Amendment No. 001 (for drafter's use only)

	CHAMBER ACTION Senate House
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5	ORIGINAL STAMP BELOW
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11	The Committee on Business Development & International Trade
12	offered the following:
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14	Amendment (with title amendment)
15	Remove from the bill: Everything after the enacting clause
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17	and insert in lieu thereof:
18	Section 1. Present subsection (4) of section 414.026,
19	Florida Statutes, is redesignated as subsection (6) and
20	amended, and new subsection (4) is added to that section, to
21	read:
22	414.026 WAGES Program State Board of Directors
23	(4) The WAGES Program State Board of Directors must
24	approve the WAGES State Plan, the operating budget and any
25	amendments thereto, and any WAGES-related proposed
26	administrative rules. In addition, state agencies charged by
27	law with implementation of the WAGES Program and the Workforce
28	Development Board of Enterprise Florida, Inc., shall
29	collaborate with the staff of the WAGES Program State Board of
30	Directors on all WAGES-related policies, requests for
31	proposals, and related directives.

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(5)(4) This section expires June 30, 2002 1999, and shall be reviewed by the Legislature prior to that date. In its review, the Legislature shall assess the status of the WAGES Program and shall determine if the responsibility for administering the program should be transferred to other state agencies.

Section 2. Section 414.028, Florida Statutes, is amended to read:

414.028 Local WAGES coalitions.--The WAGES Program State Board of Directors shall create and charter local WAGES coalitions to plan and coordinate the delivery of services under the WAGES Program at the local level. The boundaries of the service area for a local WAGES coalition shall conform to the boundaries of the service area for the regional workforce development board established under the Enterprise Florida workforce development board. The local delivery of services under the WAGES Program shall be coordinated, to the maximum extent possible, with the local services and activities of the local service providers designated by the regional workforce development boards.

- (1)(a) Each local WAGES coalition must have a minimum of 11 members, of which at least one-half must be from the business community. The composition of the coalition membership must generally reflect the racial, gender, and ethnic diversity of the community as a whole. All members shall be appointed to 3-year terms. The membership of each coalition must include:
- 1. Representatives of the principal entities that provide funding for the employment, education, training, and social service programs that are operated in the service area, including, but not limited to, representatives of local

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government, the regional workforce development board, and the United Way.

- 2. A representative of the health and human services board.
 - 3. A representative of a community development board.
- 4. Three representatives of the business community who represent a diversity of sizes of businesses.
- 5. Representatives of other local planning, coordinating, or service-delivery entities.
- 6. A representative of a grassroots community or economic development organization that serves the poor of the community.
- (b) A person may be a member of a local WAGES coalition or a combined WAGES coalition as provided in subsection (2) regardless of whether the member, or an organization represented by a member, could benefit financially from transactions of the coalition. However, if the coalition enters into a contract with an organization or individual represented on the coalition, the contract must be approved by a two-thirds vote of the entire board, and the board member who could benefit financially from the transaction must abstain from voting. A board member must disclose any such conflict in a manner that is approved by the WAGES Program State Board of Directors and is consistent with the procedures outlined in s. 112.3143. A representative of an agency or entity that could benefit financially from funds appropriated under the WAGES Program may not be a member of a local WAGES coalition.
- (c) A member of the board of a public or private educational institution may not serve as a member of a local WAGES coalition.

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- (d) A representative of any county or municipal governing body that elects to provide services through the local WAGES coalition shall be an ex officio, nonvoting member of the coalition.
- (e) A representative of a county health department or a representative of a healthy start coalition shall serve as an ex officio, nonvoting member of the coalition.
- (f) This subsection does not prevent a local WAGES coalition from extending regular, voting membership to not more than one representative of a county health department and not more than one representative of a healthy start coalition.
- (2) A local WAGES coalition and a regional workforce development board may be combined into one board if the membership complies with subsection (1), and if the membership of the combined board meets the requirements of Pub. L. No. 97-300, the federal Job Training Partnership Act, as amended, and with any law delineating the membership requirements for the regional workforce development boards. Notwithstanding paragraph (1)(b), in a region in which the duties of the two boards are combined, a person may be a member of the WAGES coalition even if the member, or the member's principal, could benefit financially from transactions of the coalition. However, members must recuse themselves from voting on all matters from which they or their principals could benefit financially. Failure to recuse on any constitute grounds for immediate removal from the local WAGES coalition.
- (3) The statewide implementation plan prepared by the WAGES Program State Board of Directors shall prescribe and publish the process for chartering the local WAGES coalitions.
 - (4) Each local WAGES coalition shall perform the

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planning, coordination, and oversight functions specified in the statewide implementation plan, including, but not limited to:

- (a) Developing a program and financial plan to achieve the performance outcomes specified by the WAGES Program State Board of Directors for current and potential program participants in the service area. The plan must reflect the needs of service areas for seed money to create programs that assist children of WAGES participants. The plan must also include provisions for providing services for victims of domestic violence.
- (b) Developing a funding strategy to implement the program and financial plan which incorporates resources from all principal funding sources.
- (c) Identifying employment, service, and support resources in the community which may be used to fulfill the performance outcomes of the WAGES Program.
- (d) In cooperation with the regional workforce development board, coordinating the implementation of one-stop career centers.
- (e) Advising the Department of Children and Family Services and the Department of Labor and Employment Security with respect to the competitive procurement of services under the WAGES Program.
- (f) Selecting an entity to administer the program and financial plan, such as a unit of a political subdivision within the service area, a not-for-profit private organization or corporation, or any other entity agreed upon by the local WAGES coalition.
- (g) Developing a plan for services for victims of domestic violence.

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1	1. The WAGES Program State Board of Directors shall
2	specify requirements for the local plan, including:
3	a. Criteria for determining eligibility for exceptions
4	to state work requirements;
5	b. The programs and services to be offered to victims
6	of domestic violence;
7	c. Time limits for exceptions to program requirements,
8	which may not result in an adult participant exceeding the
9	federal time limit for exceptions or the state lifetime
10	benefit limit that the participant would otherwise be entitled
11	to receive; and
12	d. An annual report on domestic violence, including
13	the progress made in reducing domestic violence as a barrier
14	to self-sufficiency among WAGES participants, local policies
15	and procedures for granting exceptions and exemptions from
16	program requirements due to domestic violence, and the number
17	and percentage of cases in which such exceptions and
18	exemptions are granted.
19	2. Each local WAGES coalition plan must specify
20	provisions for coordinating and, where appropriate, delivering
21	services, including:
22	a. Provisions for the local coalition to coordinate
23	with law enforcement agencies and social service agencies and
24	organizations that provide services and protection to victims
25	of domestic violence;
26	b. Provisions for allowing participants access to
27	domestic violence support services and ensuring that WAGES
28	participants are aware of domestic violence shelters,
29	hotlines, and other domestic violence services and policies;

determining eligibility for exceptions from program

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c. Designation of the agency that is responsible for

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1	requirements due to domestic violence;
2	d. Provisions that require each individual who is
3	granted an exemption from program requirements due to domestic
4	violence to participate in a program that prepares the
5	individual for self-sufficiency and safety; and
6	e. Where possible and necessary, provisions for job
7	assignments and transportation arrangements that take maximum
8	advantage of opportunities to preserve the safety of the
9	victim of domestic violence and the victim's dependents.
10	(5) By October 1, 1998, local WAGES coalitions shall
11	deliver through one-stop career centers, the full continuum of
12	services provided under the WAGES Program, including services
13	that are provided at the point of application. The State WAGES
14	Board may direct the Department of Labor and Employment
15	Security to provide such services to WAGES participants if a
16	local WAGES coalition is unable to provide services due to
17	decertification. Local WAGES coalitions may not determine an
18	individual's eligibility for temporary cash assistance and all
19	education and training shall be provided through agreements
20	with regional workforce development boards. The local WAGES
21	coalitions shall develop a transition plan to be approved by
22	the WAGES Program State Board of Directors. Should career
23	service employees of the Department of Labor and Employment
24	Security be subject to layoff due to the local WAGES
25	coalitions taking over the delivery of such services, such
26	employees shall be given priority consideration for employment
27	by the local WAGES coalitions. The local coalition's
28	transition plan shall provide for the utilization of space
29	leased by the Department of Labor and Employment Security for
30	WAGES service functions. By October 1, 1998, the coalition
31	may have negotiated and entered into new lease agreements or

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subleased for said space from the Department of Labor and 1 Employment Security. In the event the coalition does not 2 3 utilize the Department of Labor and Employment Security leased 4 space, the Department of Labor and Employment Security shall 5 not be obligated to pay under any lease agreement for WAGES 6 services entered into by the Department since July 1, 1996. 7 (6)(5) The WAGES Program State Board of Directors may 8 not approve the program and financial plan of a local 9 coalition unless the plan provides a teen pregnancy prevention 10 component that includes, but is not necessarily limited to, a 11 plan for implementing the Florida Education Now and Babies 12 Later (ENABL) program under s. 411.242 and the Teen Pregnancy 13 Prevention Community Initiative within each county segment of the service area in which the teen childhood birth rate is 14 15 higher than the state average. Each local WAGES coalition is 16 authorized to fund community-based welfare prevention and 17 reduction initiatives that increase the support provided by noncustodial parents to their welfare-dependent children and 18 are consistent with program and financial guidelines developed 19 20 by the WAGES Program State Board of Directors and the Commission on Responsible Fatherhood. These initiatives may 21 include, but are not limited to, improved paternity 22 establishment, work activities for noncustodial parents, and 23 24 programs aimed at decreasing out-of-wedlock pregnancies, encouraging the involvement of fathers with their children, 25 and increasing child-support payments. 26 27 (7) (7) (6) At the option of the local WAGES coalition, local employees of the department and the Department of Labor 28 29 and Employment Security shall provide staff support for the 30 local WAGES coalitions. At the option of the local WAGES coalition, Staff support may be provided by another agency, or

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entity, or by contract if it can be provided at no cost to the state and if the support is not provided by an agency or other entity that could benefit financially from funds appropriated to implement the WAGES Program.

(8)(7) There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member of a local WAGES coalition or its employees or agents for any lawful action taken by them in the performance of their powers and duties under this section and s. 414.029.

Section 3. Section 414.030, Florida Statutes, is created to read:

414.030 WAGES Program Employment Projects.--

- (1) The Legislature finds that the success of the WAGES Program depends upon the existence of sufficient employment opportunities compatible with the education and skill levels of participants in the WAGES Program. The Legislature further finds that extraordinary assistance may need to be granted for certain economic development projects that can have a great impact on the employment of WAGES participants. It is the intent of the Legislature to authorize the Governor and local governments to marshal state and local resources in a coordinated and timely manner to foster the development and completion of economic development projects that have been identified as having a great impact on the employment of WAGES participants.
- (2) By August 1 of each year, each local WAGES
 coalition, in consultation with city and county economic
 development organizations, shall identify economic development
 projects that can have the greatest impact on employing WAGES
 participants in their areas. Each local WAGES coalition shall
 provide a prioritized list of no more than 5 such projects to

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the	state	WAGES	board	by .	August	: 1	of	each	year.	. Tł	<u>ne</u>	
coa	litions	s shal	l ident	ify	local	Lre	esou	ırces	that	are	availa	ole
to	foster	the d	.evelopr	nent	and o	comp	olet	cion o	of eac	ch pi	roject.	

- (3)(a) By September 1 of each year, the state WAGES board, in consultation with Enterprise Florida, Inc., shall review and prioritize the list of projects identified pursuant to subsection (2) using the following criteria:
- 1. The project is located in an area with a large number of hardship extensions requiring a third year in the program in order to get job placement;
- 2. The project is located in an area with high unemployment in the major categories of jobs where WAGES participants are normally placed; and
- 3. The local WAGES coalition has demonstrated diligent efforts to place WAGES participants in jobs through a variety of programs; including job placement programs, partnership programs with private businesses, and full utilization of available resources; and
- 4. The local WAGES coalition has identified a number of local, regional, or federal resources that could be used to match any state resources used to foster the development or completion of the project.
- (b) To the greatest extent possible, the state WAGES board shall foster the development or completion of the projects identified pursuant to paragraph (a) using existing state and local resources under the control of the state WAGES board and local WAGES coalition. To the extent that such projects cannot be developed or completed from resources available to the state WAGES board or local WAGES coalitions, the board may identify and prioritize no more than 10

projects, of which no more than 3 may be located in Dade

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County, that need extraordinary state and local assistance.
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    The state WAGES board shall provide the list of projects
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    needing extraordinary assistance to the Governor and each
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    WAGES Program Employment Project Coordinator designated
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    pursuant to subsection (4) by September 1 of each year.
          (4)(a) By July 1, 1998, the heads of the Departments
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    of Agriculture and Consumer Services, Labor and Employment
    Security, Community Affairs, Children and Family Services,
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    Revenue, Business and Professional Regulation, Management
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    Services, Military Affairs, Transportation, and Environmental
    Protection, and the Comptroller; the Auditor General; the
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    executive director of each water management district; and the
    heads of the Office of Tourism, Trade, and Economic
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    Development, Enterprise Florida, Inc., Institute of Food and
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    Agricultural Science, the State Board of Community Colleges,
    the Division of Workforce Development of the Department of
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    Education, State University System, and the Office of Planning
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    and Budgeting shall select from within such organizations a
    person to be designated as the WAGES Program Employment
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    Project Coordinator.
          (b) By October 1 of each year, each WAGES Program
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    Employment Project Coordinator shall determine what resources
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    are available at the organization to foster the development
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    and completion of the economic development projects received
    pursuant to subsection (3). Each coordinator shall provide
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    this determination to the Governor by October 1 of each year.
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          (5)(a) By October 15 of each year, the Governor may,
    by executive order, designate these projects as WAGES Program
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    Employment Projects, and direct the agencies to use the
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    resources identified pursuant to subsection (4) to develop or
    complete such projects. The order shall direct such agencies
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to contract with the appropriate local WAGES coalition to develop or complete such projects.

- (b) Notwithstanding the eligibility provisions of s. 403.973, the Governor may waive such eligibility requirements by executive order for projects that have been identified as needing expedited permitting.
- (c) To the extent that resources identified pursuant to subsection (4) have been appropriated by the Legislature for a specific purpose that does not allow for the expenditure of such resources on the projects, the Governor may use the budget amendment process in chapter 216 to request that these resources be released to the Governor's Office to accomplish the development or completion of the project.
- (d) Any executive order issued by the Governor pursuant to this section shall expire within 90 days, unless renewed for an additional 60 days by the Governor. However, no executive order may be issued by the Governor pursuant to this section for a period in excess of 150 days.
- an area where a WAGES Program Employment Project has been designated by the Governor pursuant to subsection (5) shall enter into a contract with the appropriate local, state, or private entities to ensure that the project is developed and completed. Such contracts may include, but are not limited to, contracts with applicable state agencies, and businesses to provide training, education, and employment opportunities for WAGES participants.
- (7) By March 15 of each year, the state WAGES board shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader a complete and detailed

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report that includes, but is not limited to; a description of
the activities, expenditures, and projects undertaken pursuan
to this section, and a description of what, if any,
legislative action that may be necessary.
(8)(a) The Auditor Ceneral may purguant to hig or her

- (8)(a) The Auditor General may, pursuant to his or her own authority or at the direction of the Legislature, conduct a financial audit of the expenditure of resources pursuant to this section.
- (b) Prior to the 2000 Regular Session of the
 Legislature, the Office of Program Policy Analysis and
 Government Accountability, shall conduct a review of the
 projects developed or completed pursuant to this section. The
 review shall be comprehensive in its scope, but, at a minimum,
 must be conducted in a manner as to specifically determine:
- 1. The impact the provisions contained in this section had on the development and completion of the projects identified pursuant to this section.
- 2. Whether it would be sound public policy to continue or discontinue to foster the development or completion of projects using the processes provided in this section. The report shall be submitted by January 1, 2000, to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader.
- Section 4. Paragraph (b) of subsection (1) and subsection (7) of section 414.065, Florida Statutes, are amended and subsection (12) is added to that section to read:

414.065 Work requirements.--

- (1) WORK ACTIVITIES.--The following activities may be used individually or in combination to satisfy the work requirements for a participant in the WAGES Program:
 - (b) Subsidized private sector employment. -- Subsidized

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private sector employment is employment in a private for-profit enterprise or a private not-for-profit enterprise which is directly supplemented by federal or state funds. A subsidy may be provided in one or more of the forms listed in this paragraph.

- 1. Work supplementation. -- A work supplementation subsidy diverts a participant's temporary cash assistance under the program to the employer. The employer must pay the participant wages that equal or exceed the applicable federal minimum wage. Work supplementation may not exceed 6 months. At the end of the supplementation period, the employer is expected to retain the participant as a regular employee without receiving a subsidy for at least 12 months. A The work supplementation agreement may not be continued with any employer who exhibits a pattern of failing to provide participants with continued employment after the period of work supplementation ends must provide that if the employee is dismissed at any time within 12 months after termination of the supplementation period due in any part to loss of the supplement, the employer shall repay some or all of the supplement previously paid as a subsidy to the employer under the WAGES Program.
- 2. On-the-job training.--On-the-job training is full-time, paid employment in which the employer or an educational institution in cooperation with the employer provides training needed for the participant to perform the skills required for the position. The employer or the educational institution on behalf of the employer receives a subsidy to offset the cost of the training provided to the participant. Upon satisfactory completion of the training, the employer is expected to retain the participant as a regular

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employee without receiving a subsidy. An The on-the-job training agreement may not be continued with any employer who exhibits a pattern of failing to provide participants with continued employment after the on-the-job training subsidy ends must provide that in the case of dismissal of a participant due to loss of the subsidy, the employer shall repay some or all of the subsidy previously provided by the department and the Department of Labor and Employment Security.

