

Bill No. HB 3931

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senators Harris, Hargrett and Meadows moved the following amendment:

**Senate Amendment (with title amendment)**

On page 3, lines 1-19, delete those lines

and insert:

Section 2. Subsection (6) of section 14.2015, Florida Statutes, is amended to read:

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

(6)(a) In order to improve the state's regulatory 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

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1 to, licenses and registrations.

2 (c) The office shall have powers and duties to:

3 1. Review proposed agency actions for impacts on small  
4 businesses and offer alternatives to mitigate such impacts, as  
5 provided in s. 120.54.

6 2. In consultation with the Governor's rules  
7 ombudsman, make recommendations to agencies on any existing  
8 and proposed rules for alleviating unnecessary or  
9 disproportionate adverse effects to businesses.

10 3. Make recommendations to the Legislature and to  
11 agencies for improving permitting procedures affecting  
12 business activities in the state. By October 1, 1997, and  
13 annually thereafter as part of the report prepared pursuant to  
14 paragraph (2)(e), the Office of Tourism, Trade, and Economic  
15 Development shall ~~submit a~~ report to the Legislature on  
16 ~~containing~~ the following:

17 a. An identification and description of methods to  
18 eliminate, consolidate, simplify, or expedite permits.

19 b. An identification and description of those agency  
20 rules repealed or modified during each calendar year to  
21 improve the regulatory climate for businesses operating in the  
22 state.

23 c. A recommendation for an operating plan and funding  
24 level for establishing an automated one-stop permit registry  
25 to provide the following services:

26 (I) Access by computer network to all permit  
27 applications and approval requirements of each state agency.

28 (II) Assistance in the completion of such  
29 applications.

30 (III) Centralized collection of any permit fees and  
31 distribution of such fees to agencies.

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1           (IV) Submission of application data and circulation of  
2 such data among state agencies by computer network.

3  
4 Subject to legislative appropriation, the Office of Tourism,  
5 Trade, and Economic Development is authorized to coordinate  
6 the establishment of such a one-stop permit registry,  
7 including, but not limited to, working with all appropriate  
8 state agencies on the implementation of the operating plan.~~If~~  
9 ~~the Legislature establishes~~ such a registry is established,  
10 subsequent annual reports to the Legislature from the Office  
11 of Tourism, Trade, and Economic Development pursuant to this  
12 paragraph must cover the status and performance of this  
13 registry.

14           4. Serve as a clearinghouse for information on which  
15 permits are required for a particular business and on the  
16 respective application process, including criteria applied in  
17 making a determination on a permit application. Each state  
18 agency that requires a permit, license, or registration for a  
19 business shall submit to the Office of Tourism, Trade, and  
20 Economic Development by August 1 of each year a list of the  
21 types of businesses and professions that it regulates and of  
22 each permit, license, or registration that it requires for a  
23 type of business or profession.

24           5. Obtain information and permit applications from  
25 agencies and provide such information and permit applications  
26 to the public.

27           6. Arrange, upon request, informal conferences between  
28 a business and an agency to clarify regulatory requirements or  
29 standards or to identify and address problems in the permit  
30 review process.

31           7. Determine, upon request, the status of a particular

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1 permit application.

2 8. Receive complaints and suggestions concerning  
3 permitting policies and activities of governmental agencies  
4 which affect businesses.

5 (d) Use of the services authorized in this subsection  
6 does not preclude a person or business from dealing directly  
7 with an agency.

8 (e) In carrying out its duties under this subsection,  
9 the Office of Tourism, Trade, and Economic Development may  
10 consult with state agency personnel appointed to serve as  
11 economic development liaisons under s. 288.021.

12 (f) The office shall clearly represent that its  
13 services are advisory, informational, and facilitative only.  
14 Advice, information, and assistance rendered by the office  
15 does not relieve any person or business from the obligation to  
16 secure a required permit. The office is not liable for any  
17 consequences resulting from the failure to issue or to secure  
18 a required permit. However, an applicant who uses the services  
19 of the office and who receives a written statement identifying  
20 required state permits relating to a business activity may not  
21 be assessed a penalty for failure to obtain a state permit  
22 that was not identified, if the applicant submits an  
23 application for each such permit within 60 days after written  
24 notification from the agency responsible for issuing the  
25 permit.

