to the loan guarantee  
2 program authorized in s. 290.0455.

3           (8) If an applicant was the sponsor of an activity  
4 under the Small Cities Community Development Block Grant Loan  
5 Guarantee Program, and the loan for such activity is in  
6 default, thereby requiring the department to reduce its annual  
7 grant award in order to pay the annual debt service on the  
8 applicant's loan, the department shall reduce the grant  
9 ceiling available to such applicant in an amount equal to the  
10 amount of the state's grant award required to be used for the  
11 loan debt service.

12           Section 34. Subsection (6) is added to section  
13 290.048, Florida Statutes, to read:

14           290.048 General powers of Department of Community  
15 Affairs under ss. 290.0401-290.049.--The department has all  
16 the powers necessary or appropriate to carry out the purposes  
17 and provisions of the program, including the power to:

18           (6) Pledge community development block grant revenues  
19 from the Federal Government in order to guarantee notes or  
20 other obligations of a public entity which are approved  
21 pursuant to s. 290.0455.

22           Section 35. Paragraph (b) of subsection (3) of section  
23 311.07, Florida Statutes, 1996 Supplement, is amended to read:

24           311.07 Florida seaport transportation and economic  
25 development funding.--

26           (3)

27           (b) Projects eligible for funding by grants under the  
28 program are limited to the following port facilities or port  
29 transportation projects:

30           1. Transportation facilities within the jurisdiction  
31 of the port.

1           2. The dredging or deepening of channels, turning  
2 basins, or harbors.

3           3. The construction or rehabilitation of wharves,  
4 docks, structures, jetties, piers, storage facilities, cruise  
5 terminals, automated people mover systems, or any facilities  
6 necessary or useful in connection with any of the foregoing.

7           4. The acquisition of container cranes or other  
8 mechanized equipment used in the movement of cargo or  
9 passengers in international commerce.

10          5. The acquisition of land to be used for port  
11 purposes.

12          6. The acquisition, improvement, enlargement, or  
13 extension of existing port facilities.

14          7. Environmental protection projects which are  
15 necessary because of requirements imposed by a state agency as  
16 a condition of a permit or other form of state approval; which  
17 are necessary for environmental mitigation required as a  
18 condition of a state, federal, or local environmental permit;  
19 which are necessary for the acquisition of spoil disposal  
20 sites and improvements to existing and future spoil sites; or  
21 which result from the funding of eligible projects listed  
22 herein.

23          8. Transportation facilities as defined in s.  
24 334.03(31) which are not otherwise part of the Department of  
25 Transportation's adopted work program.

26          9. Seaport intermodal access projects identified in  
27 the 5-year Florida Seaport Mission Plan as provided in s.  
28 311.09(3).

29          Section 36. Subsection (1) of section 311.11, Florida  
30 Statutes, 1996 Supplement, is amended to read:

31           311.11 Seaport Employment Training Grant Program.--



1           (1) The Office of Tourism, Trade, and Economic  
 2 Development, in cooperation with the Florida Seaport  
 3 Transportation and Economic Development Council, shall  
 4 establish a Seaport Employment Training Grant Program within  
 5 the office. The office shall ~~may~~ grant funds appropriated by  
 6 the Legislature to the program for the purpose of stimulating  
 7 and supporting seaport training and employment programs which  
 8 will seek to match state and local training programs with  
 9 identified job skills associated with employment opportunities  
 10 in the port, maritime, and transportation industries, and for  
 11 the purpose of providing such other training, educational, and  
 12 information services as required to stimulate jobs in the  
 13 ~~described industries to seaport employment training programs~~  
 14 ~~for the purpose of training residents in job skills associated~~  
 15 ~~with employment opportunities related to economic development~~  
 16 ~~activities developed by any seaport member of the council or~~  
 17 ~~developed by the private sector in cooperation with any~~  
 18 ~~seaport member of the council.~~ Funds may be used for the  
 19 purchase of equipment to be used for training purposes, hiring  
 20 instructors, and any other purpose associated with the  
 21 training program. The office's contribution to any specific  
 22 training program may not exceed 50 percent of the total cost  
 23 of the program. Matching contributions ~~from the seaport and~~  
 24 ~~its private sector component~~ may include services in kind,  
 25 including, but not limited to, training instructors, equipment  
 26 usage, and training facilities.