Incentive payments. -- The department and the Department of Labor and Employment Security may provide additional incentive payments to encourage employers to employ program participants. Incentive payments may include payments to encourage the employment of hard-to-place participants, in which case the amount of the payment shall be weighted proportionally to the extent to which the participant has limitations associated with the long-term receipt of welfare and difficulty in sustaining employment. In establishing incentive payments, the department and the Department of Labor and Employment Security shall consider the extent of prior receipt of welfare, lack of employment experience, lack of education, lack of job skills, and other appropriate factors. A participant who has complied with program requirements and who is approaching the time limit for receiving temporary cash assistance may be defined as "hard-to-place." Incentive payments may include payments in which an initial payment is made to the employer upon the employment of a participant, and the majority of the incentive payment is made after the employer retains the participant as a full-time employee for at least 12 months. An The incentive agreement may not be continued with any employer who exhibits a pattern of failing

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to provide participants with continued employment after the incentive payments cease must provide that if the employee is dismissed at any time within 12 months after termination of the incentive payment period due in any part to loss of the incentive, the employer shall repay some or all of the payment previously paid as an incentive to the employer under the WAGES Program.

- 4. Tax credits.--An employer who employs a program participant may qualify for enterprise zone property tax credits under s. 220.182, the tax refund program for qualified target industry businesses under s. 288.106, or other federal or state tax benefits. The department and the Department of Labor and Employment Security shall provide information and assistance, as appropriate, to use such credits to accomplish program goals.
- 5. WAGES training bonus.--An employer who hires a WAGES participant who has less than 6 months of eligibility for temporary cash assistance remaining and who pays the participant a wage that precludes the participant's eligibility for temporary cash assistance may receive \$240 for each full month of employment for a period that may not exceed 3 months. An employer who receives a WAGES training bonus for an employee may not receive a work supplementation subsidy for the same employee. Employment is defined as 35 hours per week at a wage of no less than minimum wage.
- (7) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.—The situations listed in this subsection shall constitute exceptions to the penalties for noncompliance with participation requirements, except that these situations do not constitute exceptions to the applicable time limit for receipt of temporary cash assistance:

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- (a) Noncompliance related to child care.—Temporary cash assistance may not be terminated for refusal to participate in work activities if the individual is a single custodial parent caring for a child who has not attained 6 years of age, and the adult proves to the department or to the Department of Labor and Employment Security an inability to obtain needed child care for one or more of the following reasons:
- 1. Unavailability of appropriate child care within a reasonable distance from the individual's home or worksite.
- 2. Unavailability or unsuitability of informal child care by a relative or under other arrangements.
- 3. Unavailability of appropriate and affordable formal child care arrangements.
- (b) Noncompliance related to domestic violence.--An individual who is determined to be unable to comply with the work requirements because such compliance would make it probable that the individual would be unable to escape domestic violence shall be exempt from work requirements pursuant to s. 414.028(4)(g). However, the individual shall comply with a plan that specifies alternative requirements that prepare the individual for self-sufficiency while providing for the safety of the individual and the individual's dependents. An exception granted under this paragraph does not constitute an exception to the time limitations on benefits specified under s. 414.105.
- (c) Noncompliance related to treatment or remediation of past effects of domestic violence. -- An individual who is determined to be unable to comply with the work requirements under this section due to mental or physical impairment related to past incidents of domestic violence may be exempt

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from work requirements for a specified period pursuant to s.
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    414.028(4)(g), except that such individual shall comply with a
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    plan that specifies alternative requirements that prepare the
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    individual for self-sufficiency while providing for the safety
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    of the individual and the individual's dependents. The plan
    must include counseling or a course of treatment necessary for
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    the individual to resume participation. The need for treatment
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    and the expected duration of such treatment must be verified
    by a physician licensed under chapter 458 or chapter 459; a
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    psychologist licensed under s. 490.005(1), s. 490.006, or the
    provision identified as s. 490.013(2) in s. 1, chapter 81-235,
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    Laws of Florida; a therapist as defined in s. 491.003(2) or
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    6); or a treatment professional who is registered under s.
    415.605(1)(g), is authorized to maintain confidentiality under
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    s. 90.5036(1)(d), and has a minimum of 2 years experience at a
    certified domestic violence center. An exception granted under
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    this paragraph does not constitute an exception from the time
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    limitations on benefits specified under s. 414.105.
          (d) (b) Noncompliance related to medical
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    incapacity. -- If an individual cannot participate in assigned
    work activities due to a medical incapacity, the individual
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    may be excepted from the activity for a specific period,
    except that the individual shall be required to comply with
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    the course of treatment necessary for the individual to resume
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    participation. A participant may not be excused from work
    activity requirements unless the participant's medical
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    incapacity is verified by a physician licensed under chapter
    458 or chapter 459, in accordance with procedures established
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    by rule of the Department of Labor and Employment Security.
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          (e)<del>(c)</del> Other good cause exceptions for
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noncompliance. -- Individuals who are temporarily unable to

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participate due to circumstances beyond their control may be excepted from the noncompliance penalties. The Department of Labor and Employment Security may define by rule situations that would constitute good cause. These situations must include caring for a disabled family member when the need for the care has been verified and alternate care is not available.

establishing and contracting for work-experience and community service activities, other work-experience activities, on-the-job training, subsidized employment, and work supplementation under the WAGES Program, an employed worker may not be displaced, either completely or partially. A WAGES participant may not be assigned to an activity or employed in a position if the employer has created the vacancy or terminated an existing employee without good cause in order to fill that position with a WAGES Program participant.

Section 5. Section 414.105, Florida Statutes, is amended to read:

414.105 Time limitations of temporary cash assistance.—Unless otherwise expressly provided in this chapter, an applicant or current participant shall receive temporary cash assistance for episodes of not more than 24 cumulative months in any consecutive 60-month period that begins with the first month of participation and for not more than a lifetime cumulative total of 48 months as an adult.

(1) The time limitation for episodes of temporary cash assistance may not exceed 36 cumulative months in any consecutive 72-month period that begins with the first month of participation and may not exceed a lifetime cumulative total of 48 months of temporary cash assistance as an adult,

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for cases in which the participant:

- (a) Has received aid to families with dependent children or temporary cash assistance for any 36 months of the preceding 60 months; or
 - (b) Is a custodial parent under the age of 24 who:
- 1. Has not completed a high school education or its equivalent; or
- 2. Had little or no work experience in the preceding year.
- (2) Hardship exemptions to the time limitations of this chapter shall be limited to 10 percent of participants in the first year of implementation of this chapter, 15 percent of participants in the second year of implementation of this chapter, and 20 percent of participants in all subsequent years. Criteria for hardship exemptions include:
- (a) Diligent participation in activities, combined with inability to obtain employment.
- (b) Diligent participation in activities, combined with extraordinary barriers to employment, including the conditions which may result in an exemption to work requirements.
- (c) Significant barriers to employment, combined with a need for additional time.
- (d) Diligent participation in activities and a need by teen parents for an exemption in order to have 24 months of eligibility beyond receipt of the high school diploma or equivalent.
- (e) A recommendation of extension for a minor child of a participating family that has reached the end of the eligibility period for temporary cash assistance. The
- recommendation must be the result of a review which determines

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that the termination of the child's temporary cash assistance would be likely to result in the child being placed into emergency shelter or foster care. Temporary cash assistance shall be provided through a protective payee. Staff of the Children and <u>Families Family Services Program Office of the department shall conduct all assessments in each case in which it appears a child may require continuation of temporary cash assistance through a protective payee.</u>

At the recommendation of the local WAGES coalition, temporary cash assistance under a hardship exemption for a participant who is eligible for work activities and who is not working shall be reduced by 10 percent. Upon the employment of the participant, full benefits shall be restored.

- (3) In addition to the exemptions listed in subsection (2), a victim of domestic violence may be granted a hardship exemption if the effects of such domestic violence delay or otherwise interrupt or adversely affect the individual's participation in the program. Hardship exemptions granted under this subsection shall not be subject to the percentage limitations in subsection (3).
- (4)(3) The department shall establish a procedure for reviewing and approving hardship exemptions, and the local WAGES coalitions may assist in making these determinations. The composition of any review panel must generally reflect the racial, gender, and ethnic diversity of the community as a whole. Members of a review panel shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.016.
- (5) (4) The cumulative total of all hardship exemptions may not exceed 12 months, may include reduced benefits at the

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option of the community review panel, and shall, in combination with other periods of temporary cash assistance as an adult, total no more than 48 months of temporary cash assistance. If an individual fails to comply with program requirements during a hardship exemption period, the hardship exemption shall be removed.

(6)(5) For individuals who have moved from another state and have legally resided in this state for less than 12 months, the time limitation for temporary cash assistance shall be the shorter of the respective time limitations used in the two states, and months in which temporary cash assistance was received under a block grant program that provided temporary assistance for needy families in any state shall count towards the cumulative 48-month benefit limit for temporary cash assistance.

(7)(6) For individuals subject to a time limitation under the Family Transition Act of 1993, that time limitation shall continue to apply. Months in which temporary cash assistance was received through the family transition program shall count towards the time limitations under this chapter.

(8)(7) Except when temporary cash assistance was received through the family transition program, the calculation of the time limitation for temporary cash assistance shall begin with the first month of receipt of temporary cash assistance after the effective date of this act.

(9) (8) Child-only cases are not subject to time limitations, and temporary cash assistance received while an individual is a minor child shall not count towards time limitations.

(10)(9) An individual who receives benefits under the

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Supplemental Security Income program or the Social Security Disability Insurance program is not subject to time limitations.

(11) A person who is totally responsible for the personal care of a disabled family member is not subject to time limitations if the need for the care is verified and alternative care is not available for the family member. The department shall annually evaluate an individual's qualifications for this exemption.

(12)(10) A member of the WAGES Program staff shall interview and assess the employment prospects and barriers of each participant who is within 6 months of reaching the 24-month time limit. The staff member shall assist the participant in identifying actions necessary to become employed prior to reaching the benefit time limit for temporary cash assistance and, if appropriate, shall refer the participant for services that could facilitate employment.

Section 6. Section 414.110, Florida Statutes, is created to read:

414.110 Work Credit Program. --

- (1) For individuals subject to the time limitation under s. 414.105 who are employed and continue to be eligible for temporary cash assistance, a month in which the individual works full time, as defined in this section, does not count towards the 24 cumulative month time in a consecutive 60 month period or the 36 cumulative month time limit in a 72 month time limit described in s. 414.105.
- (2) For purposes of this section, full-time employment is defined as employment of not less than 160 hours per month.
- (3) A month which does not count towards the 24 month cumulative time limit or the 36 month cumulative time limit as

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1	described in subsection (1) does count as a month of
2	assistance in the lifetime cumulative total of 48 months of
3	assistance as described in s. 414.105.
4	Section 7. Present subsections (4), (5), (6), (7),
5	(8), (9), and (10) of section 414.0252, Florida Statutes, are
6	renumbered as subsections (5), (7), (8), (9), (10), (11), and
7	(12) of that section, respectively, and new subsections (4)
8	and (6) are added to that section, to read:
9	414.0252 DefinitionsAs used in ss. 414.015-414.45,
LO	the term:
L1	(4) "Domestic violence" means any assault, aggravated
L2	assault, battery, aggravated battery, sexual assault, sexual
L3	battery, stalking, aggravated stalking, kidnapping, false
L4	imprisonment, or any criminal offense that results in the
L5	physical injury or death of one family or household member by
L6	another.
L7	(6) "Family or household member" means spouses, former
L8	spouses, noncohabitating partners, persons related by blood or
L9	marriage, persons who are presently residing together as if a
20	family or who have resided together in the past as if a
21	family, and persons who have a child in common regardless of
22	whether they have been married or have resided together at any
23	<pre>time.</pre>
24	Section 8. Paragraph (g) is added to subsection (10)
25	of section 414.095, Florida Statutes, and subsection (3) and
26	paragraph (d) of subsection (15) of that section are amended
27	to read:
28	414.095 Determining eligibility for the WAGES
29	Program
30	(3) ELIGIBILITY FOR NONCITIZENSA <u>"</u> qualified
31	noncitizen"is an individual who is lawfully present in the

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United States as a refugee or who is granted asylum under ss. 2 207 and 208 of the Immigration and Nationality Act, an alien 3 whose deportation is withheld under s. 243(h) of the 4 Immigration and Nationality Act, or an alien who has been 5 admitted as a permanent resident and meets specific criteria under federal law. In addition, a "qualified noncitizen" 6 7 includes an individual who has been battered or subject to 8 extreme cruelty in the United States by a spouse or a parent, and has applied for or received protection under the federal 9 10 Violence Against Women Act of 1994, Pub. L. No. 103-322, if the need for benefits is related to the abuse. A "nonqualified 11 12 noncitizen"is a nonimmigrant alien, including a tourist, 13 business visitor, foreign student, exchange visitor, temporary 14 worker, or diplomat. In addition, a "nonqualified noncitizen" 15 includes an individual paroled into the United States for less 16 than 1 year. A qualified noncitizen who is otherwise eligible 17 may receive temporary cash assistance to the extent permitted by federal law. The income or resources of a sponsor and the 18 sponsor's spouse shall be included in determining eligibility 19 20 to the maximum extent permitted by federal law.

- (a) A child born in the United States to an illegal or ineligible alien is eligible for temporary cash assistance under this chapter if the family meets all eligibility requirements.
- (b) If the parent may legally work in this country, the parent must participate in the work activity requirements provided in s. 414.065, to the extent permitted under federal law.
- (c) The department shall participate in the Systematic Alien Verification for Entitlements Program (SAVE) established by the United States Immigration and Naturalization Service in

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order to verify the validity of documents provided by aliens and to verify an alien's eligibility.

- (d) The income of an illegal alien or ineligible alien, less a pro rata share for the illegal alien or ineligible alien, counts in determining a family's eligibility to participate in the program.
- (e) The entire assets of an ineligible alien or a disqualified individual who is a mandatory member of a family shall be included in determining the family's eligibility.
- (10) PARTICIPANT OPPORTUNITIES AND OBLIGATIONS.--An applicant or participant in the WAGES Program has the following opportunities and obligations:
- (g) To receive information regarding services available from certified domestic violence centers or organizations that provide counseling and supportive services to individuals who are past or present victims of domestic violence or who are at risk of domestic violence and, upon request, to be referred to such organizations in a manner which protects the individual's confidentiality.
 - (15) PROHIBITIONS AND RESTRICTIONS. --
- (d) Notwithstanding any law to the contrary, if a parent or caretaker relative without good cause does not cooperate with the state agency responsible for administering the child support enforcement program in establishing, modifying, or enforcing a support order with respect to a child of a teen parent or other family member, or a child of a family member who is in the care of an adult relative, temporary cash assistance to the entire family shall be denied until the state agency indicates that cooperation by the parent or caretaker relative has been satisfactory. To the extent permissible under federal law, a parent or caretaker

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relative shall not be penalized for failure to cooperate with 1 paternity establishment or with the establishment, 2 3 modification, or enforcement of a support order when such 4 cooperation could subject an individual to a risk of domestic violence. Such risk shall constitute good cause to the extent 5 permitted by Title IV-D of the Social Security Act, as 6 7 amended, or other federal law. Section 9. Subsection (2) of section 414.115, Florida 8 9 Statutes, is amended to read: 10 414.115 Limited temporary cash assistance for children born to families receiving temporary cash assistance. --11 12 (2) Subsection (1) does not apply: 13 (a) To a program participant who is a victim of rape 14 or incest if the victim files a police report on the rape or 15 incest within 30 days after the incident; 16 (b) To a program participant who is confirmed by the 17 Title IV-D child support agency as having been granted an 18 exemption from participating in requirements for the enforcement of child support due to circumstances consistent 19 with the conception of the child as a result of rape, incest, 20 or sexual exploitation. A child for whom an exemption is 21 22 claimed under this paragraph and for whom an application has been made for a good-cause exemption from the requirements of 23 24 s. 414.095 shall receive temporary benefits until a 25 determination is made on the application for a good-cause exemption from the requirements of s. 414.095; 26 27 (c) (b) To children who are the firstborn, including all children in the case of multiple birth, of minors included 28 29 in a temporary cash assistance group who as minors become

first-time parents;

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1	legally transferred; or
2	(e)(d) To a child who is no longer able to live with
3	his or her parents as a result of:
4	1. The death of the child's parent or parents;
5	2. The incapacity of the child's parent or parents as
6	documented by a physician, such that the parent or parents are
7	unable to care for the child;
8	3. Legal transfer of the custody of the child to
9	another individual;
10	4. Incarceration of the child's parent or parents,
11	except that the child shall not receive temporary cash
12	assistance if a parent is subsequently released and reunited
13	with the child; or
14	5. A situation in which the child's parent's or
15	parents' institutionalization is expected to be for an
16	extended period, as defined by the department.
17	Section 10. Paragraph (g) is added to subsection (1)
18	of section 234.01, Florida Statutes, to read:
19	234.01 Purpose; transportation; when provided
20	(1) School boards, after considering recommendations
21	of the superintendent:
22	(g) May provide transportation for WAGES program
23	participants as defined in s. 414.0252.
24	Section 11. Present paragraph (b) of subsection (1) of
25	section 234.211, Florida Statutes, is redesignated as
26	paragraph (c), and a new paragraph (b) is added to that
27	subsection to read:
28	234.211 Use of school buses for public purposes
29	(1)
30	(b) Each school district may enter into agreements
31	with local WAGES coalitions for the provision of

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transportation services to WAGES program participants as 1 2 defined in s. 414.0252. Agreements must provide for 3 reimbursement in full or in part for the proportionate share 4 of fixed and operating costs incurred by the school district 5 attributable to the use of buses in accordance with the 6 agreement. 7 Section 12. Subsection (13) is added to section 8 341.041, Florida Statutes, to read: 9 341.041 Transit responsibilities of the 10 department. -- The department shall, within the resources 11 provided pursuant to chapter 216: 12 (13) Assist local governmental entities and other 13 transit operators in the planning, development, and 14 coordination of transit services for WAGES program 15 participants as defined in s. 414.0252. Section 13. Subsections (1) and (2) of section 16 17 341.052, Florida Statutes, are amended to read: 341.052 Public transit block grant program; 18 administration; eligible projects; limitation .--19 20 (1) There is created a public transit block grant program which shall be administered by the department. Block 21 grant funds shall only be provided to "Section 9" providers 22 and "Section 18" providers designated by the United States 23 24 Department of Transportation and community transportation 25 coordinators as defined in chapter 427. Eligible providers must establish public transportation development plans 26 27 consistent, to the maximum extent feasible, with approved local government comprehensive plans of the units of local 28 29 government in which the provider is located. In developing 30 public transportation development plans, eligible providers must solicit comments from local WAGES coalitions established 31

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under chapter 414. The development plans must address how the public transit provider will work with the appropriate local WAGES coalition to provide services to WAGES participants. Eligible providers must review program and financial plans established under s. 414.028 and provide information to the local WAGES coalition serving the county in which the provider is located regarding the availability of transportation services to assist WAGES program participants.