26 Section 3. Paragraph (h) of subsection (5) of section  
27 212.08, Florida Statutes, is amended to read:

28 212.08 Sales, rental, use, consumption, distribution,  
29 and storage tax; specified exemptions.--The sale at retail,  
30 the rental, the use, the consumption, the distribution, and  
31 the storage to be used or consumed in this state of the

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1 following are hereby specifically exempt from the tax imposed  
2 by this chapter.

3 (5) EXEMPTIONS; ACCOUNT OF USE.--

4 (h) Business property used in an enterprise zone.--

5 1. Beginning July 1, 1995, business property purchased  
6 for use by businesses located in an enterprise zone which is  
7 subsequently used in an enterprise zone shall be exempt from  
8 the tax imposed by this chapter. This exemption inures to the  
9 business only through a refund of previously paid taxes. A  
10 refund shall be authorized upon an affirmative showing by the  
11 taxpayer to the satisfaction of the department that the  
12 requirements of this paragraph have been met.

13 2. To receive a refund, the business must file under  
14 oath with the governing body or enterprise zone development  
15 agency having jurisdiction over the enterprise zone where the  
16 business is located, as applicable, an application which  
17 includes:

18 a. The name and address of the business claiming the  
19 refund.

20 b. The identifying number assigned pursuant to s.  
21 290.0065 to the enterprise zone in which the business is  
22 located.

23 c. A specific description of the property for which a  
24 refund is sought, including its serial number or other  
25 permanent identification number.

26 d. The location of the property.

27 e. The sales invoice or other proof of purchase of the  
28 property, showing the amount of sales tax paid, the date of  
29 purchase, and the name and address of the sales tax dealer  
30 from whom the property was purchased.

31 f. Whether the business is a small business as defined

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1 by s. 288.703(1).

2 g. If applicable, the name and address of each  
3 permanent employee of the business, including, for each  
4 employee who is a resident of an enterprise zone, the  
5 identifying number assigned pursuant to s. 290.0065 to the  
6 enterprise zone in which the employee resides.

7 3. Within 10 working days after receipt of an  
8 application, the governing body or enterprise zone development  
9 agency shall review the application to determine if it  
10 contains all the information required pursuant to subparagraph  
11 2. and meets the criteria set out in this paragraph. The  
12 governing body or agency shall certify all applications that  
13 contain the information required pursuant to subparagraph 2.  
14 and meet the criteria set out in this paragraph as eligible to  
15 receive a refund. If applicable, the governing body or agency  
16 shall also certify if 20 percent of the employees of the  
17 business are residents of an enterprise zone, excluding  
18 temporary and part-time employees. The certification shall be  
19 in writing, and a copy of the certification shall be  
20 transmitted to the executive director of the Department of  
21 Revenue. The business shall be responsible for forwarding a  
22 certified application to the department within the time  
23 specified in subparagraph 4.

24 4. An application for a refund pursuant to this  
25 paragraph must be submitted to the department within 6 months  
26 after the business property is purchased.

27 5. The provisions of s. 212.095 do not apply to any  
28 refund application made pursuant to this paragraph. The amount  
29 refunded on purchases of business property under this  
30 paragraph shall be the lesser of 97 percent of the sales tax  
31 paid on such business property or \$5,000, or, if no less than

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1 20 percent of the employees of the business are residents of  
 2 an enterprise zone, excluding temporary and part-time  
 3 employees, the amount refunded on purchases of business  
 4 property under this paragraph shall be the lesser of 97  
 5 percent of the sales tax paid on such business property or  
 6 \$10,000. A refund approved pursuant to this paragraph shall be  
 7 made within 30 days of formal approval by the department of  
 8 the application for the refund. No refund shall be granted  
 9 under this paragraph unless the amount to be refunded exceeds  
 10 \$100 in sales tax paid on purchases made within a 60-day time  
 11 period.

12 6. The department shall adopt rules governing the  
 13 manner and form of refund applications and may establish  
 14 guidelines as to the requisites for an affirmative showing of  
 15 qualification for exemption under this paragraph.

16 7. If the department determines that the business  
 17 property is used outside an enterprise zone within 3 years  
 18 from the date of purchase, the amount of taxes refunded to the  
 19 business purchasing such business property shall immediately  
 20 be due and payable to the department by the business, together  
 21 with the appropriate interest and penalty, computed from the  
 22 date of purchase, in the manner provided by this chapter.