27           Section 37. Subsection (4) of section 320.20, Florida  
 28 Statutes, 1996 Supplement, is renumbered as subsection (5) and  
 29 new subsection (4) is added to said section, to read:

30           320.20 Disposition of license tax moneys.--The revenue  
 31 derived from the registration of motor vehicles, including any

1 delinquent fees and excluding those revenues collected and  
2 distributed under the provisions of s. 320.081, must be  
3 distributed monthly, as collected, as follows:

4 (4) Notwithstanding any other provision of law except  
5 subsections (1), (2), and (3), on July 1, 1997, and annually  
6 thereafter, \$10 million shall be deposited in the State  
7 Transportation Trust Fund solely for the purposes of funding  
8 the Florida Seaport Transportation and Economic Development  
9 Program as provided in ch. 311 and for funding seaport  
10 intermodal access projects of statewide significance as  
11 provided in s. 341.053. Such revenues shall be distributed to  
12 any port listed in s. 311.09(1), to be used for funding  
13 projects as follows:

14 (a) For any seaport intermodal access projects which  
15 are identified in the 1997/98 Tentative Work Program of the  
16 Department of Transportation up to the amounts needed to  
17 offset the funding requirements of this section; and

18 (b) For seaport intermodal access projects as  
19 described in 341.053(5) which are identified in the 5-year  
20 Florida Seaport Mission Plan as provided in s. 311.09(3).  
21 Funding for such projects shall be on a matching basis as  
22 mutually determined by the Florida Seaport Transportation and  
23 Economic Development Council and the Department of  
24 Transportation, provided a minimum of 25 percent of total  
25 project funds shall come from any port, local, private or  
26 specifically earmarked federal funds; or

27 (c) On a 50-50 matching basis for projects as  
28 described in s. 311.07(3)(b).

29  
30 Such revenues may be assigned, pledged, or set aside as  
31 a trust for the payment of principal or interest on bonds, tax

1 anticipation certificates, or any other form of indebtedness  
 2 issued by an individual port or appropriate local government  
 3 having jurisdiction thereof, or collectively by interlocal  
 4 agreement among any of the ports, or used to purchase credit  
 5 support to permit such borrowings. However, such debt shall  
 6 not constitute a general obligation of the State of Florida.  
 7 This state does hereby covenant with holders of such revenue  
 8 bonds or other instruments of indebtedness issued hereunder  
 9 that it will not repeal or impair or amend this subsection in  
 10 any manner which will materially and adversely affect the  
 11 rights of holders so long as bonds authorized by this  
 12 subsection are outstanding. Any revenues which are not pledged  
 13 to the repayment of bonds as authorized by this section may be  
 14 utilized for purposes authorized under the Florida Seaport  
 15 Transportation and Economic Development Program. This revenue  
 16 source is in addition to any amounts provided for and  
 17 appropriated in accordance with s. 311.07 and s. 320.20(3).  
 18 The Florida Seaport Transportation and Economic Development  
 19 Council shall approve distribution of funds to ports for  
 20 projects which have been approved pursuant to s.  
 21 311.09(5)-(9), or for seaport intermodal access projects  
 22 identified in the 5-year Florida Seaport Mission Plan as  
 23 provided in s. 311.09(3) and mutually agreed upon by the FSTED  
 24 Council and the Department of Transportation. The council and  
 25 the Department of Transportation are authorized to perform  
 26 such acts as are required to facilitate and implement the  
 27 provisions of this subsection. To better enable the ports to  
 28 cooperate to their mutual advantage, the governing body of  
 29 each port may exercise powers provided to municipalities or  
 30 counties in s. 163.01(7)(d) subject to the provisions of ch.  
 31 311 and special acts, if any, pertaining to a port. The use of

1 funds provided pursuant to this subsection are limited to  
2 eligible projects listed in this subsection. The provisions of  
3 s. 311.07(4) do not apply to any funds received pursuant to  
4 this subsection.