- (2) Costs for which public transit block grant program funds may be expended include:
- (a) Costs of public bus transit and local public fixed guideway capital projects.
- (b) Costs of public bus transit service development and transit corridor projects. Whenever block grant funds are used for a service development project or a transit corridor project, the use of such funds is governed by s. 341.051. Local transit service development projects and transit corridor projects currently operating under contract with the department shall continue to receive state funds according to the contract until such time as the contract expires. Transit corridor projects, wholly within one county, meeting or exceeding performance criteria as described in the contract shall be continued by the transit provider at the same or a higher level of service until such time as the department, the M.P.O., and the service provider, agree to discontinue the service. The provider may not increase fares for services in transit corridor projects wholly within one county without the consent of the department.
 - (c) Costs of public bus transit operations.

All projects must shall be consistent, to the maximum extent

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feasible, with the approved local government comprehensive 2 plans of the units of local government comprehensive plans of 3 local government in which the project is located. 4 Section 14. Paragraph (a) of subsection (2) of section 5 414.026, Florida Statutes, is amended to read: 414.026 WAGES Program State Board of Directors. --6 7 (2)(a) The board of directors shall be composed of the following members: 8 9 The Commissioner of Education, or the 10 commissioner's designee. The Secretary of Children and Family Services. 11 12 3. The Secretary of Health. 13 The Secretary of Labor and Employment Security. 4. 5. The Secretary of Community Affairs. 14 15 6. The Secretary of Transportation, or the secretary's 16 designee. 17 7.6. The director of the Office of Tourism, Trade, and Economic Development. 18 8.7. The president of the Enterprise Florida workforce 19 20 development board, established under s. 288.9620. 21 9.8. The chief executive officer of the Florida 22 Tourism Industry Marketing Corporation, established under s. 23 288.1226. 24 10.9. Nine members appointed by the Governor, as follows: 25 Six members shall be appointed from a list of ten 26 27 nominees, of which five must be submitted by the President of the Senate and five must be submitted by the Speaker of the 28 House of Representatives. The list of five nominees submitted 29 30 by the President of the Senate and the Speaker of the House of

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employed in the private sector, two of whom must have management experience. One of the five nominees submitted by the President of the Senate and one of the five nominees submitted by the Speaker of the House of Representatives must be an elected local government official who shall serve as an ex officio nonvoting member.

- b. Three members shall be at-large members appointed by the Governor.
- c. Of the nine members appointed by the Governor, at least six must be employed in the private sector and of these, at least five must have management experience.

The members appointed by the Governor shall be appointed to 4-year, staggered terms. Within 60 days after a vacancy occurs on the board, the Governor shall fill the vacancy of a member appointed from the nominees submitted by the President of the Senate and the Speaker of the House of Representatives for the remainder of the unexpired term from one nominee submitted by the President of the Senate and one nominee submitted by the Speaker of the House of Representatives. Within 60 days after a vacancy of a member appointed at-large by the Governor occurs on the board, the Governor shall fill the vacancy for the remainder of the unexpired term. The composition of the board must generally reflect the racial, gender, and ethnic diversity of the state as a whole.

Section 15. Section 414.20, Florida Statutes, is amended to read:

414.20 Other support services.--Support services shall be provided, if resources permit, to assist participants in complying with work activity requirements outlined in s.

414.065. If resources do not permit the provision of needed

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support services, the department and the Department of Labor and Employment Security may prioritize or otherwise limit provision of support services. This section does not constitute an entitlement to support services. Lack of provision of support services may be considered as a factor in determining whether good cause exists for failing to comply with work activity requirements but does not automatically constitute good cause for failing to comply with work activity requirements, and does not affect any applicable time limit on the receipt of temporary cash assistance or the provision of services under this chapter. Support services shall include, but need not be limited to:

- (1) TRANSPORTATION.--Transportation expenses may be provided to any participant when the assistance is needed to comply with work activity requirements or employment requirements, including transportation to and from a child care provider. Payment may be made in cash or tokens in advance or through reimbursement paid against receipts or invoices. Transportation services may include, but are not limited to, cooperative arrangements with the following: public transit providers; community transportation coordinators designated under chapter 427; school districts, churches and community centers; donated motor vehicle programs, vanpools, and ridesharing programs; small enterprise developments and entrepreneurial programs that encourage WAGES participants to become transportation providers; public and private transportation partnerships; and other innovative strategies to expand transportation options available to program participants.
- (a) Local WAGES coalitions are authorized to provide payment for vehicle operational and repair expenses, including

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repair expenditures necessary to make a vehicle functional; vehicle registration fees; driver's license fees; and liability insurance for the vehicle for a period of up to 6 months. Request for vehicle repairs must be accompanied by an estimate of the cost prepared by a repair facility registered under s. 559.904.

- chapter 427 do not include WAGES support services funds or funds appropriated to assist persons eligible under the Job Training Partnership Act. It is the intent of the Legislature that local WAGES coalitions and regional workforce development boards consult with local community transportation coordinators designated under chapter 427 regarding the availability and cost of transportation services through the coordinated transportation system prior to contracting for comparable transportation services outside the coordinated system. Support services funds may also be used to develop transportation resources to expand transportation options available to participants. These services may include cooperative arrangements with local transit authorities or school districts and small enterprise development.
- (2) ANCILLARY EXPENSES.--Ancillary expenses such as books, tools, clothing, fees, and costs necessary to comply with work activity requirements or employment requirements may be provided.
- (3) MEDICAL SERVICES.--A family that meets the eligibility requirements for Medicaid shall receive medical services under the Medicaid program.
- (4) PERSONAL AND FAMILY COUNSELING AND THERAPY.--Counseling may be provided to participants who have a personal or family problem or problems caused by substance

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abuse that is a barrier to compliance with work activity requirements or employment requirements. In providing these services, the department and the Department of Labor and Employment Security shall use services that are available in the community at no additional cost. If these services are not available, the department and the Department of Labor and Employment Security may use support services funds. Personal or family counseling not available through Medicaid may not be considered a medical service for purposes of the required statewide implementation plan or use of federal funds. Section 16. Section 414.25, Florida Statutes, is amended to read: 414.25 Exemption from leased real property requirements. -- In order to facilitate implementation of this chapter with respect to establishing jobs and benefits offices, the Department of Labor and Employment Security and the Department of Children and Family Services are exempt from the requirements of 255.25(2)(b) and 255.25(3)(a) which relate to the requirement of advertisement for and receipt of competitive bids for the procurement of leased real property. This exemption expires June 30, 1999 s. 255.25 which relate the procurement of leased real property. This exemption expires June 30, 1998. Section 17. Section 414.225, Florida Statutes, is created to read: 414.225 Transitional transportation.--In order to assist former WAGES participants in maintaining and sustaining employment, transportation may be provided, if funds are available, for up to 1 year after the participant is no longer

eligible to participate in the program due to earnings. This

does not constitute an entitlement to transitional

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transportation. If funds are not sufficient to provide 1 services under this section, the department may limit or 2 3 otherwise prioritize transportation services. 4 Transitional transportation must be job related. 5 Transitional transportation may include expenses (2) 6 identified in s. 414.20. 7 Section 18. Subsection (27) is added to section 427.013, Florida Statutes, to read: 8 9 427.013 The Commission for the Transportation 10 Disadvantaged; purpose and responsibilities. -- The purpose of the commission is to accomplish the coordination of 11 12 transportation services provided to the transportation 13 disadvantaged. The goal of this coordination shall be to 14 assure the cost-effective provision of transportation by 15 qualified community transportation coordinators or 16 transportation operators for the transportation disadvantaged 17 without any bias or presumption in favor of multioperator 18 systems or not-for-profit transportation operators over single operator systems or for-profit transportation operators. In 19 20 carrying out this purpose, the commission shall: 21 (27) Ensure that local community transportation 22 coordinators work cooperatively with local WAGES coalitions established in chapter 414 to provide assistance in the 23 24 development of innovative transportation services for WAGES 25 participants. Section 19. Subsection (9) is added to section 26 27 427.0155, Florida Statutes, to read: 427.0155 Community transportation coordinators; powers 28 29 and duties. -- Community transportation coordinators shall have 30 the following powers and duties: Work cooperatively with local WAGES coalitions 31

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established in chapter 414 to provide assistance in the development of innovative transportation services for WAGES participants.

Section 20. Subsection (7) is added to section 427.0157, Florida Statutes, to read:

427.0157 Coordinating boards; powers and duties.--The purpose of each coordinating board is to develop local service needs and to provide information, advice, and direction to the community transportation coordinators on the coordination of services to be provided to the transportation disadvantaged. The commission shall, by rule, establish the membership of coordinating boards. The members of each board shall be appointed by the metropolitan planning organization or designated official planning agency. The appointing authority shall provide each board with sufficient staff support and resources to enable the board to fulfill its responsibilities under this section. Each board shall meet at least quarterly and shall:

(7) Work cooperatively with local WAGES coalitions established in chapter 414 to provide assistance in the development of innovative transportation services for WAGES participants.

Section 21. Subsection (1) and paragraph (a) of subsection (3) of section 212.096, Florida Statutes, are amended to read:

- 212.096 Sales, rental, storage, use tax; enterprise zone jobs credit against sales tax.--
- (1) For the purposes of the credit provided in this section:
- (a) "Eligible business" means any sole proprietorship,firm, partnership, corporation, bank, savings association,

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estate, trust, business trust, receiver, syndicate, or other group or combination, or successor business, located in an enterprise zone. An eligible business does not include any business which has claimed the credit permitted under s. 220.181 for any new business employee first beginning employment with the business after July 1, 1995.

- (b) "Month" means either a calendar month or the time period from any day of any month to the corresponding day of the next succeeding month or, if there is no corresponding day in the next succeeding month, the last day of the succeeding month.
- (c) "New employee" means a person residing in an enterprise zone, a qualified Job Training Partnership Act classroom training participant, or a WAGES Program participant who begins employment with an eligible business after July 1, 1995, and who has not been previously employed within the preceding 12 months by the eligible business, or a successor eligible business, claiming the credit allowed by this section.

A person shall be deemed to be employed if the person performs duties in connection with the operations of the business on a regular, full-time basis, provided the person is performing such duties for an average of at least 36 hours per week each month, or a part-time basis, provided the person is performing such duties for an average of at least 20 hours per week each month throughout the year. The person must be performing such duties at a business site located in the enterprise zone.

(3) In order to claim this credit, an eligible business must file under oath with the governing body or enterprise zone development agency having jurisdiction over

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the enterprise zone where the business is located, as applicable, a statement which includes:

(a) For each new employee for whom this credit is claimed, the employee's name and place of residence, including the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the employee resides if the new employee is a person residing in an enterprise zone, and, if applicable, documentation that the employee is a qualified Job Training Partnership Act classroom training participant or a WAGES Program participant.

Section 22. Paragraph (q) of subsection (1) of section 220.03, Florida Statutes, is amended to read:

220.03 Definitions.--

- (1) SPECIFIC TERMS.--When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:
- (q) "New employee," for the purposes of the enterprise zone jobs credit, means a person residing in an enterprise zone, a qualified Job Training Partnership Act classroom training participant, or a WAGES Program participant employed at a business located in an enterprise zone who begins employment in the operations of the business after July 1, 1995, and who has not been previously employed within the preceding 12 months by the business or a successor business claiming the credit pursuant to s. 220.181. A person shall be deemed to be employed by such a business if the person performs duties in connection with the operations of the business on a full-time basis, provided she or he is performing such duties for an average of at least 36 hours per week each month, or a part-time basis, provided she or he is

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performing such duties for an average of at least 20 hours per week each month throughout the year. The person must be performing such duties at a business site located in an enterprise zone. The provisions of this paragraph shall expire and be void on June 30, 2005. Section 23. Paragraph (a) of subsection (2) of section 220.181, Florida Statutes, is amended to read: 220.181 Enterprise zone jobs credit.--(2) When filing for an enterprise zone jobs credit, a business must file under oath with the governing body or enterprise zone development agency having jurisdiction over the enterprise zone where the business is located, as applicable, a statement which includes: (a) For each new employee for whom this credit is claimed, the employee's name and place of residence during the taxable year, including the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the new employee resides if the new employee is a person residing in an enterprise zone, and, if applicable, documentation that the employee is a qualified Job Training Partnership Act classroom training participant or a WAGES Program participant. Section 24. Subsection (10) is added to section 288.047, Florida Statutes, to read: 288.047 Quick-response training for economic development. --(10) There is created a Quick-response Training Program for Work and Gain Economic Self-sufficiency (WAGES) participants. Enterprise Florida, Inc., may, at the discretion of the State WAGES Emergency Response Team, award quick-response training grants and develop applicable

guidelines for the training of participants in the WAGES

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1	Program. In addition to a local economic development
2	organization, grants must be endorsed by the applicable local
3	WAGES coalition and regional workforce development board.
4	(a) Training funded pursuant to this subsection may
5	not exceed 12 months, and may be provided by the local
6	community college, school district, regional workforce
7	development board, or the business employing the participant,
8	including on-the-job training. Training will provide
9	entry-level skills to new workers, including those employed in
10	retail, who are participants in the WAGES Program.
11	(b) WAGES participants trained pursuant to this
12	subsection must be employed at a wage not less than \$6.00 per
13	hour.
14	(c) Funds made available pursuant to this subsection
15	may be expended in connection with the relocation of a
16	business from one community to another community if approved
17	by the State WAGES Emergency Response Team.
18	Section 25. Section 414.155, Florida Statutes, is
19	created to read:
20	414.155 Relocation assistance program
21	(1) The Legislature recognizes that the need for
22	public assistance may arise because a family is located in an
23	area with limited employment opportunities, because of
24	geographic isolation, because of formidable transportation
25	barriers, because of isolation from their extended family, or
26	because domestic violence interferes with the ability of a
27	parent to maintain self-sufficiency. Accordingly there is
28	established a program to assist families in relocating to
29	communities with greater opportunities for self-sufficiency.

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(2) The relocation assistance program shall involve

1	or the Department of Labor and Employment Security:
2	(a) A determination that the family is a WAGES Program
3	participant or that all requirements of eligibility for the
4	WAGES Program would likely be met.
5	(b) A determination that there is a basis for
6	believing that relocation will contribute to the ability of
7	the applicant to achieve self-sufficiency. For example, the
8	applicant:
9	1. Is unlikely to achieve independence at the current
10	community of residence;
11	2. Has secured a job that requires relocation to
12	another community;
13	3. Has a family support network in another community;
14	<u>or</u>
15	4. Is determined, pursuant to criteria or procedures
16	established by the WAGES Program State Board of Directors, to
17	be a victim of domestic violence who would experience reduced
18	probability of further incidents through relocation.
19	(c) Establishment of a relocation plan, including a
20	budget and such requirements as are necessary to prevent abuse
21	of the benefit and to provide an assurance that the applicant
22	will relocate. The plan may require that expenditures be made
23	on behalf of the recipient. However, the plan must include
24	provisions to protect the safety of victims of domestic
25	violence and avoid provisions that place them in anticipated
26	danger. The payment to defray relocation expenses shall be
27	limited to an amount not to exceed 4 months' temporary cash
28	assistance, based on family size.
29	(d) A determination, pursuant to criteria adopted by
30	the WAGES Program State Board of Directors, that a Florida
31	community receiving a relocated family has the capacity to

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restricting the family from applying for temporary cash assistance for 6 months, unless an emergency is demonstrated to the department. If a demonstrated emergency forces the

family to reapply for temporary cash assistance within 6 months after receiving a relocation assistance payment,

repayment must be made on a prorated basis over an 8-month

period and subtracted from any regular payment of temporary cash assistance for which the applicant may be eligible.