23 Notwithstanding this subparagraph, business property used  
 24 exclusively in:

- 25 a. Licensed commercial fishing vessels,
- 26 b. Fishing guide boats, or
- 27 c. Ecotourism guide boats

28  
 29 that leave and return to a fixed location within an area  
 30 designated under s. 370.28 are eligible for the exemption  
 31 provided under this paragraph if all requirements of this

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1 paragraph are met. Such vessels and boats must be owned by a  
2 business that is eligible to receive the exemption provided  
3 under this paragraph. This exemption does not apply to the  
4 purchase of a vessel or boat.

5           8. The department shall deduct an amount equal to 10  
6 percent of each refund granted under the provisions of this  
7 paragraph from the amount transferred into the Local  
8 Government Half-cent Sales Tax Clearing Trust Fund pursuant to  
9 s. 212.20 for the county area in which the business property  
10 is located and shall transfer that amount to the General  
11 Revenue Fund.

12           9. For the purposes of this exemption, "business  
13 property" means new or used property defined as "recovery  
14 property" in s. 168(c) of the Internal Revenue Code of 1954,  
15 as amended, except:

16           a. Property classified as 3-year property under s.  
17 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;

18           b. Industrial machinery and equipment as defined in  
19 sub-subparagraph (b)6.a. and eligible for exemption under  
20 paragraph (b); and

21           c. Building materials as defined in sub-subparagraph  
22 (g)8.a.

23           10. The provisions of this paragraph shall expire and  
24 be void on December 31, 2005.

25           Section 4. Subsection (2) of section 212.097, Florida  
26 Statutes, is amended to read:

27           212.097 Urban High-Crime Area Job Tax Credit  
28 Program.--

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

30           (a) "Eligible business" means any sole proprietorship,  
31 firm, partnership, or corporation that is located in a



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1 qualified county and is predominantly engaged in, or is  
2 headquarters for a business predominantly engaged in,  
3 activities usually provided for consideration by firms  
4 classified within the following standard industrial  
5 classifications: SIC 01 through SIC 09 (agriculture,  
6 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);  
7 SIC 52 through SIC 57 and SIC 59 (retail);SIC 422 (public  
8 warehousing and storage); SIC 70 (hotels and other lodging  
9 places); SIC 7391 (research and development); SIC 7992 (public  
10 golf courses); and SIC 7996 (amusement parks). A call center  
11 or similar customer service operation that services a  
12 multistate market or international market is also an eligible  
13 business. Excluded from eligible receipts are receipts from  
14 retail sales, except such receipts for SIC 52 through SIC 57  
15 and SIC 59 (retail), hotels and other lodging places  
16 classified in SIC 70, public golf courses in SIC 7992, and  
17 amusement parks in SIC 7996. For purposes of this paragraph,  
18 the term "predominantly" means that more than 50 percent of  
19 the business's gross receipts from all sources is generated by  
20 those activities usually provided for consideration by firms  
21 in the specified standard industrial classification. The  
22 determination of whether the business is located in a  
23 qualified high-crime area and the tier ranking of that area  
24 must be based on the date of application for the credit under  
25 this section. Commonly owned and controlled entities are to be  
26 considered a single business entity.

27 (b) "Qualified employee" means any employee of an  
28 eligible business who performs duties in connection with the  
29 operations of the business on a regular, full-time basis for  
30 an average of at least 36 hours per week for at least 3 months  
31 within the qualified high-crime area in which the eligible

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1 business is located. An owner or partner of the eligible  
2 business is not a qualified employee. The term also includes  
3 an employee leased from an employee leasing company licensed  
4 under chapter 468, if such employee has been continuously  
5 leased to the employer for an average of at least 36 hours per  
6 week for more than 6 months.

7 (c) "New business" means any eligible business first  
8 beginning operation on a site in a qualified high-crime area  
9 and clearly separate from any other commercial or business  
10 operation of the business entity within a qualified high-crime  
11 area. A business entity that operated an eligible business  
12 within a qualified high-crime area within the 48 months before  
13 the period provided for application by subsection (3)~~date~~  
14 shall not be considered a new business.

15 (d) "Existing business" means any eligible business  
16 that does not meet the criteria for a new business.

17 (e) "Qualified high-crime area" means an area selected  
18 by the Office of Tourism, Trade, and Economic Development in  
19 the following manner: every third year, the office shall rank  
20 and tier those areas nominated under subsection (8), according  
21 to the following prioritized criteria:

22 1. Highest arrest rates within the geographic area for  
23 violent crime and for such other crimes as drug sale, drug  
24 possession, prostitution, vandalism, and civil disturbances;

25 2. Highest reported crime volume and rate of specific  
26 property crimes such as business and residential burglary,  
27 motor vehicle theft, and vandalism;

28 3. Highest percentage of reported index crimes that  
29 are violent in nature;

30 4. Highest overall index crime volume for the area;

31 and

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1           5. Highest overall index crime rate for the geographic  
2 area.