5 Section 38. Section 337.023, Florida Statutes, is  
6 created to read:

7 337.023 Sale of building; acceptance of replacement  
8 building.--Notwithstanding the provisions of s. 216.292(4)(b),  
9 if the department sells a building, the department may accept  
10 the construction of a replacement building, in response to a  
11 request for proposals, totally or partially in lieu of cash,  
12 and may do so without a specific legislative appropriation.  
13 Such action is subject to the approval of the Executive Office  
14 of the Governor, and is subject to the notice, review, and  
15 objection procedures under s. 216.177. The replacement  
16 building shall be consistent with the current and projected  
17 needs of the department as agreed upon by the department and  
18 the Department of Management Services.

19 Section 39. Subsection (6) of section 380.06, Florida  
20 Statutes, 1996 Supplement, is amended to read:

21 380.06 Developments of regional impact.--

22 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT;  
23 CONCURRENT PLAN AMENDMENTS.--

24 (a) Prior to undertaking any development, a developer  
25 that is required to undergo development-of-regional-impact  
26 review shall file an application for development approval with  
27 the appropriate local government having jurisdiction. The  
28 application shall contain, in addition to such other matters  
29 as may be required, a statement that the developer proposes to  
30 undertake a development of regional impact as required under  
31 this section.

1 (b) Any local government comprehensive plan amendments  
2 related to a proposed development of regional impact,  
3 including any changes proposed under subsection (19), may be  
4 initiated by a local planning agency or the developer and must  
5 be considered by the local governing body at the same time as  
6 the application for development approval using the procedures  
7 provided for local plan amendment in s. 163.3187 or s.  
8 163.3189 and applicable local ordinances, without regard to  
9 statutory or local ordinance limits on the frequency of  
10 consideration of amendments to the local comprehensive plan.  
11 Nothing in this paragraph shall be deemed to require favorable  
12 consideration of a plan amendment solely because it is related  
13 to a development of regional impact. The procedure for  
14 processing such comprehensive plan amendments is as follows:  
15 1. If a developer seeks a comprehensive plan amendment  
16 related to a development of regional impact, the developer  
17 must so notify in writing the regional planning agency, the  
18 applicable local government, and the state land planning  
19 agency no later than the date of preapplication conference or  
20 the submission of the proposed change under subsection (19).  
21 2. When filing the application for development  
22 approval or the proposed change, the developer must include a  
23 written request for comprehensive plan amendments that would  
24 be necessitated by the development-of-regional-impact  
25 approvals sought. That request must include data and analysis  
26 upon which the applicable local government can determine  
27 whether to transmit the comprehensive plan amendment pursuant  
28 to s. 163.3184.  
29 3. The local government must advertise a public  
30 hearing on the transmittal within 30 days after filing the  
31 application for development approval or the proposed change

1 and must make a determination on the transmittal within 60  
2 days after the initial filing unless that time is extended by  
3 the developer.

4 4. If the local government approves the transmittal,  
5 procedures set forth in s. 163.3184(3)-(6) must be followed.

6 5. Notwithstanding subsection (11) or subsection (19),  
7 the local government may not hold a public hearing on the  
8 application for development approval or the proposed change or  
9 on the comprehensive plan amendments sooner than 30 days from  
10 receipt of the response from the state land planning agency  
11 pursuant to s. 163.3184(6). The 60-day time period for local  
12 governments to adopt, adopt with changes, or not adopt plan  
13 amendments pursuant to s. 163.3184(7) shall not apply to  
14 concurrent plan amendments provided for in this subsection.

15 6. The local government must hear both the application  
16 for development approval or the proposed change and the  
17 comprehensive plan amendments at the same hearing. However,  
18 the local government must take action separately on the  
19 application for development approval or the proposed change  
20 and on the comprehensive plan amendments.