- (4) The Department of Labor and Employment Security shall have authority to adopt rules pursuant to the Administrative Procedure Act to determine that a community has the capacity to provide services and employment opportunities for a relocated family.
- (5) The Department of Children and Family Services shall have authority to adopt rules pursuant to the Administrative Procedure Act to develop and implement relocation plans and to draft an agreement restricting a family from applying for temporary cash assistance within 6 months after receiving a relocation assistance payment.
- (6) (4) The Department of Labor and Employment Security shall have authority to adopt rules pursuant to the Administrative Procedure Act to determine that a community has the capacity to provide services and employment opportunities for a relocated family.

(7)(5) The Department of Children and Family Services shall have authority to adopt rules pursuant to the Administrative Procedure Act to develop and implement

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relocation plans and to draft an agreement restricting a 1 2 family from applying for temporary cash assistance within 6 3 months after receiving a relocation assistance payment. 4 Section 26. (1) There is hereby appropriated \$32 5 million from the Employment Security Administration Trust Fund 6 for the Department of Labor and Employment Security which 7 shall be used to assist WAGES Coalitions with the 8 transportation and precertification of clients and provide business incentives to businesses which hire WAGES clients. 9 10 Such expenditures from the Employment Security Administration 11 Trust Fund which are based on receipts from the Temporary 12 Assistance for Needy Families block grant shall be expended in 13 accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended or any other 14 15 applicable federal requirement or limitation. Prior to any expenditure of such funds, the Secretary of the Department of 16 17 Children and Family Services or designee shall certify that 18 controls are in place to insure such funds are expended in accordance with the requirements and limitations of federal 19 law and that any reporting requirements of federal law are 20 met. It shall be the responsibility of any entity to which 21 such funds are appropriated to obtain the required 22 certification prior to any expenditure of funds. 23 24 (2) A total of \$1.9 million is appropriated from the 25 Employment Security Administration Trust Fund to establish a life preparation program with the National Guard for children 26 27 of WAGES participants and economically disadvantaged youths in concert with neighborhood revitalization efforts. 28 29 The following resources are designated for support 30 of the WAGES Program Employment Projects. Any expenditures 31 from the Temporary Assistance for Needy Families block grant

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or Job Training Partnership Act shall be expended in
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    accordance with the requirements and limitations of part A of
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    Title IV of the Social Security Act, as amended or any other
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    applicable federal requirement or limitation. Prior to any
    expenditure of such funds, the secretaries of the departments
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    of Children and Family Services and Labor and Employment
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    Secruity, or their designees shall certify that controls are
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    in place to insure such funds are expended in accordance with
    the requirements and limitations of federal law and that any
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    reporting requirements of federal law are met. It shall be
    the responsibility of any entity to which such funds are
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    appropriated to obtain the required certification prior to any
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    expenditure of funds.
          (a) Up to $25 million of funds designated for WAGES
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    reserve is to be expended for WAGES Program Employment
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    Projects.
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          (b) Up to $7.5 million from Employment Security
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    Administration Trust Fund amounts associated with the
   Welfare-to-Work grant is to be reserved for WAGES Program
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    Employment Projects. Of the $7.5 million reserved, $2.5
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    million is to be provided to the Institute of Food and
21
    Agricultural Sciences of the University of Florida for WAGES
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    job opportunities, and $1 million is to be provided to the
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    Department of Military Affairs to provide job readiness
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    services for WAGES Program participants as approved by the
    State WAGES Board.
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           Section 27. Subsection (6) of section 14.2015, Florida
    Statutes, is amended to read:
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           14.2015 Office of Tourism, Trade, and Economic
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   Development; creation; powers and duties. --
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(6)(a) In order to improve the state's regulatory

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environment, the Office of Tourism, Trade, and Economic Development shall consider the impact of agency rules on businesses, provide one-stop permit information and assistance, and serve as an advocate for businesses, particularly small businesses, in their dealings with state agencies.

- (b) As used in this subsection, the term "permit" means any approval of an agency required as a condition of operating a business in this state, including, but not limited to, licenses and registrations.
 - (c) The office shall have powers and duties to:
- 1. Review proposed agency actions for impacts on small businesses and offer alternatives to mitigate such impacts, as provided in s. 120.54.
- 2. In consultation with the Governor's rules ombudsman, make recommendations to agencies on any existing and proposed rules for alleviating unnecessary or disproportionate adverse effects to businesses.
- 3. Make recommendations to the Legislature and to agencies for improving permitting procedures affecting business activities in the state. By October 1, 1997, and annually thereafter as part of the report prepared pursuant to paragraph (2)(e), the Office of Tourism, Trade, and Economic Development shall submit a report to the Legislature on containing the following:
- a. An identification and description of methods to eliminate, consolidate, simplify, or expedite permits.
- b. An identification and description of those agency rules repealed or modified during each calendar year to improve the regulatory climate for businesses operating in the state.

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- c. A recommendation for an operating plan and funding level for establishing an automated one-stop permit registry to provide the following services:
- (I) Access by computer network to all permit applications and approval requirements of each state agency.
- (II) Assistance in the completion of such applications.
- (III) Centralized collection of any permit fees and distribution of such fees to agencies.
- (IV) Submission of application data and circulation of such data among state agencies by computer network.

- Subject to legislative appropriation, the Office of Tourism, Trade, and Economic Development is authorized to coordinate the establishment of such a one-stop permit registry, including, but not limited to, working with all appropriate state agencies on the implementation of the operating plan. If the Legislature establishes such a registry is established, subsequent annual reports to the Legislature from the Office of Tourism, Trade, and Economic Development pursuant to this paragraph must cover the status and performance of this registry.
- 4. Serve as a clearinghouse for information on which permits are required for a particular business and on the respective application process, including criteria applied in making a determination on a permit application. Each state agency that requires a permit, license, or registration for a business shall submit to the Office of Tourism, Trade, and Economic Development by August 1 of each year a list of the types of businesses and professions that it regulates and of each permit, license, or registration that it requires for a

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type of business or profession.

- 5. Obtain information and permit applications from agencies and provide such information and permit applications to the public.
- 6. Arrange, upon request, informal conferences between a business and an agency to clarify regulatory requirements or standards or to identify and address problems in the permit review process.
- 7. Determine, upon request, the status of a particular permit application.
- 8. Receive complaints and suggestions concerning permitting policies and activities of governmental agencies which affect businesses.
- (d) Use of the services authorized in this subsection does not preclude a person or business from dealing directly with an agency.
- (e) In carrying out its duties under this subsection, the Office of Tourism, Trade, and Economic Development may consult with state agency personnel appointed to serve as economic development liaisons under s. 288.021.
- (f) The office shall clearly represent that its services are advisory, informational, and facilitative only. Advice, information, and assistance rendered by the office does not relieve any person or business from the obligation to secure a required permit. The office is not liable for any consequences resulting from the failure to issue or to secure a required permit. However, an applicant who uses the services of the office and who receives a written statement identifying required state permits relating to a business activity may not be assessed a penalty for failure to obtain a state permit that was not identified, if the applicant submits an

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application for each such permit within 60 days after written notification from the agency responsible for issuing the permit. Section 28. Section 288.9958, Florida Statutes, is created to read: 288.9958 PRIDE Job Placement Incentive Program. --(1) The Legislature recognizes that the location of some correctional facilities has been determined by the desire to provide employment opportunities for residents of communities that have not experienced the economic growth of other portions of the state. The Legislature further recognizes that the corporation authorized by chapter 946 to manage correctional work programs can provide expertise and assistance in the areas of on-the-job training and employment assistance. Partnerships between the state and the corporation authorized by chapter 946 to manage correctional work programs may result in increased employment opportunities for local citizens. To assist the corporation authorized by chapter 946 in economic development initiatives that specifically enhance the employment opportunities for WAGES participants, the PRIDE Job Placement Incentive Program is created. The Legislature hereby permits the corporation authorized by chapter 946 to participate in the PRIDE Job Training Placement Incentive Program. The PRIDE Job Placement Incentive Program is (2)

training and employment assistance in the economic development

created to encourage the use of the corporation's expertise

Workforce Development Board of Enterprise Florida, Inc. The Workforce Development Board shall adopt guidelines for the

and resources, including correctional facilities, in job

of the state. The program shall be administered by the

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administration of this program. Awarding of grants is dependent upon legislative appropriation.

- (a) The Workforce Development Board may authorize a grant of \$1,000 to the corporation authorized by chapter 946, or a business working in association with such corporation, for full-time employment of a WAGES participant in those workforce development regions and two sites identified by the Workforce Development Board pursuant to subsection (3). The incentive payment shall be paid incrementally, with a payment of \$250 upon initial employment, \$250 at an employment duration of 6 months, and \$500 at an employment duration of 1 year. Such grants are provided to off-set the costs of business location and training the local workforce.
- (b) The Workforce Development Board may authorize a grant of \$2,400 to the corporation authorized by chapter 946, or a business working in association with such corporation for full-time employment of a WAGES participant and when the corporation provides on-the-job training to the WAGES participant.
- (c) Grants may not be issued for the employment of individuals who have participated in a prison rehabilitative industry program longer than 6 months in the 2 years prior to employment.
- (d) WAGES participants eligible for employment in the PRIDE Job Placement Incentive Program must be referred by local WAGES coalitions to the corporation authorized by chapter 946.
- (3) The Workforce Development Board shall identify five workforce development regions in the state which have the least employment opportunities per WAGES participant and, if approved by the Workforce Development Board, two sites where

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the corporation authorized by chapter 946 has facilities or resources. The five workforce development regions and two sites, if applicable, designated by the Workforce Development Board as having the fewest employment opportunities per WAGES participant are those in which the corporation authorized by chapter 946 or businesses working in association with such corporation may be eligible for job placement incentives.

- (4) Businesses that have accepted a job placement incentive pursuant to this section may also be eligible to apply for any tax credits, wage supplementation, wage subsidy, or employer payment for that employee which are authorized in law or by agreement with the employer.
- (5) If approved by the Department of Corrections,
 WAGES participants may be employed by the corporation
 authorized by chapter 946 in those facilities not operated
 within the secured perimeters of the prison grounds that are
 managed by such corporation, and in other areas, as approved
 by the Department of Corrections. A safety plan for all WAGES
 participants in this program must be completed by the
 corporation in cooperation with the Department of Corrections.
- (6) In carrying out the provisions of this section, the corporation shall be entitled to all the privileges and immunities as set forth in part II of chapter 946.

Section 29. Section 257.35, Florida Statutes, is amended to read:

257.35 Florida State Archives.--

(1) There is created within the Division of Library and Information Services of the Department of State the Florida State Archives for the preservation of those public records, as defined in s. 119.011(1), manuscripts, and other archival material that have been determined by the division to

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have sufficient historical or other value to warrant their continued preservation and have been accepted by the division for deposit in its custody. It is the duty and responsibility of the division to:

- (a) Organize and administer the Florida State Archives.
- Preserve and administer such records as shall be (b) transferred to its custody; accept, arrange, and preserve them, according to approved archival practices; and permit them, at reasonable times and under the supervision of the division, to be inspected, examined, and copied. All public records transferred to the custody of the division shall be subject to the provisions of s. 119.07(1), except that any public record or other record provided by law to be confidential or prohibited from inspection by the public shall be made accessible only after a period of 50 years from the date of the creation of the record. Any nonpublic manuscript or other archival material which is placed in the keeping of the division under special terms and conditions, shall be made accessible only in accordance with such law terms and conditions and shall be exempt from the provisions of s. 119.07(1) to the extent necessary to meet the terms and conditions for a nonpublic manuscript or other archival material.
- (c) Assist the records and information management program in the determination of retention values for records.
- (d) Cooperate with and assist insofar as practicable state institutions, departments, agencies, counties, municipalities, and individuals engaged in activities in the field of state archives, manuscripts, and history and accept from any person any paper, book, record, or similar material

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which in the judgment of the division warrants preservation in the state archives.

- (e) Provide a public research room where, under rules established by the division, the materials in the state archives may be studied.
- (f) Conduct, promote, and encourage research in Florida history, government, <u>international trade</u> and culture and maintain a program of information, assistance, coordination, and guidance for public officials, educational institutions, libraries, the scholarly community, and the general public engaged in such research.
- (g) Cooperate with and, insofar as practicable, assist agencies, libraries, institutions, and individuals in projects designed to preserve original source materials relating to Florida history, government, <u>international trade</u> and culture and prepare and publish handbooks, guides, indexes, and other literature directed toward encouraging the preservation and use of the state's documentary resources.
- (h) Encourage and initiate efforts to preserve, collect, process, transcribe, index, and research the oral history of Florida government.
- (i) Assist and cooperate with the records and information management program in the training and information program described in s. 257.36(1)(g).
- (2) Any agency is authorized and empowered to turn over to the division any record no longer in current official use. The division, in its discretion, is authorized to accept such record and, having done so, shall provide for its administration and preservation as herein provided and, upon acceptance, shall be considered the legal custodian of such record. The division is empowered to direct and effect the

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transfer to the archives of any records that are determined by the division to have such historical or other value to warrant their continued preservation or protection, unless the head of the agency which has custody of the records certifies in writing to the division that the records shall be retained in the agency's custody for use in the conduct of the regular current business of the agency.

- (3) Title to any record transferred to the Florida State Archives, as authorized in this chapter, shall be vested in the division.
- (4) The division shall make certified copies under seal of any record transferred to it upon the application of any person, and said certificates shall have the same force and effect as if made by the agency from which the record was received. The division may charge a fee for this service based upon the cost of service.
- (5) The division may establish and maintain a schedule of fees for services which shall include, but not be limited to, restoration of archival materials, storage of archival materials, special research services, and publications.
- (6) The division may establish and maintain as part of the state archives a Florida State Photographic Collection. The division shall:
- (a) Acquire, identify, appraise, arrange, index, restore, and preserve photographs, motion pictures, drawings, and other iconographic material considered appropriate for preservation.
- (b) Initiate appropriate action to acquire, identify, preserve, recover, and restore photographs, motion pictures, and other iconographic material considered appropriate for preservation.

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1	(c) Provide for an index to the historical
2	photographic holdings of the Florida State Photographic
3	Collection and the State of Florida.
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5	Any use or reproduction of material deposited with the Florida
6	State Photographic Collection shall be allowed pursuant to the
7	provisions of paragraph (1)(b) and subsection (4) provided
8	that appropriate credit for its use is given.
9	(7) The division shall establish and maintain, as part
10	of the state archives, a Florida State International Archive.
11	The division shall:
12	(a) Establish and maintain a mechanism by which the
13	information contained within the Florida State International
14	Archive may be accessed by computer via the World Wide Web. In
15	doing so, the division shall take whatever measures it deems
16	appropriate to insure the validity, quality, and safety of the
17	information being accessed;
18	(b) The Florida Council of International Development
19	may select materials for inclusion in the Florida State
20	International Archive and shall be consulted closely by the
21	division in all matters relating to its establishment and
22	maintenance; and
23	(c) Records transferred shall be in a format
24	established by the division. The Florida Council on
25	International Development shall be responsible for the cost of
26	any data conversion.
27	(8) (7) The division shall promulgate such rules as are
28	necessary to implement the provisions of this act.
29	Section 30. Section 288.9530, Florida Statutes, is
30	created to read:

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288.9530 The Florida Business Expansion Corporation.--

1	(1) The Florida Business Expansion Corporation is
2	hereby created as a corporation not-for-profit, to be
3	incorporated under the provisions of chapter 617. The
4	corporation is organized on a nonstock basis. The corporation
5	shall provide business expansion assistance to businesses in
6	this state having job growth or emerging technology potential
7	and fewer than 50 employees and a net worth of not more than
8	\$3 million. The primary purpose of the corporation shall be to
9	assist such Florida businesses to grow through the development
10	of cross-border transactions which lead to increased revenues,
11	cost reductions, sales or investments for Florida businesses.
12	For purposes of this Act, "cross-border transactions" shall be
13	defined as the formation of joint venture, strategic alliance,
14	investment, technology transfer or licensing, co-development,
15	or other commercial relationships between Florida businesses
16	and non-Florida entities. In providing its services, the
17	corporation shall seek to recover its costs and expenditures
18	of state funds via fee, equity participation, or any other
19	form of revenue generation or recovery, and to achieve the
20	self-sufficiency of its operations. It is the intent of the
21	Legislature that the corporation achieve self-sufficiency
22	within three years of its establishment. For the purposes of
23	this section, the term "self-sufficiency" shall mean that the
24	annual expenses of operation of the corporation shall be less
25	than or equal to the total value of the compensation derived
26	including fee, equity participation, or any other form of
27	revenue generation or recovery from the operations of the
28	corporation by June 30, 2001.
29	(2) The corporation shall not duplicate the services
30	and programs of Enterprise Florida, Inc., the Florida Export
31	Finance Corporation, and any other existing economic