3  
4 Tier-one areas are ranked 1 through 5 and represent the  
5 highest crime areas according to this ranking. Tier-two areas  
6 are ranked 6 through 10 according to this ranking. Tier-three  
7 areas are ranked 11 through 15.

8           Section 5. Subsection (2) of section 212.098, Florida  
9 Statutes, is amended to read:

10           212.098 Rural Job Tax Credit Program.--

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

12           (a) "Eligible business" means any sole proprietorship,  
13 firm, partnership, or corporation that is located in a  
14 qualified county and is predominantly engaged in, or is  
15 headquarters for a business predominantly engaged in,  
16 activities usually provided for consideration by firms  
17 classified within the following standard industrial  
18 classifications: SIC 01 through SIC 09 (agriculture,  
19 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);  
20 SIC 422 (public warehousing and storage); SIC 70 (hotels and  
21 other lodging places); SIC 7391 (research and development);  
22 SIC 7992 (public golf courses); and SIC 7996 (amusement  
23 parks). A call center or similar customer service operation  
24 that services a multistate market or an international market  
25 is also an eligible business. Excluded from eligible receipts  
26 are receipts from retail sales, except such receipts for  
27 hotels and other lodging places classified in SIC 70, public  
28 golf courses in SIC 7992, and amusement parks in SIC 7996.  
29 For purposes of this paragraph, the term "predominantly" means  
30 that more than 50 percent of the business's gross receipts  
31 from all sources is generated by those activities usually

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1 provided for consideration by firms in the specified standard  
2 industrial classification. The determination of whether the  
3 business is located in a qualified county and the tier ranking  
4 of that county must be based on the date of application for  
5 the credit under this section. Commonly owned and controlled  
6 entities are to be considered a single business entity.

7 (b) "Qualified employee" means any employee of an  
8 eligible business who performs duties in connection with the  
9 operations of the business on a regular, full-time basis for  
10 an average of at least 36 hours per week for at least 3 months  
11 within the qualified county in which the eligible business is  
12 located. An owner or partner of the eligible business is not a  
13 qualified employee.

14 (c) "Qualified county" means a county that has a  
15 population of fewer than 75,000 persons, or any county that  
16 has a population of 100,000 or less and is contiguous to a  
17 county that has a population of less than 75,000, selected in  
18 the following manner: every third year, the Office of  
19 Tourism, Trade, and Economic Development shall rank and tier  
20 the state's counties according to the following four factors:

- 21 1. Highest unemployment rate for the most recent
- 22 36-month period.
- 23 2. Lowest per capita income for the most recent
- 24 36-month period.
- 25 3. Highest percentage of residents whose incomes are
- 26 below the poverty level, based upon the most recent data
- 27 available.
- 28 4. Average weekly manufacturing wage, based upon the
- 29 most recent data available.

30  
31 Tier-one qualified counties are those ranked 1 through 5 and

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1 represent the state's least-developed counties according to  
2 this ranking. Tier-two qualified counties are those ranked 6  
3 through 10, and tier-three counties are those ranked 11  
4 through 15.

5 (d) "New business" means any eligible business first  
6 beginning operation on a site in a qualified county and  
7 clearly separate from any other commercial or business  
8 operation of the business entity within a qualified county. A  
9 business entity that operated an eligible business within a  
10 qualified county within the 48 months before the period  
11 provided for application by subsection (3)~~date~~ shall not be  
12 considered a new business.

13 (e) "Existing business" means any eligible business  
14 that does not meet the criteria for a new business.

15 Section 6. Section 288.075, Florida Statutes, is  
16 amended to read:

17 288.075 Confidentiality of records.--

18 (1) As used in this section, the term "economic  
19 development agency" means the Office of Tourism, Trade, and  
20 Economic Development ~~Division of Economic Development of the~~  
21 ~~Department of Commerce~~, any industrial development authority  
22 created in accordance with part III of chapter 159 or by  
23 special law, the public economic development agency that  
24 advises the county commission on the issuance of industrial  
25 revenue bonds of a county that does not have an industrial  
26 development authority created in accordance with part III of  
27 chapter 159 or by special law, or any research and development  
28 authority created in accordance with part V of chapter 159.  
29 The term also includes any private agency, person,  
30 partnership, corporation, or business entity when authorized  
31 by the state, a municipality, or a county to promote the

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1 general business interests or industrial interests of the  
2 state or that municipality or county.