21 7. Thereafter, the appeal process for the local  
22 government development order must follow the provisions of s.  
23 380.07, and the compliance process for the comprehensive plan  
24 amendments must follow the provisions of s. 163.3184.

25 Section 40. Subsection (1) of section 455.213, Florida  
26 Statutes, 1996 Supplement, is amended to read:

27 455.213 General licensing provisions.--

28 (1) Any person desiring to be licensed shall apply to  
29 the department in writing to take the appropriate examination.  
30 The application shall be made on a form prepared and furnished  
31 by the department and shall be supplemented as needed to

1 reflect any material change in any circumstance or condition  
 2 stated in the application which takes place between the  
 3 initial filing of the application and the final grant or  
 4 denial of the license and which might affect the decision of  
 5 the agency. In order to further the economic development goals  
 6 of the state, and notwithstanding any law to the contrary, the  
 7 department may enter into an agreement with the county tax  
 8 collector for the purpose of appointing the county tax  
 9 collector as the department's agent to accept applications for  
 10 licenses and applications for renewals of licenses. The  
 11 agreement must specify the time within which the tax collector  
 12 must forward any applications and accompanying application  
 13 fees to the department.

14 Section 41. Subsection (1) of section 455.2141,  
 15 Florida Statutes, 1996 Supplement, is amended to read:

16 455.2141 Agency for Health Care Administration;  
 17 general licensing provisions.--

18 (1) Any person desiring to be licensed in a profession  
 19 within the jurisdiction of the Agency for Health Care  
 20 Administration shall apply to the agency in writing to take  
 21 the licensure examination. The application shall be made on a  
 22 form prepared and furnished by the agency and shall be  
 23 supplemented as needed to reflect any material change in any  
 24 circumstance or condition stated in the application which  
 25 takes place between the initial filing of the application and  
 26 the final grant or denial of the license and which might  
 27 affect the decision of the agency. In order to further the  
 28 economic development goals of the state, and notwithstanding  
 29 any law to the contrary, the agency may enter into an  
 30 agreement with the county tax collector for the purpose of  
 31 appointing the county tax collector as the agency's agent to

1 accept applications for licenses and applications for renewals  
2 of licenses. The agreement must specify the time within which  
3 the tax collector must forward any applications and  
4 accompanying application fees to the agency.

5 Section 42. In order to further the economic  
6 development goals of the state, and notwithstanding any law to  
7 the contrary, the Department of State may enter into an  
8 agreement with the county tax collector for the purpose of  
9 appointing the county tax collector as the department's agent  
10 to accept applications for licenses or other similar  
11 registrations and applications for renewals of licenses or  
12 other similar registrations. The agreement must specify the  
13 time within which the tax collector must forward any  
14 applications and accompanying application fees to the  
15 department.

16 Section 43. In order to further the economic  
17 development goals of the state, and notwithstanding any law to  
18 the contrary, the Department of Labor and Employment Security  
19 may enter into an agreement with the county tax collector for  
20 the purpose of appointing the county tax collector as the  
21 department's agent to accept applications for licenses or  
22 other similar registrations and applications for renewals of  
23 licenses or other similar registrations. The agreement must  
24 specify the time within which the tax collector must forward  
25 any applications and accompanying application fees to the  
26 department.

27 Section 44. Section 624.426, Florida Statutes, is  
28 amended to read:

29 624.426 Exceptions to resident agent and  
30 countersignature law.--Section 624.425 does not apply to:

- 31 (1) Contracts of reinsurance.



1           (2) Policies of insurance on the rolling stock of  
2 railroad companies doing a general freight and passenger  
3 business.

4           (3) United States Customs surety bonds that are issued  
5 by a corporate surety approved by the United States Department  
6 of Treasury and that name the United States as the  
7 beneficiary.

8           Section 45. Employing and Training our Youths  
9 (ENTRY).--

10           (1) DEFINITIONS.--As used in this section:

11           (a) "Director" means the executive director of the  
12 Office of Tourism, Trade, and Economic Development.