1	development entity. The corporation programs are to serve
2	small to mid-sized Florida firms in conducting transactions
3	with entities located in other states and nations.
4	Section 31. Section 288.9531, Florida Statutes, is
5	created to read:
6	288.9531 Powers and Duties of the Corporation
7	(1) In addition to all of the statutory powers of
8	Florida not-for-profit corporations, the corporation shall
9	have the power and duty to:
LO	(a) Perform analyses of opportunities to Florida
L1	businesses from the formation of stronger and numerous
L2	commercial relationships through cross-border transactions;
L3	(b) Locate Florida businesses which are strong
L4	candidates for business expansion and match such businesses
L5	with joint venture or strategic alliance partners, sources of
L6	investment capital, or purchasers or licensees of technology;
L7	(c) Prepare selected Florida firms to achieve business
L8	expansion through preparation of business plans and marketing
L9	materials, arranging participation in major domestic and
20	international events targeted towards industry participants
21	and investors, and placement of articles in business press and
22	<pre>trade publications;</pre>
23	(d) Counsel Florida businesses in the development and
24	execution of cross-border transactions;
25	(e) Develop, in conjunction with target businesses,
26	criteria for evaluation of potential cross-border transactions
27	or strategic partners;
28	(f) Provide listings of strategic partners which meet
29	agreed-upon criteria;
30	(g) Develop negotiating strategies and marketing
31 '	materials designed to address the concerns of potential

1	strategic partners;
2	(h) Approach and initiate discussions with potential
3	strategic partners and investors;
4	(i) Present Florida small and medium-sized firms to
5	potential strategic partners and investors;
6	(j) Identify and, in conjunction with associated
7	professionals, provide guidance on critical business and legal
8	issues associated with proposed transactions, including issues
9	relating to transfers of assets, ownership of intellectual
10	property, tax planning, and other relevant matters;
11	(k) Assist in the negotiation of pricing and terms of
12	participation of the parties;
13	(1) Close cross-border transactions on behalf of
14	Florida small and medium-sized firms, and manage outside
15	professionals in the closing of the transaction;
16	(m) Handle issues that arise after closing to ensure
17	continued success of the transaction; and
18	(n) Charge fees, in amounts to be determined by the
19	board, to defray the operating costs of its programs.
20	(2) On or before December 31, 1998, the corporation
21	shall submit to the Office of Tourism, Trade, and Economic
22	Development a business plan providing further specifics of its
23	operations, including, but not limited to, the following:
24	(a) A detailed operating budget;
25	(b) Specific goals and outcomes to be achieved by the
26	corporation in the accomplishment of its statutory duties;
27	(c) Types of specific assistance to be rendered to
28	Florida businesses, including detailed descriptions of the
29	specific steps required to provide each type of assistance,
30	and the projected costs of such assistance; and
31	(d) Specific provisions for the self-sufficient

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1	operation of the corporation prior to July 1, 2001, including
2	specific projections of the compensation anticipated from
3	generation of successful cross-border transactions.
4	(e) A description of the manner in which the
5	corporation will interact with existing state-sponsored
6	economic development entities.
7	(3) The business plan and the data upon which it is
8	based shall constitute a public record and shall be
9	distributed in a manner which will provide maximum benefit to
10	Florida businesses.
11	(4) Prior to December 1 of each year, the corporation
12	shall submit to the Governor, the President of the Senate, and
13	the Speaker of the House of Representatives, a complete and
14	detailed report including, but not limited to:
15	(a) The report required in s. 288.9536.
16	(b) The operations and accomplishments of the
17	corporation, including the number of businesses assisted by
18	the corporation.
19	(c) Its assets and liabilities at the end of its most
20	recent fiscal year, including a description of its outstanding
21	cross-border transactions.
22	Section 32. Section 288.9532, Florida Statutes, is
23	created to read:
24	288.9532 Board of directors
25	(1) The corporation shall have an initial board of
26	directors consisting of the following persons:
27	(a) The President of Enterprise Florida, Inc., or his
28	designee, who shall serve as the chair of the corporation;
29	(b) The Comptroller or designee;
30	(c) The Commissioner of Insurance or designee;
31	(d) The chair of the Florida Black Business Investment

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1	Board or designee;
2	(e) The chair of the Florida Export Finance
3	Corporation or designee; and
4	(f) The chair of the Florida First Capital Finance
5	corporation or designee.
6	(2) Notwithstanding the provisions of subsection (1),
7	the board of directors may by resolution appoint to the board
8	up to ten at-large members from the private sector, each of
9	whom shall serve a 2-year term. Minority and gender
10	representation shall be considered when making at-large
11	appointments to the board. At-large members shall have the
12	powers and duties of other members of the board. An at-large
13	member is eligible for reappointment, but may not vote on his
14	or her own reappointment.
15	(3) The board shall ensure that its composition is
16	reflective of the diversity of Florida's business community,
17	and to the greatest degree possible shall include, but not be
18	limited to, individuals representing small and medium-sized
19	businesses, minority businesses, universities and other
20	institutions of higher education, and international and
21	domestic economic development organizations. A majority of
22	at-large members of the board shall have significant
23	experience in international business, with expertise in the
24	areas of trade, transportation, finance, law, or
25	manufacturing.
26	(4) Members of the board of directors shall serve
27	without compensation, but members, the president, and staff
28	may be reimbursed for all reasonable, necessary, and actual
29	expenses, as determined by the board of directors.
30	(5) A majority of currently serving members of the
31	board shall constitute a quorum for purposes of all business

1	of the board.
2	Section 33. Section 288.9533, Florida Statutes, is
3	created to read:
4	288.9533 Powers and Duties of the Board of
5	DirectorsThe board shall:
6	(1) Prior to the expenditure of funds from the Florida
7	Business Expansion account, adopt bylaws and internal
8	procedures which are necessary to carry out the
9	responsibilities of the corporation. The articles and bylaws
10	of the corporation shall be reviewed and approved by the
11	Office of Tourism, Trade, and Economic Development prior to
12	final adoption by the board;
13	(2) Hold regularly scheduled meetings, at least
14	quarterly, in order to carry out the objectives and duties of
15	the board;
16	(3) Develop a streamlined application and review
17	process;
18	(4) Adopt rules and policies, including application
19	and award criteria, regarding eligibility of businesses to
20	receive assistance from the corporation. Such rules and
21	policies shall include, but not be limited to, the
22	requirements that the target businesses:
23	(a) Shall have substantial operations in Florida;
24	(b) Shall have products, business or technology in
25	existence at the time of application;
26	(c) Shall have proven management;
27	(d) Shall be in a stage of business which is favorable
28	to expansion of the business into international markets;
29	(e) Shall have products or technologies which have a
30	substantial potential for beneficial effect on business
31	expansion, business revenue or employment in Florida; and

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contract;

1	(f) Shall have products or technologies which are
2	potential technology or market leaders with substantial
3	commercial potential in international markets.
4	(g) Shall not have engaged in any cross-border
5	transactions prior to receipt of assistance from the
6	corporation. Assistance from the corporation shall only be
7	extended to targeted businesses when no conventional source of
8	assistance is available for the business from public or
9	private sources.
10	(5) Proposed awards of assistance shall be reviewed
11	and approved at meetings of the board. The board shall give
12	the highest priority to activities that offer the greatest
13	opportunity for economic development impact and cost recovery.
14	A business, including any affiliated corporations of such
15	business, that has received any contractual assistance from
16	the private sector entity selected pursuant to s. 288.9534, is
17	not eligible to receive assistance from the corporation.
18	Section 34. Chapter 288.9534, Florida Statutes, is
19	created to read:
20	288.9534 Management of the Corporation
21	(1) The activities of the corporation shall be
22	administered under a contract with a private sector entity
23	selected by the board no later than September 1, 1998. Such
24	company shall have responsibility for performance of all
25	statutory duties of the corporation, under the control and
26	supervision of the board. Potential management companies
27	shall:
28	(a) Have existing operations in Florida, and provide

Florida-resident personnel to perform services under the

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1	creation of cross-border transactions, and at least ten years
2	of operational experience in such business;
3	(c) Have staff with substantial financial and
4	international affairs experience;
5	(d) Have international offices;
6	(e) Commit to a cash match expenditure of ten percent
7	of the amount of the state contract issued pursuant to this
8	section, with such cash to be provided from the capital of the
9	contractor and expended directly in the pursuit of the
10	statutory purposes of the corporation; and
11	(f) Have substantial experience in as many of the
12	following areas as possible:
13	1. Arrangement of cross-border transactions;
14	2. Development and implementation of market entry
15	strategies for business expansion;
16	3. Preparation of market analyses and strategic plans;
17	and
18	4. Work with foreign and domestic financial
19	institutions, highly regulated industries and foreign
20	governments.
21	(2) The company selected pursuant to this subsection
22	shall provide personnel to serve as officers of the
23	corporation who shall perform on behalf of the corporation all
24	of the customary functions of the offices they occupy.
25	(3) The board shall provide by contract for division
26	with the management company of total compensation derived from
27	the operations of the corporation. Such division shall be made
28	quarterly, and shall involve the total compensation of the
29	corporation which are in excess of the expenses of the
30	corporation for that quarter.
31	(4) Prior to securing management services for the

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1	corporation, staffing of the corporation shall be provided by
2	the Office of Tourism, Trade, and Economic Development, which
3	shall provide to the board by August 7, 1998, a list of
4	candidates qualified and desiring to perform the duties of the
5	management company specified in this section. The Office of
6	Tourism, Trade, and Economic Development shall also have
7	responsibility for the establishment of performance measures
8	and requirements which provide for the performance of the
9	statutory duties of the corporation, as well as the following:
10	(a) Specific outcomes from the performance of the
11	management company, as well as timetables for the
12	accomplishment of such outcomes;
13	(b) Requirements relating to the handling of state
14	funds and providing for third party audit and financial review
15	of the operations of the corporation;
16	(c) Reversion to the state of all assets of the
17	corporation in the event of cessation of operations of the
18	corporation; and
19	(d) Termination of the management company in the event
20	of its failure to perform the duties or deliver the outcomes
21	provided in the management contract.
22	Section 35. Section 288.9535, Florida Statutes, is
23	created to read:
24	288.9535 Florida Business Expansion Account
25	(1) The board shall create the Florida Business
26	Expansion account for the purpose of receiving state, federal,
27	and private financial resources, and the return from
28	employment of those resources, and for the purposes of the
29	corporation. The account shall be under the exclusive control
30	of the board.

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(2) Resources in the account shall be allocated for

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operating expenses of the corporation and for other statutorily authorized purposes, including costs of research, provision of business assistance to targeted businesses, and other costs.

- (3) Appropriations for the corporation shall be deposited into the account.
- (4) The board may establish the account and any sub-accounts necessary and convenient for the operation of the corporation with state or federally chartered financial institutions in this state and may invest the assets of the account in permissible securities.
- (5) At all times, the board shall attempt to maximize the returns on funds in the account.
- (6) All revenues received from the operations of the corporation shall be redeposited in the account to be used to promote the statutory purposes of the corporation.
- (7) Under no circumstances shall the credit of the state be pledged by or on behalf of the corporation, nor shall the state be liable or obligated in any way for claims on the account or against the corporation.
- appropriated to the account which are unused at the end of the fiscal year shall not be subject to reversion under s.

 216.301. All moneys in the account are continuously appropriated to the account and may be used for the purposes specified in this section. The Office of Tourism, Trade, and Economic Development shall ensure that all funds in the account shall revert to the state in the event that the corporation is dissolved, ceases operations, or upon the evaluation of the board that such services cannot be provided

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only after an initial period of program setup and market 1 2 research of at least one year. 3 Section 36. Section 288.9536, Florida Statutes, is 4 created to read: 288.9536 Reporting and Review.--5 6 (1) By September 1, 1999, the corporation in 7 cooperation with the Office of Program Policy Analysis and Government Accountability shall develop a research design, 8 including goals and measurable objectives for the corporation, 9 10 which will provide the Legislature with a quantitative evaluation of the corporation. The corporation shall utilize 11 12 the monitoring mechanisms and reports developed in the designs 13 and provide these reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and 14 15 the Office of Program Policy Analysis and Government 16 Accountability. 17 (2) On January 31, 2000, and on January 31 of each 18 succeeding year, the corporation shall prepare a report on the financial status of the corporation and the account and shall 19 submit a copy of the report to the Governor, the President of 20 the Senate, the Speaker of the House of Representatives, and 21 the President of Enterprise Florida, Inc. The report shall 22 specify the assets and liabilities of the account within the 23 current fiscal year and shall include a list of the businesses 24 25 assisted, the benefits obtained by each business assisted, including, but not limited to, increased revenues, cost 26 27 reductions, sales or investment which have been realized by 28 such businesses. 29 (3) Prior to the 2001 regular session of the Legislature, the Office of Program Policy Analysis and 30

Government Accountability shall perform a review and

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evaluation of the corporation using the research design promulgated pursuant to this section. The report shall review and comment on the operations and accomplishments of the corporation. A report of the findings and recommendations of the Office of Program Policy Analysis and Government Accountability shall be submitted to the President of the Senate and the Speaker of the House of Representatives prior to the 2001 regular session.

Section 37. Section 118.10, Florida Statutes, is amended to read:

118.10 <u>Civil Law Notary</u> Florida international notary.--

- (1) As used in this section, the term:
- (a) "Authentic act Authentication instrument" means an instrument executed by a civil law Florida international notary referencing this section, which includes the particulars and capacities to act of transacting parties, a confirmation of the full text of the instrument, the signatures of the parties or legal equivalent thereof, and the signature and seal of a civil law Florida international notary as prescribed by the Florida Secretary of State for use in a jurisdiction outside the borders of the United States.
- (b) "Civil law notary" "Florida international notary" means a person who is a member in good standing of The Florida

 Bar admitted to the practice of law in this state, who has practiced law for at least 5 years, and who is appointed by the Secretary of State as a civil law Florida international notary.
- (c) "Protocol" means a registry maintained by a <u>civil</u> <u>law</u> Florida international notary in which the acts of the civil law Florida international notary are archived.

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- (2) The Secretary of State shall have the power to appoint <u>civil law</u> Florida international notaries and administer this section.
- (3) A civil law Florida international notary is authorized to issue authentic acts and may administer an oath and make a certificate thereof whenever it is necessary for execution of any writing or document to be attested, protested, or published under the seal of a notary public. A civil law notary may also take acknowledgments of deeds and other instruments of writing for record, and solemnize the rites of matrimony, as fully as other officers of this state authentication instruments for use in non-United States jurisdictions. A civil law Florida international notary is not authorized to issue authentic acts authentication instruments for use in a non-United States jurisdiction if the United States Department of State has determined that the jurisdiction does not have diplomatic relations with the United States or is a terrorist country, or if trade with the jurisdiction is prohibited under the Trading With the Enemy Act of 1917, as amended, 50 U.S.C. ss. 1, et seq.
- (4) The authentication instruments of a Florida international notary shall not be considered authentication instruments within the borders of the United States and shall have no consequences or effects as authentication instruments in the United States.
- (4)(5) The <u>authentic acts</u>, <u>oaths and acknowledgments</u>, <u>and solemnizations</u>, <u>authentication instruments</u> of a <u>civil law</u> Florida international notary shall be recorded in the <u>civil law</u> Florida international notary's protocol in a manner prescribed by the Secretary of State.
 - (5)(6) The Secretary of State may adopt rules

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- (a) The form and content of signatures and seals or their legal equivalents for <u>authentic acts</u>, <u>and the circumstances under which authentic acts may be issued authentication instruments</u>;
- (b) Procedures for the permanent archiving of authentic acts, maintaining records of acknowledgments, oaths and solemnizations, procedures and requirement for marriage, and procedures for the administration of oaths and taking of acknowledgments authentication instruments;
- (c) The charging of reasonable fees to be retained by the Secretary of State for the purpose of administering this section;
- (d) Educational requirements and procedures for testing applicants' knowledge of the requirements, procedures, and effects and consequences associated with authentic acts, oaths, acknowledgments, and solemnizations of matrimony authentication instruments in jurisdictions outside the United States;
- (e) Procedures for the disciplining of <u>civil law</u>

 Florida international notaries, including the suspension and revocation of appointments for misrepresentation or fraud regarding the <u>civil law</u> Florida international notary's authority, the effect of the <u>civil law</u> Florida international notary's <u>authentic acts</u> authentication instruments, or the identities or acts of the parties to a transaction; and
- (f) Other matters necessary for administering this section.
- (6) (7) The Secretary of State shall not regulate, discipline or attempt to discipline, or establish any educational requirements for any civil law Florida

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international notary for, or with regard to, any action or conduct that would constitute the practice of law in this state, except by agreement with The Florida Bar. The Secretary of State shall not establish as a prerequisite to the appointment of a civil law Florida international notary any test containing any question that inquires of the applicant's knowledge regarding the practice of law in the United States, except by agreement with The Florida Bar.

- (7) The powers of civil law notaries shall include but not be limited to all of the powers of a notary public under any law of this state.
- (8) This section shall not be construed as abrogating the provisions of any other act relating to notaries public, attorneys, or the practice of law in this state.