3 (2) Upon written request from a private corporation,  
4 partnership, or person, records of an economic development  
5 agency which contain or would provide information concerning  
6 plans, intentions, or interests of such private corporation,  
7 partnership, or person to locate, relocate, or expand any of  
8 its business activities in this state are confidential and  
9 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
10 Constitution for 24 months after the date an economic  
11 development agency receives a request for confidentiality or  
12 until disclosed by an economic development agency pursuant to  
13 subsection (4) or by the party requesting confidentiality  
14 under this section. Confidentiality must be maintained until  
15 the expiration of the 24-month period or until documents or  
16 information are otherwise disclosed, whichever occurs first.  
17 This confidentiality does not apply when any party petitions a  
18 court of competent jurisdiction and, in the opinion of the  
19 court, proves need for access to such documents. This  
20 exemption expires October 2, 2001, and is subject to review by  
21 the Legislature under the Open Government Sunset Review Act of  
22 1995 in accordance with s. 119.15.

23 (3) This section does not waive any provision of  
24 chapter 120 or any other provision of law requiring a public  
25 hearing.

26 (4) A public officer or employee or any person who is  
27 an employee of an economic development agency may not enter  
28 into a binding agreement with any corporation, partnership, or  
29 person who has requested confidentiality of information  
30 pursuant to this section, until 90 days after such information  
31 is made public, unless such public officer or employee or

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1 economic development agency employee is acting in an official  
2 capacity.

3 (5) Any person who is an employee of an economic  
4 development agency who violates the provisions of this section  
5 is guilty of a misdemeanor of the second degree, punishable as  
6 provided in s. 775.082 or s. 775.083.

7 Section 7. Subsection (3) of section 288.095, Florida  
8 Statutes, is amended to read:

9 288.095 Economic Development Trust Fund.--

10 (3)(a) Contingent upon an annual appropriation by the  
11 Legislature, the Office of Tourism, Trade, and Economic  
12 Development may approve tax refunds pursuant to ss. 288.1045,  
13 288.106, and 288.107. ~~The office may not approve tax refunds~~  
14 ~~in excess of the amount appropriated to the Economic~~  
15 ~~Development Incentives Account for such tax refunds, for a~~  
16 ~~fiscal year pursuant to paragraph (b).~~

17 (b)1. The combined total amount of the state share of  
18 tax refund claims ~~refunds~~ approved by the Office of Tourism,  
19 Trade, and Economic Development pursuant to ss. 288.1045,  
20 288.106, and 288.107 for a single fiscal year shall not exceed  
21 the amount appropriated to the Economic Development Incentives  
22 Account for such state share of tax refunds ~~purposes~~ for the  
23 fiscal year. In the event the Legislature does not appropriate  
24 an amount sufficient to satisfy projections by the office for  
25 tax refunds under ss. 288.1045, 288.106, and 288.107 in a  
26 fiscal year, the Office of Tourism, Trade, and Economic  
27 Development shall, not later than July 15 of such year,  
28 determine the proportion of each refund claim which shall be  
29 paid by dividing the amount appropriated for tax refunds for  
30 the fiscal year by the projected total of refund claims for  
31 the fiscal year. The amount of each claim for a tax refund

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

6 2. The Office of Tourism, Trade, and Economic  
7 Development or any of its agents shall not enter into any  
8 contract, agreement, legal consideration, or obligation that  
9 creates an obligation or expectation that the Legislature will  
10 appropriate for the state share of tax refund payments under  
11 ss. 288.1045, 288.106, and 288.107, an amount in excess of  
12 \$15,000,000 for fiscal year 1999-20, and \$20,000,000 for any  
13 year following fiscal year 1999-20. Any contract, agreement,  
14 legal consideration, or obligation entered by the office,  
15 pertaining to tax refund payments shall clearly state that it  
16 does not constitute a general obligation of the State of  
17 Florida, nor is it backed by the full faith and credit of the  
18 State of Florida. Further it shall state that payment of tax  
19 refunds are conditioned on and subject to specific annual  
20 appropriations by the Florida Legislature of moneys sufficient  
21 to pay amounts authorized in ss. 288.1045, 288.106, and  
22 288.107.