13           (b) "Eligible business" means any sole proprietorship,  
14 firm, partnership, corporation, bank, savings association,  
15 estate, trust, business trust, receiver, syndicate, or other  
16 group or combination, or successor business.

17           (c) "Eligible youth employee" means a student between  
18 the ages of 15 and 18 currently enrolled at a Florida public  
19 school, who has not been previously employed within the  
20 preceding 12 months by the eligible business, or a successor  
21 eligible business, claiming the credit allowed in this  
22 section. The youth employee shall be deemed to be employed if  
23 the youth performs duties in connection with the operations of  
24 the business on a regular basis, provided the youth is  
25 performing such duties on an average of at least 12 hours per  
26 week each month throughout the year and is being paid for such  
27 duties at a rate no less than the minimum wage established  
28 pursuant to federal law.

29           (d) "Fiscal year" means the fiscal year of the state.

30           (e) "Office" means the Office of Tourism, Trade, and  
31 Economic Development.

1           (f) "Public school" shall have the same meaning as in  
2 s. 228.041(1)(a), Florida Statutes.

3           (2) TAX REFUND; ELIGIBLE AMOUNTS.--

4           (a) Contingent upon an annual appropriation by the  
5 Legislature, the director may approve an eligible business to  
6 receive tax refund payments of up to \$1,600 per eligible youth  
7 employee. An eligible business may not receive tax refund  
8 payments for more than five eligible youth employees in any  
9 single fiscal year.

10           (b) After entering into an employment/tax refund  
11 agreement under subsection (3), an eligible business may  
12 receive refunds for the following taxes or fees due and paid  
13 by that business:

14           1. Taxes on sales, use, and other transactions under  
15 part I of chapter 212, Florida Statutes.

16           2. Corporate income taxes under chapter 220, Florida  
17 Statutes.

18           3. Intangible personal property taxes under chapter  
19 199, Florida Statutes.

20           4. Emergency excise taxes under chapter 221, Florida  
21 Statutes.

22           5. Excise taxes on documents under chapter 201,  
23 Florida Statutes.

24           6. Ad valorem taxes paid, as defined in section  
25 220.03(1), Florida Statutes.

26           7. Insurance premium taxes under section 624.509,  
27 Florida Statutes.

28           8. Occupational license fees under chapter 205,  
29 Florida Statutes.

30  
31

1 However, an eligible business may not receive a refund under  
2 this section for any amount of credit, refund, or exemption  
3 granted to that business for any of such taxes or fees. If a  
4 refund for such taxes or fees is provided by the office, which  
5 taxes or fees are subsequently adjusted by the application of  
6 any credit, refund, or exemption granted to the eligible  
7 business other than as provided in this section, the business  
8 shall reimburse the office for the amount of that credit,  
9 refund, or exemption. An eligible business shall notify and  
10 tender payment to the office within 20 days after receiving  
11 any credit, refund, or exemption other than the one provided  
12 in this section.

13 (c) An eligible business that fraudulently claims a  
14 refund under this section:

15 1. Is liable for repayment of the amount of refund to  
16 the office, plus a mandatory penalty in the amount of 200  
17 percent of the tax refund which shall be deposited in the  
18 General Revenue Fund.

19 2. Is guilty of a felony of the third degree,  
20 punishable as provided in s. 775.082, s. 775.083, or s.  
21 775.084, Florida Statutes.

22 (3) ADMINISTRATION.--

23 (a) To apply for tax refunds pursuant to this section,  
24 an eligible business must file an employment/tax refund  
25 application, developed by the office, at the public school the  
26 eligible youth employee attends.

27 (b) The public school shall forward the application to  
28 the office within 5 calendar days after receipt of a complete  
29 application. Within 10 calendar days after receipt of the  
30 application, the office shall enter a final order that either  
31 approves or disapproves the application. The decisions must

1 be in writing and must provide the justifications for approval  
2 or disapproval.