Section 38. Subsection (7) of section 163.3178, Florida Statutes, is amended to read:

163.3178 Coastal management.--

government in the coastal area which has spoil disposal responsibilities shall provide for or identify disposal sites for dredged materials in the future land use and port elements of the local comprehensive plan as needed to assure proper long-term management of material dredged from navigation channels, sufficient long-range disposal capacity, environmental sensitivity and compatibility, and reasonable cost and transportation. The disposal site selection criteria shall be developed in consultation with navigation and inlet districts and other appropriate state and federal agencies and the public. For areas owned or controlled by ports listed in s. 311.09(1), and proposed port expansion areas, compliance with the provisions of this subsection shall be achieved

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1	through comprehensive master plans prepared by each port and
2	integrated with the appropriate local plan pursuant to s.
3	163.3178(2)(k).
4	Section 39. Paragraph (g) is added to subsection (1)
5	and paragraph (d) is added to subsection (6) of section
6	163.3187, Florida Statutes, to read:
7	163.3187 Amendment of adopted comprehensive plan
8	(1) Amendments to comprehensive plans adopted pursuant
9	to this part may be made not more than two times during any
10	calendar year, except:
11	(g) Any comprehensive plan amendments for port
12	transportation facilities and projects which are eligible for
13	funding by the Florida Seaport Transportation and Economic
14	Development Council pursuant to the provisions of s. 311.07.
15	(6) No local government may amend its comprehensive
16	plan after the date established by rule for submittal of its
17	evaluation and appraisal report unless it has submitted its
18	report or addendum to the state land planning agency as
19	prescribed by s. 163.3191, except for:
20	(d) Plan amendments for port transportation facilities
21	and projects which are eligible for funding by the Florida
22	Seaport Transportation and Economic Development Council
23	pursuant to the provisions of s. 311.07.
24	
25	When the agency has determined that the report or addendum has
26	sufficiently addressed all pertinent provisions of s.
27	163.3191, the local government may proceed with plan
28	amendments in addition to those necessary to implement
29	recommendations in the report or addendum.
30	Section 40. Paragraph (j) of subsection (5) of section
31	212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution,

(j) Machinery and equipment used in silicon technology

Industrial machinery and equipment purchased for

Machinery and equipment are exempt from the tax

In addition to meeting The exemptions authorized in

and storage tax; specified exemptions. -- The sale at retail,

the rental, the use, the consumption, the distribution, and

following are hereby specifically exempt from the tax imposed

subparagraph 5. to manufacture, process, compound, or produce

imposed by this chapter if purchased for use predominately in

technology research and development facility certified under

subparagraphs 1. and 2. accrue to the taxpayer through a

refund of previously paid taxes. A refund may not be made

subparagraph 2., a have been met and the business must be has

been certified by the Office of Tourism, Trade, and Economic

Development as authorized in this paragraph in order to

paragraph, possession of a written certification from the

pursuant to this paragraph, relieves the seller of the

unless the criteria mandated by subparagraph 1. or

qualify for exemption under this paragraph.

silicon wafer research and development activities in a silicon

silicon technology products for sale or for use by these facilities are exempt from the tax imposed by this chapter.

the storage to be used or consumed in this state of the

(5) EXEMPTIONS; ACCOUNT OF USE. --

use in silicon technology facilities certified under

production and research and development .--

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by this chapter.

subparagraph 5.

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purchaser, certifying the purchaser's entitlement to exemption

4. For items purchased tax exempt pursuant to this

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responsibility of collecting the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of tax if it determines that the purchaser was not entitled to the exemption.

5.4.a. To be eligible to receive the exemption provided by subparagraph 1. or subparagraph 2., a qualifying business entity shall apply to Enterprise Florida, Inc. The application shall be developed by the Office of Tourism, Trade, and Economic Development in consultation with Enterprise Florida, Inc.

- b. Enterprise Florida, Inc., shall review each submitted application and information and determine whether or not the application is complete within 5 working days. Once an application is complete, Enterprise Florida, Inc., shall, within 10 working days, evaluate the application and recommend approval or disapproval of the application to the Office of Tourism, Trade, and Economic Development.
- c. Upon receipt of the application and recommendation from Enterprise Florida, Inc., the Office of Tourism, Trade, and Economic Development shall certify within 5 working days those applicants who are found to meet the requirements of this section and notify the applicant, Enterprise Florida, Inc., and the department of the certification. If the Office of Tourism, Trade, and Economic Development finds that the applicant does not meet the requirements of this section, it shall notify the applicant and Enterprise Florida, Inc., within 10 working days that the application for certification has been denied and the reasons for denial. The Office of Tourism, Trade, and Economic Development has final approval authority for certification under this section.
 - 6.5.a. A business certified to receive this exemption

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may apply once each year for the <u>exemption</u> refund of all eligible taxes paid during the previous calendar year. The refund shall be subject to a specific annual appropriation from the Legislature to the Office of Tourism, Trade, and Economic Development for the payment of such refunds.

- b. The first claim submitted by a business may include all eligible expenditures made after the date the business was certified.
- c. To apply for the annual exemption refund, the business shall submit a refund claim to the Office of Tourism, Trade, and Economic Development, which claim indicates and documents the sales and use taxes otherwise payable paid on eligible machinery and equipment. The claim must shall also indicate, for program evaluation purposes only, the average number of full-time equivalent employees at the facility over the preceding calendar year, the average wage and benefits paid to those employees over the preceding calendar year, and the total investment made in real and tangible personal property over the preceding calendar year or, for the first claim submitted, since the date of certification. The department shall assist the Office of Tourism, Trade, and Economic Development in evaluating and verifying information provided in the application for exemption an annual refund.
- d. An application for refund must be submitted to the Office of Tourism, Trade, and Economic Development by February 15 of each year. In the event that the Legislature does not appropriate an amount sufficient to satisfy all refund applications received by the Office of Tourism, Trade, and Economic Development, the office shall, not later than April 15 of each year, determine the proportion of each refund claim

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tax refunds for the fiscal year by the total of refund claims received. The amount of each claim for a tax refund shall be multiplied by the resulting quotient. If, after the payment of all such refund claims, there are appropriated funds remaining, the office shall recalculate the proportion for each refund claim and adjust the amount of each claim accordingly.

d.e. The Office of Tourism, Trade, and Economic Development may use the information reported on the claims for evaluation purposes only and shall prepare an annual report on the exemption program and its cost and impact. The annual report for the preceding fiscal year shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by September 30 of each fiscal year. This report may be submitted in conjunction with the annual report required in s. 288.095(3)(c).

7.6. A business certified to receive this exemption may elect to designate one or more state universities or community colleges as recipients of up to 100 percent of the amount of the exemption refund for which they may qualify. To receive these funds the tax refund or portion of the tax refund, the institution must agree to match the these funds so earned with equivalent cash, programs, services, or other in-kind support on a one-to-one basis in the pursuit of research and development projects as requested by the certified business. The rights to any patents, royalties, or real or intellectual property must be vested in the business unless otherwise agreed to by the business and the university or community college.

- 8.7. As used in this paragraph, the term:
- a. "Predominately" means at least 50 percent of the

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time in qualifying research and development.

- b. "Research and development" means basic and applied research in the science or engineering, as well as the design, development, and testing of prototypes or processes of new or improved products. Research and development does not include market research, routine consumer product testing, sales research, research in the social sciences or psychology, nontechnological activities, or technical services.
- c. "Silicon technology products" means raw silicon wafers that are transformed into semiconductor memory or logic wafers, including wafers containing mixed memory and logic circuits; related assembly and test operations; active-matrix flat panel displays; semiconductor chips; and related silicon technology products as determined by the Office of Tourism, Trade, and Economic Development.

Section 41. Paragraph (b) of subsection (3) of section 288.095, Florida Statutes, is amended to read:

288.095 Economic Development Trust Fund.--

19 (3)

(b)1. The total amount of tax refunds approved by the Office of Tourism, Trade, and Economic Development pursuant to ss. 288.1045, 288.106, and 288.107 shall not exceed the amount appropriated to the Economic Development Incentives Account for such purposes for the fiscal year. In the event the Legislature does not appropriate an amount sufficient to satisfy projections by the office for tax refunds under ss. 288.1045, 288.106, and 288.107 in a fiscal year, the Office of Tourism, Trade, and Economic Development shall, not later than July 15 of such year, determine the proportion of each refund claim which shall be paid by dividing the amount appropriated for tax refunds for the fiscal year by the projected total of

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refund claims for the fiscal year. The amount of each claim for a tax refund shall be multiplied by the resulting quotient. If, after the payment of all such refund claims, funds remain in the Economic Development Incentives Account for tax refunds, the office shall recalculate the proportion for each refund claim and adjust the amount of each claim accordingly.

2. The Office of Tourism, Trade, and Economic

Development or any agents of the office shall not enter into

any contract, agreement, legal consideration, or obligation

that encumbers or obligates the Legislature to appropriate in

any fiscal year an amount in excess of the amount appropriated

for tax refunds under ss. 288.1045, 288.106, and 288.107 in

the current fiscal year.

Section 42. Subsection (3) is added to section 288.8155, Florida Statutes, to read:

288.8155 International Trade Data Resource and Research Center.--Enterprise Florida, Inc., and the Florida Seaport Transportation and Economic Development Council may establish a comprehensive trade data resource and research center to be known as the "International Trade Data Resource and Research Center." The center may join with other public sector or private sector entities, domestic or foreign, to accomplish its purposes.

(3) The center may create an Internet-based system to form an information partnership between this state and its strategic trading partners in the Western Hemisphere. Prior to creating the system, the center shall prepare a comprehensive plan for the development and operation of the system that includes a cost analysis, performance measures, and objective outcomes for the system. The plan shall be

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approved by the board and copies of the plan shall be 1 2 delivered to the Legislature and the Office of Tourism, Trade, 3 and Economic Development prior to the release of any funds for 4 the system. 5 Section 43. Section 288.90151, Florida Statutes, is 6 amended to read: 7 288.90151 Funding for contracting with Enterprise 8 Florida, Inc. --9 (1)(a) From funds appropriated from the General 10 Revenue Fund to the Office of Tourism, Trade, and Economic 11 Development for the purpose of annually contracting with 12 Enterprise Florida, Inc., 10 percent of such funds for the fiscal year 1996-1997, 20 percent of such funds for the fiscal 13 year 1997-1998, 30 percent of such funds for the fiscal year 14 15 1998-1999, 40 percent of such funds for the fiscal year 1999-2000, and 50 percent of such funds for the fiscal year 16 17 2000-2001 shall be placed in reserve by the Executive Office 18 of the Governor. The funds may be released through a budget amendment, in accordance with chapter 216, as requested by 19 Enterprise Florida, Inc., through the Office of Tourism, 20 Trade, and Economic Development if Enterprise Florida, Inc., 21 has provided sufficient documentation that the same amount of 22 matching private funds as the amount placed in reserve has 23 24 been contributed during the same fiscal year to Enterprise 25 Florida, Inc., in support of its economic development efforts. If sufficient documentation is not provided by the end of the 26 27 fiscal year, such funds shall revert back to the General Revenue Fund. 28 29 (b) In fiscal years 1999-2000 and 2000-2001, 50 30 percent of the funds placed in reserve may be released by the same budget amendment process if Enterprise Florida, Inc., has 31

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provided sufficient documentation that the amount of matching private funds contributed during the same fiscal year to Enterprise Florida, Inc., is equal to 75 percent of the funds placed in reserve. The remaining funds in reserve may be released by the same budget amendment process if Enterprise Florida, Inc., meets the requirements of paragraph (a).

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In each fiscal year, at least 55 percent of the matching private funds required to be documented under this subsection must be comprised of the first category of matching private funds described in subsection (3).

- (2) Prior to the 1999 Regular Session of the Legislature, the Office of Program Policy Analysis and Government Accountability shall conduct a review of the contributions made to Enterprise Florida, Inc., during the prior 3 years pursuant to this section. The review must be conducted in such a manner as to determine the amount and type of matching private funds contributed and the circumstances affecting the ability to achieve or not achieve the specified amount of matching private funds for each year. Based on this information and historical data, the Office of Program Policy Analysis and Governmental Accountability shall determine whether the funding levels of matching private funds for fiscal year 1999-2000, and fiscal year 2000-2001, as specified in this section, are appropriate. This report shall be submitted by January 1, 1999, to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader.
- (3) For the purposes of this section, matching private funds shall be divided into two categories. The first category of matching private funds shall include any payment of cash

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made in response to a solicitation by Enterprise Florida, Inc., and used exclusively by Enterprise Florida, Inc., in its operations or programs, excluding any payment of cash made by any entity to qualify for any Enterprise Florida, Inc., state, or local incentive, grant, or loan program, or any cash received by Enterprise Florida, Inc., pursuant to a grant or contract. The second category of matching private funds shall include a conveyance of property, or payment or distribution of property or anything of value, including contributions in-kind having an attributable monetary value in any form, and including any payment of cash not counted within the first category of matching private funds. Contributions in-kind include, but are not limited to, goods or services rendered. The cost of the contribution shall be the reasonable cost to the sponsor of the goods or services.

Section 44. Subsection (7) is added to section 288.905, Florida Statutes, to read:

 $288.905\,$ Duties of the board of directors of Enterprise Florida, Inc.--

- (8) The board shall create a Minority Business

 Advisory Council for the purpose of advising and assisting the board and Enterprise Florida, Inc., in carrying out their duties with respect to minority business development.
- (a) The council shall be composed of a minimum of 20 members, a majority of whom shall be representatives from the private sector, including a representative from the Office of Tourism, Trade, and Economic Development, a representative from the Minority Business Advocacy and Assistance Office, and a representative from the Florida Black Business Investment Board. The Council shall advise the board, the Governor, and the Legislature on matters relating to minority business

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development.

(b) On or before December 31 of each year, the council shall present an annual report to the board that sets forth in appropriate detail the business transacted by the council during the year and any recommendations to the board, including those to improve business opportunities for minority business enterprises.

Section 45. Paragraph (a) of subsection (7) of section 288.9607, Florida Statutes, is amended to read:

288.9607 Guaranty of bond issues. --

- (7)(a) The corporation is authorized to enter into an investment agreement with the Department of Transportation and the State Board of Administration concerning the investment of the earnings accrued and collected upon the investment of the minimum balance of funds required to be maintained in the State Transportation Trust Fund pursuant to s. 339.135(7)(b). Such investment shall be limited as follows:
- 1. Not more than \$4 million of the investment earnings earned on the investment of the minimum balance of the State Transportation Trust Fund in a fiscal year shall be at risk at any time on one or more bonds or series of bonds issued by the corporation.
- 2. The investment earnings shall not be used to guarantee any bonds issued after June 30, $\underline{2002}$ $\underline{1998}$, and in no event shall the investment earnings be used to guarantee any bond issued for a maturity longer than 15 years.
- 3. The corporation shall pay a reasonable fee, set by the State Board of Administration, in return for the investment of such funds. The fee shall not be less than the comparable rate for similar investments in terms of size and risk.

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- The proceeds of bonds, or portions thereof, issued by the corporation for which a guaranty has been or will be issued pursuant to s. 288.9606, s. 288.9608, or this section used to make loans to any one person, including any related interests, as defined in s. 658.48, of such person, shall not exceed 20 percent of the principal of all such outstanding bonds of the corporation issued prior to the first composite bond issue of the corporation, or December 31, 1995, whichever comes first, and shall not exceed 15 percent of the principal of all such outstanding bonds of the corporation issued thereafter, in each case determined as of the date of issuance of the bonds for which such determination is being made and taking into account the principal amount of such bonds to be issued. The provisions of this subparagraph shall not apply when the total amount of all such outstanding bonds issued by the corporation is less than \$10 million. For the purpose of calculating the limits imposed by the provisions of this subparagraph, the first \$10 million of bonds issued by the corporation shall be taken into account.
- 5. The corporation shall establish a debt service reserve account which contains not less than 6 months' debt service reserves from the proceeds of the sale of any bonds, or portions thereof, guaranteed by the corporation.
- 6. The corporation shall establish an account known as the Revenue Bond Guaranty Reserve Account, the Guaranty Fund. The corporation shall deposit a sum of money or other cash equivalents into this fund and maintain a balance of money or cash equivalents in this fund, from sources other than the investment of earnings accrued and collected upon the investment of the minimum balance of funds required to be maintained in the State Transportation Trust Fund, not less

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than a sum equal to 1 year of maximum debt service on all 1 2 outstanding bonds, or portions thereof, of the corporation for 3 which a guaranty has been issued pursuant to ss. 288.9606, 4 288.9607, and 288.9608. In the event the corporation fails to 5 maintain the balance required pursuant to this subparagraph for any reason other than a default on a bond issue of the 6 7 corporation guaranteed pursuant to this section or because of 8 the use by the corporation of any such funds to pay insurance, 9 maintenance, or other costs which may be required for the 10 preservation of any project or other collateral security for any bond issued by the corporation, or to otherwise protect 11 12 the Revenue Bond Guaranty Reserve Account from loss while the 13 applicant is in default on amortization payments, or to minimize losses to the reserve account in each case in such 14 15 manner as may be deemed necessary or advisable by the corporation, the corporation shall immediately notify the 16 17 Department of Transportation of such deficiency. Any supplemental funding authorized by an investment agreement 18 entered into with the Department of Transportation and the 19 20 State Board of Administration concerning the use of investment earnings of the minimum balance of funds is void unless such 21 deficiency of funds is cured by the corporation within 90 days 22 after the corporation has notified the Department of 23 24 Transportation of such deficiency. 25 The corporation shall include, as part of the annual report 26 27 prepared pursuant to s. 288.9610, a detailed report concerning 28 the use of guaranteed bond proceeds for loans guaranteed or 29 issued pursuant to any agreement with the Florida Black 30 Business Investment Board, including the percentage of such loans guaranteed or issued and the total volume of such loans 31

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guaranteed or issued.

Section 46. Section 288.9614, Florida Statutes, is amended to read:

288.9614 Authorized programs. --

- (1) The capital development board may take any action that it deems necessary to achieve the purposes of this act in partnership with private enterprises, public agencies, and other organizations, including, but not limited to, efforts to address the long-term debt needs of small-sized and medium-sized firms, to address the needs of microenterprises, to expand availability of venture capital, and to increase international trade and export finance opportunities for firms critical to achieving the purposes of this act.
- (2) The capital development board or Enterprise

 Florida, Inc., shall not expend any state appropriated funds
 on any venture capital fund created by Enterprise Florida,

 Inc., and its affiliates or any other entity that does not
 solely invest in businesses located in this state.