23 (c) By September 30 of each year, the Office of  
24 Tourism, Trade, and Economic Development shall submit a  
25 complete and detailed report to the board of directors of  
26 Enterprise Florida, Inc., created under part VII of this  
27 chapter, of all applications received, final decisions issued,  
28 tax refund agreements executed, and tax refunds paid or other  
29 payments made under all programs funded out of the Economic  
30 Development Incentives Account, including analyses of benefits  
31 and costs, types of projects supported, and employment and



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1 investment created. The Office of Tourism, Trade, and Economic  
2 Development shall also include a separate analysis of the  
3 impact of such tax refunds on state enterprise zones  
4 designated pursuant to s. 290.0065. By December 1 of each  
5 year, the board of directors of Enterprise Florida, Inc.,  
6 shall review and comment on the report, and the board shall  
7 submit the report, together with the comments of the board, to  
8 the Governor, the President of the Senate, and the Speaker of  
9 the House of Representatives. The report must discuss whether  
10 the authority and moneys appropriated by the Legislature to  
11 the Economic Development Incentives Account were managed and  
12 expended in a prudent, fiducially sound manner.

13 (d) Moneys in the Economic Development Incentives  
14 Account may be used only to pay tax refunds and other payments  
15 authorized under s. 288.1045, s. 288.106, or s. 288.107.

16 (e) The Office of Tourism, Trade, and Economic  
17 Development may adopt rules necessary to carry out the  
18 provisions of this subsection, including rules providing for  
19 the use of moneys in the Economic Development Incentives  
20 Account and for the administration of the Economic Development  
21 Incentives Account.

22 Section 8. Section 288.1045, Florida Statutes, is  
23 amended to read:

24 288.1045 Qualified defense contractor tax refund  
25 program.--

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

27 (a) "Consolidation of a Department of Defense  
28 contract" means the consolidation of one or more of an  
29 applicant's facilities under one or more Department of Defense  
30 contracts either from outside this state or from inside and  
31 outside this state, into one or more of the applicant's

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1 facilities inside this state.

2 (b) "Average wage in the area" means the average of  
3 all wages and salaries in the state, the county, or in the  
4 standard metropolitan area in which the business unit is  
5 located.

6 (c) "Applicant" means any business entity that holds a  
7 valid Department of Defense contract or any business entity  
8 that is a subcontractor under a valid Department of Defense  
9 contract or any business entity that holds a valid contract  
10 for the reuse of a defense-related facility, including all  
11 members of an affiliated group of corporations as defined in  
12 s. 220.03(1)(b).

13 (d) "Office"~~"Division"~~ means the Office of Tourism,  
14 Trade, and Economic Development ~~Division of Economic~~  
15 ~~Development of the Department of Commerce.~~

16 (e) "Department of Defense contract" means a  
17 competitively bid Department of Defense contract or a  
18 competitively bid federal agency contract issued on behalf of  
19 the Department of Defense for manufacturing, assembling,  
20 fabricating, research, development, or design with a duration  
21 of 2 or more years, but excluding any contract to provide  
22 goods, improvements to real or tangible property, or services  
23 directly to or for any particular military base or  
24 installation in this state.

25 (f) "New Department of Defense contract" means a  
26 Department of Defense contract entered into after the date  
27 application for certification as a qualified applicant is made  
28 and after January 1, 1994.

29 (g) "Jobs" means full-time equivalent positions,  
30 consistent with the use of such terms by the Department of  
31 Labor and Employment Security for the purpose of unemployment

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1 compensation tax, resulting directly from a project in this  
2 state. This number does not include temporary construction  
3 jobs involved with the construction of facilities for the  
4 project.

5 (h) "Nondefense production jobs" means employment  
6 exclusively for activities that, directly or indirectly, are  
7 unrelated to the Department of Defense.

8 (i) "Project" means any business undertaking in this  
9 state under a new Department of Defense contract,  
10 consolidation of a Department of Defense contract, or  
11 conversion of defense production jobs over to nondefense  
12 production jobs or reuse of defense-related facilities.

13 (j) "Qualified applicant" means an applicant that has  
14 been approved by the director ~~secretary~~ to be eligible for tax  
15 refunds pursuant to this section.

16 (k) ~~"Director"~~ ~~"Secretary"~~ means the director of the  
17 Office of Tourism, Trade, and Economic Development ~~Secretary~~  
18 ~~of Commerce~~.