3 (c) An eligible business that has been approved by the  
4 office to receive tax refunds may apply to the office for a  
5 refund at the end of each calendar quarter the eligible youth  
6 employee is employed by the business. An eligible business  
7 may not receive refund payments of more than 25 percent of the  
8 total tax refunds due such business under this section each  
9 calendar quarter. Termination of employment of an eligible  
10 youth employee shall result in loss of eligibility for tax  
11 refunds for such employee under this section.

12 (d) The claim for refund by an eligible business must  
13 include a copy of all receipts pertaining to the payment of  
14 taxes for which the refund is sought.

15 (e) Nothing in this section shall create a presumption  
16 that an eligible business will receive any tax refund under  
17 this section.

18 (f) The office is authorized to develop rules and  
19 forms, pursuant to chapter 120, Florida Statutes, to implement  
20 the provisions of this section. The office is authorized to  
21 verify information provided in any claim submitted for tax  
22 credits under this section with regard to employment and wage  
23 levels or the payment of the taxes to the appropriate agency  
24 or authority, including the Department of Revenue, the  
25 Department of Labor and Employment Security, or any local  
26 government or authority.

27 (4) REPEAL.--The provisions of this section shall  
28 expire and be void on June 30, 2007.

29 Section 46. Subsection (7) of section 14.2015, Florida  
30 Statutes, 1996 Supplement, sections 118.01, 118.02, and  
31 118.03, Florida Statutes, as amended by chapter 95-147, Laws

1 of Florida, and section 118.04, Florida Statutes, are  
2 repealed.

3 Section 47. There is hereby appropriated from the  
4 State Transportation Trust Fund \$10 million to the Department  
5 of Transportation to fund the Florida Seaport Transportation  
6 and Economic Development Program as provided in chapter 311,  
7 Florida Statutes, and pursuant to s. 320.20, Florida Statutes,  
8 for fiscal year 1997-1998.

9 Section 48. (1) The sum of \$500,000 is hereby  
10 appropriated from the General Revenue Fund to the Florida  
11 International Trade and Promotion Trust Fund for fiscal year  
12 1997-1998 to fund the Seaport Employment Training Grant  
13 Program contained in section 311.11, Florida Statutes.

14 (2) The sum of \$2 million is hereby appropriated from  
15 the General Revenue Fund to the Economic Development Trust  
16 Fund for fiscal year 1997-1998 to fund tax refunds issued  
17 pursuant to the ENTRY Tax Refund Program contained in section  
18 20 of this act. From such funds, the Office of Tourism,  
19 Trade, and Economic Development shall initially implement the  
20 ENTRY program as a pilot program in three areas of the state.  
21 The office shall consider the following in selecting the  
22 locations of the pilot areas:

23 (a) Geographic diversification and diversity of  
24 community size.

25 (b) Estimated number of students which are expected to  
26 be placed relative to the population of potential student  
27 participants in the community.

28 (c) The degree to which local partnerships between the  
29 local workforce development board, local education agencies,  
30 local business community and other organizations involved in  
31

1 community development will enhance the effectiveness of the  
2 ENTRY program.

3 (d) The degree to which other federal, state, or local  
4 funds can be leveraged by tax refunds received under the ENTRY  
5 program.

6 Section 49. If any provision of this act or the  
7 application thereof to any person or circumstance is held  
8 invalid, the invalidity does not affect other provisions or  
9 applications of the act which can be given effect without the  
10 invalid provision or application, and to this end the  
11 provisions of this act are declared severable.

12 Section 50. In order to further the economic  
13 development goals of the state, an incentive to facilitate  
14 increased employment in Florida's boat motor and vessel  
15 manufacturing industry is hereby created so that vessels  
16 operated for test purposes by boat motor or vessel  
17 manufacturers shall be exempt from vessel speed regulations  
18 adopted after January 1, 1994. This provision shall only apply  
19 to tests conducted in the same waters in which tests were  
20 conducted prior to the adoption of such regulations. This  
21 provision shall not authorize the reckless or careless  
22 operation of vessels as otherwise prohibited by law.

23 Section 51. This act shall take effect July 1, 1997.  
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