Section 47. Section 14.2016, Florida Statutes, is created to read:

14.2016 International Trade Advocate. --

- (1) The function of International Trade Advocate is created within the Executive Office of the Governor. In matters relating to international trade and investment policy, the advocate shall serve as the Governor's principal advisor and liaison with the governments of Florida's trading partners and with international trade organizations. The advocate's primary office shall be located in South Florida.
- (2) The purpose of the advocate is to increase

 Florida's participation in the international economy by

 promoting Florida's interests in international trade policy

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negotiations, coordinating the formulation of Florida trade
policy positions, assisting in the removal of barriers to
international trade faced by Florida businesses and
communities, developing relationships and contacts throughout
the world, and through other means. The advocate shall have
the power to:

- (a) Establish and coordinate state trade advocacy endeavors that foster beneficial relationships between Florida and its trading partners.
- (b) Respond to inquiries by foreign governments and institutions seeking cooperative activities within Florida.
- (c) In cooperation with Enterprise Florida, Inc., coordinate state and local efforts to enhance trade relationships between Florida and its trading partners.
- (d) Serve as liaison for the state on federal trade negotiations that impact Florida.
- (e) Secure funding for programs and activities from federal, state, local, and private sources and solicit, receive, hold, invest, and administer any grant payment, or gift of funds or property and make expenditures consistent with the purpose of this section.
- (f) Make and enter into contracts and other instruments with any entity, foreign or domestic, necessary or convenient for the exercise of its powers and functions.
- (g) Use the state seal, notwithstanding the provisions of s. 15.03, when appropriate, to establish that the advocate is the principal trade liaison with the governments of Florida's trading partners and with international trade organizations.
- (3) By December 1, 1998, the advocate, with the assistance of Enterprise Florida, Inc., the Florida Ports

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Council, and the Office of Tourism, Trade and Economic
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    Development center shall develop a plan for the operation of
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    an office that includes, but is not limited to, an operating
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    budget; specific performance standards and measurable
    outcomes, and identification of programs and policies that
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    enhance the state's ability to develop relationships and
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    contacts throughout the world. Copies of this plan shall be
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    provided to the Governor, the President of the Senate and the
    Speaker of the House of Representatives.
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          (4) The Governor shall select an individual to serve
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    as the International Trade Advocate from a list of at least
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    three candidates submitted by the President of the Enterprise
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    Florida International Trade and Economic Development Board and
    the President of the Florida Ports Council. The advocate
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    shall be experienced in international affairs and culture,
    fluent in at least Spanish and English languages, and have any
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    other qualifications deemed necessary to enhance Florida's
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    trade relations with foreign governments. The advocate shall
   be the chief spokesperson for the Governor regarding trade
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    relations with Florida's trading partners. At the option of
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    the advocate, the advocate may be exempt from the Career
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    Service System provided in chapter 110 and, notwitstanding the
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    provisions of. 110.205(5), may not be included in either the
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    Senior Management Service or the Selected Exempt Service.
                                                                The
    Office of Tourism, Trade and Economic Development shall
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    contract with the advocate and provide him or her with
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    adequate and reasonable compensation for his or her services,
    including per diem and travel expenses pursuant to s. 112.061,
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    while in the performance of his or her duties. The Governor
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    may delegate to the advocate those powers and responsibilities
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    consistent with the purposes of this section.
                                                   The Office of
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Tourism, Trade and Economic Development and the Florida Trade 2 Data Center shall provide such administrative and staff 3 assistance to the advocate as deemed necessary. Section 48. Subsection (4) of section 253.77, Florida Statutes, is created to read: 253.77 State lands; state agency authorization for use

- prohibited without consent of agency in which title vested; concurrent processing requirements. --
- (4) Notwithstanding any other provision of this Chapter, Chapter 373 or chapter 403, Florida Statutes, for activities authorized by a permit or exemption pursuant to chapter 373 or 403, ports listed in subsection 403.021(9)(b), and inland navigation districts created pursuant to subsection 374.975(3), shall not be required to pay any fees for activities involving the use of sovereign lands, including leases, easements or consents of use.

Section 49. Section 311.07, Florida Statutes, is amended to read:

- 311.07 Florida seaport transportation and economic development funding .--
- (1) There is created the Florida Seaport Transportation and Economic Development Program within the Department of Transportation to finance port transportation or port facilities and projects that will improve the movement and intermodal transportation of cargo or passengers in commerce and trade and that will support the interests, purposes, and requirements of ports located in this state.
- (2) A minimum of \$8 million per year shall be made available from the State Transportation Trust Fund to fund the Florida Seaport Transportation and Economic Development Program.

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- (3)(a) Program funds shall be used to fund approved projects on a 50-50 matching basis with any of the deepwater ports, as listed in s. 403.021(9)(b), which is governed by a public body or any other deepwater port which is governed by a public body and which complies with the water quality provisions of s. 403.061, the comprehensive master plan requirements of s. 163.3178(2)(k), the local financial management and reporting provisions of part III of chapter 218, and the auditing provisions of s. 11.45(3)(a)4. Program funds also may be used by the Seaport Transportation and Economic Development Council to develop with the Florida Trade Data Center such trade data information products which will assist Florida's seaports and international trade.
- (b) Projects eligible for funding by grants under the program are limited to the following port transportation facilities and or port transportation projects:
- 1. Transportation facilities within the jurisdiction of the port.
- 2. The dredging or deepening of channels, turning basins, or harbors.
- The construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with any of the foregoing.
- The acquisition of container cranes or other mechanized equipment used in the movement of cargo or passengers in international commerce.
- The acquisition of land to be used for port purposes as described in, or consistent with, port master plans.
 - The acquisition, improvement, enlargement, or 6.

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extension of existing port facilities <u>as described in, or</u> consistent with, port master plans.

- 7. Environmental protection projects which are necessary because of requirements imposed by a state agency as a condition of a permit or other form of state approval; which are necessary for environmental mitigation required as a condition of a state, federal, or local environmental permit; which are necessary for the acquisition of spoil disposal sites and improvements to existing and future spoil sites; or which result from the funding of eligible projects listed herein.
- 8. Transportation facilities as defined in s. 334.03(31) which are not otherwise part of the Department of Transportation's adopted work program.
- 9. Seaport intermodal access projects identified in the 5-year Florida Seaport Mission Plan as provided in s. 311.09(3).
- (c) To be eligible for consideration by the council pursuant to this section, a project must be consistent with the port comprehensive master plan which is incorporated as part of the approved local government comprehensive plan as required by s. 163.3178(2)(k) or other provisions of the Local Government Comprehensive Planning and Land Development Regulation Act, part II of chapter 163.
- (4) A port eligible for matching funds under the program may receive a distribution of not more than \$7 million during any 1 calendar year and a distribution of not more than \$30 million during any 5-calendar-year period.
- (5) Any port which receives funding under the program shall institute procedures to ensure that jobs created as a result of the state funding shall be subject to equal

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opportunity hiring practices in the manner provided in s. 2 110.112. 3 (6) The Department of Transportation shall subject any 4 project that receives funds pursuant to this section to a 5 final audit. The department may adopt rules and perform such other acts as are necessary or convenient to ensure that the 6 7 final audits are conducted and that any deficiency or questioned costs noted by the audit are resolved. 8 Section 50. Subsection (9) of section 311.09, Florida 9 10 Statutes, is amended to read: 311.09 Florida Seaport Transportation and Economic 11 12 Development Council. --(9) The council shall review the findings of the 13 Department of Community Affairs; the Office of Tourism, Trade, 14 15 and Economic Development; and the Department of 16 Transportation. Projects found to be inconsistent pursuant to 17 subsections (6), (7), and (8) and projects which have been determined not to offer an economic benefit to the state 18 pursuant to subsection (8) shall not be included in the list 19 of projects to be funded. Projects found to be consistent 20 pursuant to subsection (6), (7), and (8) shall be presumed in 21 22 the public interest. Section 51. Section 315.03, Florida Statutes, is 23 24 amended to read: 25 315.03 Grant of powers.--(1) Each unit is hereby authorized and empowered: 26 27 (a)(1) To acquire, construct, lease, operate and 28 maintain any port facilities either within or without or 29 partly within and partly without the corporate limits of the 30 unit, or within or partly within the corporate limits of any

other unit on property owned or acquired by it; provided,

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however, that no unit shall acquire, construct, lease, operate or maintain port facilities other than channels or turning basins in any county of the state other than the county in which such unit is located without securing the prior approval or consent of the unit or units in which such port facilities are proposed to be located, which approval or consent, if given, shall be evidenced by a resolution or ordinance duly adopted.

 $\underline{(b)(2)}$ To acquire by purchase, grant, gift or lease or by the exercise of the right of eminent domain and to hold and dispose of any property, real or personal, tangible or intangible, or any right or interest in any such property, for or in connection with any port facilities, whether or not subject to mortgage, liens, charges or other encumbrances.

(c)(3) To add to or extend, or cause or permit to be added to or extended, any existing lands or islands now or hereafter owned by a unit bordering on or being in any waters by the pumping of sand or earth from any land under water or by any other means of construction, as a part of or for the purpose of providing any port facilities or for the purpose of improving, creating or extending any property of the unit for use of or disposal by the unit.

 $\underline{(d)(4)}$ To construct, or cause or permit to be constructed, an island or islands in any waters by the pumping of sand or earth from any land under water or by any other means of construction, as a part of or for the purpose of providing any port facilities.

 $\underline{\text{(e)}(5)}$ To construct any bridge, tunnel, road or causeway, or any combination thereof, to, from or between any port facilities.

(f) (6) To dredge or deepen harbors, channels and

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turning basins, to cooperate with the United States or any agency thereof in the dredging or deepening of any harbor, channel or turning basin, to enter into contracts with the United States or with any agency thereof concerning any such dredging or deepening project, and to pay such amounts to the United States or any agency thereof or to others as shall be required by the terms of any such contract.

(g)(7) To fill in, extend and enlarge, or cause or permit to be filled in, extended and enlarged, any existing port facilities, to demolish and remove any and all structures thereon or constituting a part thereof, and otherwise to prepare the same for sale or lease to provide funds for financing port facilities under the provisions of this law.

(h)(8) To acquire any existing port facilities and to fill in, extend, enlarge or improve the same, or to cause or permit the same to be extended, enlarged or improved, for any public purpose or for sale or lease for the purpose of providing funds for the acquisition by the unit of any port facilities or for the payment of bonds, notes or other obligations of the unit for or in connection with any port facilities.

(i)(9) To sell at public or private sale or lease for public or private purposes all or any portion of any port facilities now or hereafter owned by the unit, including any such facilities as extended, enlarged or improved, and all or any portion of any property of the unit improved, created, extended or enlarged under the authority of this law, on such terms and subject to such conditions as the governing body shall determine to be in the best interests of the unit.

 $\underline{(j)}$ (10) To contract for the purchase by the unit of any port facilities to be constructed, enlarged, extended or

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improved by any public body, agency or instrumentality or by any private person, firm or corporation, and to provide for payment of the purchase price thereof in such manner as may be deemed by the governing body to be in the best interests of the unit, including, but without limitation, the sale or exchange of any property of the unit therefor or the issuance of bonds or other obligations of the unit.

(k) (11) To accept loans or grants of money or materials or property at any time from the United States or the State of Florida or any agency, instrumentality or subdivision thereof, upon such terms and conditions as the United States, the State of Florida, or such agency, instrumentality or subdivision may impose.

(1)(12) To exercise jurisdiction, control and supervision over any port facilities now or hereafter acquired, owned or constructed by the unit.

 $\underline{\text{(m)}(13)}$ To operate and maintain, and to fix and collect rates, rentals, fees and other charges for any of the services and facilities provided by the port facilities now or hereafter acquired, owned or constructed by the unit excluding state bar pilots.

 $\underline{\text{(n)}(14)}$ To lease or rent, or contract with others for the operation of all or any part of any port facilities now or hereafter acquired, owned or constructed by the unit, on such terms and for such period or periods and subject to such conditions as the governing body shall determine to be in the best interests of the units.

 $\underline{(o)}$ (15) To contract debts for the acquisition or construction of any port facilities or for any other purposes of this law, to borrow money, to make advances, and to issue bonds or other obligations to finance all or any part of such

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acquisition or construction or in the carrying out of any other purposes of this law.

 $\underline{(p)}$ (16) To make advances to the United States or any agency or instrumentality thereof in connection with any port facilities, including the dredging or deepening of any harbor, channel or turning basin to serve any port facilities.

 $\underline{(q)}$ (17) To enter on any lands, waters or premises, within or without the unit or within the corporate limits of any other unit, for the purpose of making surveys, soundings and examinations with relation to any existing or proposed port facilities.

 $\underline{(r)(18)}$ To contract with the United States or the State of Florida or any agency or instrumentality thereof or with any public body or political subdivision or with any private person, firm or corporation with reference to any of the powers hereby granted.

 $\underline{\text{(s)}(19)}$ To perform any of the acts hereby authorized through or by means of its own officers, agents or employees or by contract.

 $\underline{\text{(t)}(20)}$ To do all acts and things and to enter into all contracts and agreements necessary or convenient to carry out the purposes of this law.

 $\underline{\text{(u)}(21)}$ To expend funds to finance the cost of implementing recommendations made pursuant to s. 161.161 to mitigate the adverse impacts of inlets on beaches.

- (2) Any legal entity created under s. 163.01(7)(d), the membership of which consists of three or more ports listed in s. 311.09(1), in addition to any powers granted such entity under applicable law and in the interlocal agreement pursuant to which the entity was created, shall have the power:
 - (a) Provided in s. 163.01(7)(g), provided the public

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facilities which may be acquired, owned, constructed, improved, operated, or managed by such legal entity shall be limited to facilities which are part of the Florida Seaport Transportation and Economic Development Program as provided in chapter 311 and s. 320.20(3) and (4) and seaport intermodal access projects of statewide significance provided in s. 341.053.

- (b) To enter into interlocal agreements or contracts with public agencies, as defined in s. 163.01, and private parties for financing, constructing, acquiring, operating, maintaining, improving, or managing the public facilities described in paragraph (a).
- (c) To enter into interlocal agreements or contracts with public agencies to exercise powers of eminent domain in regard to the public facilities described in paragraph (a).
- (d) To do all other things necessary to accomplish the financing, constructing, acquisition, operation, maintenance, improvement, and management of the public facilities described in paragraph (a).
- Section 52. Paragraph (c) of subsection (4) of section 320.20, Florida Statutes, is amended to read:
- 320.20 Disposition of license tax moneys.--The revenue derived from the registration of motor vehicles, including any delinquent fees and excluding those revenues collected and distributed under the provisions of s. 320.081, must be distributed monthly, as collected, as follows:
- (4) Notwithstanding any other provision of law except subsections (1), (2), and (3), on July 1, 2001, and annually thereafter, \$10 million shall be deposited in the State Transportation Trust Fund solely for the purposes of funding the Florida Seaport Transportation and Economic Development

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Program as provided in chapter 311 and for funding seaport intermodal access projects of statewide significance as provided in s. 341.053. Such revenues shall be distributed to any port listed in s. 311.09(1), to be used for funding projects as follows:

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

Such revenues may be assigned, pledged, or set aside as a

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> trust for the payment of principal or interest on bonds, tax anticipation certificates, or any other form of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. However, such debt shall not constitute a general obligation of the state. This state does hereby covenant with holders of such revenue bonds or other instruments of indebtedness issued hereunder that it will not repeal or impair or amend this subsection in any manner which will materially and adversely affect the rights of holders so long as bonds authorized by this subsection are outstanding. Any revenues that are not pledged to the repayment of bonds as authorized by this section may be utilized for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with s. 311.07 and subsection (3). The Florida Seaport Transportation and Economic Development Council shall approve distribution of funds to ports for projects that have been approved pursuant to s. 311.09(5)-(9), or for seaport intermodal access projects identified in the

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5-year Florida Seaport Mission Plan as provided in s.
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    311.09(3) and mutually agreed upon by the FSTED Council and
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    the Department of Transportation. All contracts for actual
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    construction of projects authorized by this subsection must
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    include a provision encouraging employment of WAGES
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   participants. The goal for employment of WAGES participants
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    is 25 percent of all new employees employed specifically for
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    the project, unless the Department of Transportation and the
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    Florida Seaport Transportation and Economic Development
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    Council can demonstrate to the satisfaction of the Secretary
    of Labor and Employment Security that such a requirement would
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    severely hamper the successful completion of the project. In
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    such an instance, the Secretary of Labor and Employment
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    Security shall establish an appropriate percentage of
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    employees that must be WAGES participants. The council and the
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    Department of Transportation are authorized to perform such
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    acts as are required to facilitate and implement the
   provisions of this subsection. To better enable the ports to
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    cooperate to their mutual advantage, the governing body of
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    each port may exercise powers provided to municipalities or
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    counties in s. 163.01(7)(d) subject to the provisions of
    chapter 311 and special acts, if any, pertaining to a port.
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    Any legal entity created under s. 163.01(7)(d), the membership
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    of which consists of three or more ports listed in s.
    311.09(1), and its individual members, shall have the
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    authority and powers granted under chapter 315. The use of
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    funds provided pursuant to this subsection is limited to
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    eligible projects listed in this subsection. The provisions of
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    s. 311.07(4) do not apply to any funds received pursuant to
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    this subsection.
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section 341.053, Florida Statutes, to read:
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           341.053 Intermodal Development Program;
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    administration; eligible projects; limitations .--
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               The department shall review funding requests from
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    two or more ports listed in s. 311.09(1) or a combination of
    two or more of the following: seaports, rail, airports, or
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    other public transportation authorities. The department may
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    fund projects that create intermodal transfer facilities or
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    such intermodal or multimodal transportation terminals as
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    provided in subsection (5).
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          (7)(a) There is created the Strategic Intermodal
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    Transportation and Economic Development Planning Council
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    within the department to plan for the efficient use of public
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    and private transportation systems and facilities to support
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    Florida's economic development through the intermodal movement
    of people and freight cargo to and from or between seaports,
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    airports, and other transportation terminals and facilities.
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    The council shall consist of the following 9 members: the
    Secretary of Transportation or his or her designee; the
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    Secretary of Community Affairs or his or her designee; two
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    members appointed by the Governor; a member from Enterprise
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    Florida, Inc., appointed by the Governor; a member from the
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    Florida Seaport Transportation and Economic Development
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    Council appointed by the Governor; a member representing
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    airports appointed by the Governor; a member representing
    railroads appointed by the Governor; and a member representing
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27
    the commercial trucking industry appointed by the Governor.
    Metropolitan planning organizations and regional planning
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    councils may be represented as nonvoting members of the
    council. The department may contract with members of the
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    council or other entities to provide for development of
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appropriate	information	required	to	facilitate	the	planning
process.						