19 (l) "Taxable year" means the same as in s.  
20 220.03(1)(z).

21 (m) "Fiscal year" means the fiscal year of the state.

22 (n) "Business unit" means an employing unit, as  
23 defined in s. 443.036, that is registered with the Department  
24 of Labor and Employment Security for unemployment compensation  
25 purposes or means a subcategory or division of an employing  
26 unit that is accepted by the Department of Labor and  
27 Employment Security as a reporting unit.

28 (o) "Local financial support" means funding from local  
29 sources, public or private, which is paid to the Economic  
30 Development Trust Fund and which is equal to 20 percent of the  
31 annual tax refund for a qualified applicant. Local financial

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1 support may include excess payments made to a utility company  
2 under a designated program to allow decreases in service by  
3 the utility company under conditions, regardless of when  
4 application is made. A qualified applicant may not provide,  
5 directly or indirectly, more than 5 percent of such funding in  
6 any fiscal year. The sources of such funding may not include,  
7 directly or indirectly, state funds appropriated from the  
8 General Revenue Fund or any state trust fund, excluding tax  
9 revenues shared with local governments pursuant to law.

10 (p) "Contract for reuse of a defense-related facility"  
11 means a contract with a duration of 2 or more years for the  
12 use of a facility for manufacturing, assembling, fabricating,  
13 research, development, or design of tangible personal  
14 property, but excluding any contract to provide goods,  
15 improvements to real or tangible property, or services  
16 directly to or for any particular military base or  
17 installation in this state. Such facility must be located  
18 within a port, as defined in s. 313.21, and have been occupied  
19 by a business entity that held a valid Department of Defense  
20 contract or occupied by any branch of the Armed Forces of the  
21 United States, within 1 year of any contract being executed  
22 for the reuse of such facility. A contract for reuse of a  
23 defense-related facility may not include any contract for  
24 reuse of such facility for any Department of Defense contract  
25 for manufacturing, assembling, fabricating, research,  
26 development, or design.

27 (q) "Local financial support exemption option" means  
28 the option to exercise an exemption from the local financial  
29 support requirement available to any applicant whose project  
30 is located in a county designated by the Rural Economic  
31 Development Initiative, if the county commissioners of the

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1 county in which the project will be located adopt a resolution  
2 requesting that the applicant's project be exempt from the  
3 local financial support requirement. Any applicant that  
4 exercises this option is not eligible for more than 80 percent  
5 of the total tax refunds allowed such applicant under this  
6 section.

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

8 (a) There shall be allowed, from the Economic  
9 Development Trust Fund, a refund to a qualified applicant for  
10 the amount of eligible taxes certified by the director  
11 ~~secretary~~ which were paid by such qualified applicant. The  
12 total amount of refunds for all fiscal years for each  
13 qualified applicant shall be determined pursuant to subsection  
14 (3). The annual amount of a refund to a qualified applicant  
15 shall be determined pursuant to subsection (5).

16 (b) A qualified applicant may not be qualified for any  
17 project to receive more than \$5,000 times the number of jobs  
18 provided in the tax refund agreement pursuant to subparagraph  
19 (4)(a)1. A qualified applicant may not receive refunds of more  
20 than 25 percent of the total tax refunds provided in the tax  
21 refund agreement pursuant to subparagraph (4)(a)1. in any  
22 fiscal year, provided that no qualified applicant may receive  
23 more than \$2.5 million in tax refunds pursuant to this section  
24 in any fiscal year.

25 (c) A qualified applicant may not receive more than  
26 \$7.5 million in tax refunds pursuant to this section in all  
27 fiscal years.

28 (d) Contingent upon an annual appropriation by the  
29 Legislature, the director ~~secretary~~ may approve not more ~~than~~  
30 ~~the lesser of \$25 million~~ in tax refunds than ~~or~~ the amount  
31 appropriated to the Economic Development Trust Fund for tax

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1 refunds, for a fiscal year pursuant to subsection (5) and s.  
2 288.095.

3 (e) For the first 6 months of each fiscal year, the  
4 director ~~secretary~~ shall set aside 30 percent of the amount  
5 appropriated for refunds pursuant to this section by the  
6 Legislature to provide tax refunds only to qualified  
7 applicants who employ 500 or fewer full-time employees in this  
8 state. Any unencumbered funds remaining undisbursed from this  
9 set-aside at the end of the 6-month period may be used to  
10 provide tax refunds for any qualified applicants pursuant to  
11 this section.