- (b) By no later than February 1, 1999, the council must submit to the Transportation Commission, and the Legislature a report which at a minimum:
- 1. Analyzes current and future intermodal transportation needs, including the assessment of existing infrastructure to determine key deficiencies of modal interface, capacity, and over or under utilization of public and private assets.
- 2. Identifies appropriate goals, measures of intermodal system performance, and strategies for growth in intermodal facilities to support Florida's international trade and economic development.
- 3. Identifies methods to improve intergovernmental coordination between local, regional, and state agencies, and the private sector to better plan for Florida's economic development through the intermodal movement of people and freight.
- 4. Identifies the impact of intermodal facilities on the growth of employment opportunities for all Floridians, especially WAGES participants, in economically distressed urban and rural areas.
- (c) By no later than July 1, 1999, the council must submit to the Department of Transportation, the Florida

 Transportation Commission, and the Legislature a report which at a minimum:
- 1. Identifies intermodal projects of statewide significance and documents the need for the projects as well as their importance, benefits, and conformance with the goals and strategies developed by the council

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- Identifies local government benefits from intermodal projects of statewide significance through the development of community-based economic development projects. 3. Includes a prioritized needs list of intermodal transportation projects of statewide significance identifying possible public and private funding for at least the first 5 years of priority projects. (d) The council must update the prioritized needs list when necessary as determined by a majority vote of voting committee members, but not less than once every 5 years. (e) Any projects selected for implementation from the needs list prepared pursuant to paragraph (c) must be included in the department's adopted work program developed in accordance with s. 339.135. In conjunction with its annual in-depth evaluation, the Transportation Commission must review the council's needs list and the department's work program and provide a review and analysis to the Governor and Legislature as described under s. 339.135. The review and analysis must include a review of the needs lists and work programs
- Section 54. Section 695.03, Florida Statutes, is amended to read:

implementation of the council's goals and strategies.

- 695.03 Acknowledgment and proof; validation of certain acknowledgments; legalization or authentication before foreign officials.—To entitle any instrument concerning real property to be recorded, the execution must be acknowledged by the party executing it, proved by a subscribing witness to it, or legalized or authenticated by a civil—law notary or notary public who affixes her or his official seal, before the officers and in the form and manner following:
 - (1) WITHIN THIS STATE. -- An acknowledgment or proof

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made within this state may be made before a judge, clerk, or deputy clerk of any court; a United States commissioner or magistrate; or a notary public or civil law notary of this state, and the certificate of acknowledgment or proof must be under the seal of the court or officer, as the case may be. All affidavits and acknowledgments heretofore made or taken in this manner are hereby validated.

- (2) WITHOUT THIS STATE BUT WITHIN THE UNITED STATES .-- An acknowledgment or proof made out of this state but within the United States may be made before a civil law notary of this state or a commissioner of deeds appointed by the Governor of this state; a judge or clerk of any court of the United States or of any state, territory, or district; a United States commissioner or magistrate; or a notary public, justice of the peace, master in chancery, or registrar or recorder of deeds of any state, territory, or district having a seal, and the certificate of acknowledgment or proof must be under the seal of the court or officer, as the case may be. If the acknowledgment or proof is made before a notary public who does not affix a seal, it is sufficient for the notary public to type, print, or write by hand on the instrument, "I am a Notary Public of the State of ...(state)..., and my commission expires on ...(date)...."
- (3) WITHIN FOREIGN COUNTRIES.--If the acknowledgment, legalization, authentication, or proof is made in a foreign country, it may be made before a commissioner of deeds appointed by the Governor of this state to act in such country; before a civil-law notary or a notary public of such foreign country or a civil law notary of this state or of such foreign country who has an official seal; before an

31 ambassador, envoy extraordinary, minister plenipotentiary,

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1	minister, commissioner, charge d'affaires, consul general,
2	consul, vice consul, consular agent, or other diplomatic or
3	consular officer of the United States appointed to reside in
4	such country; or before a military or naval officer authorized
5	by the Laws or Articles of War of the United States to perform
6	the duties of notary public, and the certificate of
7	acknowledgment, legalization, authentication, or proof must be
8	under the seal of the officer. A certificate legalizing or
9	authenticating the signature of a person executing an
10	instrument concerning real property and to which a civil-law
11	notary or notary public of that country has affixed her or his
12	official seal is sufficient as an acknowledgment. For the
13	purposes of this section, the term "civil-law notary" means $\underline{\mathtt{a}}$
14	civil law notary as defined in chapter 118 or an official of a
15	foreign country who has an official seal and who is authorized
16	to make legal or lawful the execution of any document in that
17	jurisdiction, in which jurisdiction the affixing of her or his
18	official seal is deemed proof of the execution of the document
19	or deed in full compliance with the laws of that jurisdiction.
20	
21	All affidavits, legalizations, authentications, and
22	acknowledgments heretofore made or taken in the manner set
23	forth above are hereby validated.
24	Section 55. Subsection (9) of section 288.8175,
25	Florida Statutes, is amended to read:
26	288.8175 Linkage institutes between postsecondary
27	institutions in this state and foreign countries
28	(9) The Department of Education shall review and make
29	linkage-institute budget requests to the Governor and the
30	Legislature. State appropriations for institutes created under
31	this section must be made by a single lump-sum line item to

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the department, which must apportion the funds among the
various institutes in accordance with criteria established by
the department. The linkage institutes shall be eligible to
apply on a competitive basis to the Office of Tourism, Trade,
and Economic Development for the Targeted Market Pilot Project
Grants Program as defined in s. 14.2015, designed to improve
short and long term international business opportunities for
Florida businesses.

Section 56. (1) The sum of \$4.6 million is hereby appropriated from the General Revenue Fund to the Florida International Trade and Promotion Trust Fund for fiscal year 1998-1999 for the following:

- (a) \$3 million to the Florida Business Expansion Corporation. Ninety percent of such funds must be used to provide assistance to eligible businesses pursuant to s. 288.9533.
- (b) \$100,000 to the Florida Council on International Development to establish and maintain a Florida State International Archive.
- (c) \$1.2 million to finance an electronic commerce support and information system contracted out by the Florida Trade Data Center.
- (d) \$300,000 for the functions of the international trade advocate pursuant to s. 14.2016.
- (2) There is hereby appropriated \$1.2 million from General Revenue funds to the Office of Tourism, Trade and Economic Development which shall be used to fund the activities of the Technology Research and Development Authority (TRDA).
- 30 (3) Funds provided in Specific Appropriation 1355A for a Vessel Tracking Information System for the Tampa Bay Area in

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the 1997-98 General Appropriations Act which are unexpended on
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    June 30, 1998, are hereby reappropriated for fiscal year
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    1998-99 to the Tampa Port Authority. The proviso language
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    following Specific Appropriation 1355A shall be met prior to
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    distribution of these reappropriated funds.
          (4) Funds provided in Specific Appropriation 1649C for
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    the Targeted Industry Incentive Program in the 1997-98 General
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    Appropriations Act which are unobligated are appropriated to
    the Office of Tourism, Trade, and Economic Development for
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    defense-related community grants in 1998-99 as authorized
    under section 288.980, Florida Statutes.
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           Section 57. This act shall take effect July 1 of the
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   year in which enacted.
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    ======= T I T L E A M E N D M E N T =========
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    And the title is amended as follows:
           On page 1, line 2,
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          To page 6, line 5,
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    remove from the title of the bill: all of said lines
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    and insert in lieu thereof:
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           An act relating to economic development;
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           amending s. 414.026, F.S.; requiring that the
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           WAGES Program State Board of Directors approve
           any WAGES-related proposed administrative
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           rules; requiring collaboration with the WAGES
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           State Board concerning other actions by the
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           Workforce Development Board of Enterprise
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           Florida, Inc., and state agencies; extending
           the existence of the WAGES Program State Board
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of Directors; amending s. 414.028, F.S.; revising requirements for a member of a local WAGES coalition in the case of a conflict of interest; providing requirements for disclosing any such conflict; providing for certain nonvoting members to be appointed to a local coalition; requiring a local coalition to deliver certain services under the WAGES Program; providing for staff support for local coalitions; requiring that the program and financial plan developed by a local WAGES coalition include provisions for providing services for victims of domestic violence and describing development of the plan; creating s. 414.030, F.S.; creating a process for fostering the development or completion of certain WAGES Program Employment Projects, providing duties and requirements; amending s. 414.065, F.S.; deleting provisions that require an employer to repay certain supplements or incentives under specified circumstances; creating a WAGES training bonus to be paid to an employer who hires certain program participants; providing protection for current employees; providing an exception from the work requirements for certain individuals at risk of domestic violence; providing an exception for a specified period for certain individuals impaired by past incidents of domestic violence, under certain circumstances; amending s. 414.105, F.S.; providing that an individual

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who cares for a disabled family member is exempt from certain time limitations; permitting domestic violence victims to be granted hardship exemptions not subject to certain percentage limitations, under specified circumstances; providing legislative intent; creating s. 414.110, F.S.; creating the Work Credit Program; delineating eligibility requirements for individuals to receive assistance under the program; amending s. 414.0252, F.S.; providing definitions; amending s. 414.095, F.S.; allowing certain individuals to qualify as noncitizens for purpose of the WAGES Program, allowing WAGES participants to receive information regarding domestic violence support services, providing that risk of domestic violence is good cause for not cooperating with paternity establishment; amending s. 414.115, F.S.; providing that limited temporary cash assistance provisions do not apply to certain circumstances resulting from rape, incest, or sexual exploitation; amending s. 234.01, F.S.; authorizing school districts to provide transportation for WAGES participants; amending s. 234.211, F.S.; providing for reimbursement of school districts; amending s. 341.041, F.S.; establishing responsibilities of the Department of Transportation with respect to transit services for WAGES participants; amending s. 341.052, F.S.; relating to duties of public

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transit block grant recipients to coordinate with local WAGES coalitions regarding transportation services; deleting duplicative provisions; amending s. 414.026, F.S.; revising membership of the WAGES Program State Board of Directors; amending s. 414.20, F.S.; clarifying transportation options available to local WAGES coalitions to assist WAGES participants; amending s. 414.25, F.S.; extending the exemption from leased real property requirements for the WAGES Program to June 30, 1999; creating s. 414.225, F.S.; providing for the provision of transitional transportation for former WAGES participants; amending s. 427.013, F.S.; providing for the duties of the Commission for the Transportation Disadvantaged regarding WAGES transportation; amending s. 427.0155, F.S.; providing for the duties of community transportation coordinators regarding WAGES transportation; amending s. 427.0157, F.S.; providing for the duties of the local coordinating boards regarding WAGES transportation; amending s. 212.096, F.S.; expanding enterprise zone sales tax credit to JTPA or WAGES Program participants not residing in an enterprise zone; requiring documentation; amending s. 220.03, F.S.; expanding enterprise zone corporate tax credit to JTPA or WAGES Program participants not residing in an enterprise zone; amending s. 220.181, F.S.; requiring documentation; amending s. 288.047,

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F.S.; creating a Quick-response Training Program for WAGES participants; providing requirements; creating s. 414.155, F.S.; providing a relocation assistance program for families receiving or eligible to receive WAGES Program assistance; providing responsibilities of the Department of Children and Family Services and the Department of Labor and Employment Security; providing for a relocation plan and for monitoring of the relocation; requiring agreements restricting application for temporary cash assistance for a specified period; providing exceptions; requiring repayment of temporary cash assistance provided under certain circumstances, and reduced eligibility for future assistance; providing for coordination, fund reallocation, and incentives; providing authority for rules; providing protection from mandatory relocation; providing appropriations; amending s. 14.2015, F.S.; revising the reporting requirements of the Office of Tourism, Trade, and Economic Development relating to permits and rules; authorizing the Office of Tourism, Trade, and Economic Development to coordinate establishment of a one-stop permit registry; creating s. 288.9958, F.S.; establishing the PRIDE Job Placement Incentive Program; amending s. 257.35, F.S.; creating the Florida State International Archive; providing requirements for the archive; providing for access to the

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archive; creating s. 288.9530, F.S.; providing for the creation of the Florida Business Expansion Corporation to provide business expansion assistance to businesses in the state having job growth or emerging technology potential; creating s. 288.9531, F.S.; providing for powers and duties of the corporation; creating s. 288.9532, F.S., and s. 288.9533, F.S.; creating the corporation board of directors and providing for their powers and duties; creating s. 288.9534, F.S.; providing that the corporation contracts with an experienced management company to administer and perform the duties of the corporation; creating s. 288.9535, F.S.; creating the Florida Business Expansion Account to receive state, federal, and private financial resources for the purpose of funding the objectives of the corporation; creating s. 288.9536, F.S.; providing for the reporting and review requirements of the corporation; creating Part IV of ch. 721; creating s. 721.96, F.S.; providing a purpose for the commissioners of deeds; creating s. 721.97, F.S.; authorizing the appointment of commissioners of deed; providing authority; ratifying certain actions of commissioners of deeds; amending s. 118.10, F.S.; revising definitions; clarifying eligibility and authority for certain civil law notaries; amending s. 163.3178, F.S.; requiring certain ports to identify certain spoil

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disposal sites; requiring such ports to prepare comprehensive master plans; amending s. 163.3187, F.S.; exempting comprehensive plan amendments for port transportation facilities and projects from a time limitation; amending s. 212.08, F.S.; amending the exemption for machinery and equipment used in silicon technology production and research and development; deleting the requirement that the exemption be accomplished through the refund of taxes that were previously paid; requiring certification by a purchaser of entitlement to the exemption and relieving the seller of responsibility to collect tax; deleting the provision that the refund is subject to a specific annual legislative appropriation; amending s. 288.095, F.S.; prohibiting the Office of Tourism, Trade, and Economic Development from obligating or encumbering the Legislature's appropriation of funds for certain tax refund programs in excess of certain amounts; amending s. 288.8155, F.S.; authorizing the International Trade Data Resource and Research Center to create an Internet-based information system; amending s. 288.90151, F.S.; revising the matching private funding requirements for Enterprise Florida, Inc.; providing for partial release of funds placed in reserve under specified circumstances; amending s. 288.905, F.S.; creating the Minority Business Advisory Council

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under Enterprise Florida, Inc.; providing membership, powers, and duties of the council; requiring annual report; amending s. 288.9607, F.S.; extending the expiration date on the use of certain State Transportation Trust Fund investment earnings; amending s. 288.9614, F.S.; providing that state appropriated funds may not be expended by Enterprise Florida, Inc., or its affiliates on certain venture capital funds; creating s. 14.2016, F.S.; creating the function of International Trade Advocate within the Executive Office of the Governor, proscribing powers and duties; amending s. 253.77, F.S.; exempting certain port projects from payments of fees for activities involving the use of sovereign lands; amending s. 311.07, F.S.; providing that projects eligible for funding under the Florida Seaport Transportation and Economic Development Program must be consistent with port master plans; exempting certain port transportation facilities and projects from review as developments of regional impact; amending s. 311.09, F.S.; declaring that projects eligible for funding under the Florida Seaport Transportation and Economic Development Program are presumed to be in the public interest; amending s. 315.03, F.S.; delineating powers for certain local governmental entities that consist of three or more ports; s. 320.20, F.S.; authorizing such entities to act as

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agents for the Department of Transportation; 1 2 amending s. 341.053, F.S.; requiring the 3 Department of Transportation to review funding 4 requests of certain transportation authorities; 5 creating the Strategic Intermodal Transportation and Economic Development 6 7 Planning Council; providing for membership and duties of the council; requiring reports; 8 9 specifying contents; requiring the council to 10 update a certain needs list; requiring certain projects to be included in the department's 11 12 work program; requiring the Transportation Commission to review the council's needs list 13 and the department's work program; requiring a 14 15 review and analysis report; amending s. 695.03, 16 F.S.; authorizing acknowledgment of certain 17 instruments certified by civil law notaries appointed pursuant to s. 118.10, F.S.; amending 18 s. 288.8175, F.S.; authorizing linkage 19 20 institutes to competitively apply for Targeted 21 Market Pilot Projects Grants; providing appropriations for international trade 22 development and economic development programs; 23 24 providing an effective date. 25 26 27 28 29 30

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