12 (f) After entering into a tax refund agreement  
13 pursuant to subsection (4), a qualified applicant may receive  
14 refunds from the Economic Development Trust Fund for the  
15 following taxes due and paid by the qualified applicant  
16 beginning with the applicant's first taxable year that begins  
17 after entering into the agreement:

- 18 1. Taxes on sales, use, and other transactions paid  
19 pursuant to chapter 212.
- 20 2. Corporate income taxes paid pursuant to chapter  
21 220.
- 22 3. Intangible personal property taxes paid pursuant to  
23 chapter 199.
- 24 4. Emergency excise taxes paid pursuant to chapter  
25 221.
- 26 5. Excise taxes paid on documents pursuant to chapter  
27 201.
- 28 6. Ad valorem taxes paid, as defined in s.  
29 220.03(1)(a) on June 1, 1996.

30  
31 However, a qualified applicant may not receive a tax refund



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1 applicant pursuant to this section, an applicant must file an  
2 application with the office ~~division~~ which satisfies the  
3 requirements of paragraphs (b) and (e), paragraphs (c) and  
4 (e), or paragraphs (d) and (e). An applicant may not apply for  
5 certification pursuant to this section after a proposal has  
6 been submitted for a new Department of Defense contract, after  
7 the applicant has made the decision to consolidate an existing  
8 Department of Defense contract in this state for which such  
9 applicant is seeking certification, or after the applicant has  
10 made the decision to convert defense production jobs to  
11 nondefense production jobs for which such applicant is seeking  
12 certification.

13 (b) Applications for certification based on the  
14 consolidation of a Department of Defense contract or a new  
15 Department of Defense contract must be submitted to the office  
16 ~~division~~ as prescribed by the office ~~Department of Commerce~~  
17 and must include, but are not limited to, the following  
18 information:

19 1. The applicant's federal employer identification  
20 number, the applicant's Florida sales tax registration number,  
21 and a notarized signature of an officer of the applicant.

22 2. The permanent location of the manufacturing,  
23 assembling, fabricating, research, development, or design  
24 facility in this state at which the project is or is to be  
25 located.

26 3. The Department of Defense contract numbers of the  
27 contract to be consolidated, the new Department of Defense  
28 contract number, or the "RFP" number of a proposed Department  
29 of Defense contract.

30 4. The date the contract was executed or is expected  
31 to be executed, and the date the contract is due to expire or



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1 is expected to expire.

2 5. The commencement date for project operations under  
3 the contract in this state.

4 6. The number of full-time equivalent jobs in this  
5 state which are or will be dedicated to the project during the  
6 year and the average wage of such jobs.

7 7. The total number of full-time equivalent employees  
8 employed by the applicant in this state.

9 8. The percentage of the applicant's gross receipts  
10 derived from Department of Defense contracts during the 5  
11 taxable years immediately preceding the date the application  
12 is submitted.

13 9. The amount of:

14 a. Taxes on sales, use, and other transactions paid  
15 pursuant to chapter 212;

16 b. Corporate income taxes paid pursuant to chapter  
17 220;

18 c. Intangible personal property taxes paid pursuant to  
19 chapter 199;

20 d. Emergency excise taxes paid pursuant to chapter  
21 221;

22 e. Excise taxes paid on documents pursuant to chapter  
23 201; and

24 f. Ad valorem taxes paid

25  
26 during the 5 fiscal years immediately preceding the date of  
27 the application, and the projected amounts of such taxes to be  
28 due in the 3 fiscal years immediately following the date of  
29 the application.

30 10. The estimated amount of tax refunds to be claimed  
31 in each fiscal year.

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1           11. A brief statement concerning the applicant's need  
2 for tax refunds, and the proposed uses of such refunds by the  
3 applicant.

4           12. A resolution adopted by the county commissioners  
5 of the county in which the project will be located, which  
6 recommends the applicant be approved as a qualified applicant,  
7 and which indicates that the necessary commitments of local  
8 financial support for the applicant exist. Prior to the  
9 adoption of the resolution, the county commission may review  
10 the proposed public or private sources of such support and  
11 determine whether the proposed sources of local financial  
12 support can be provided or, for any applicant whose project is  
13 located in a county designated by the Rural Economic  
14 Development Initiative, a resolution adopted by the county  
15 commissioners of such county requesting that the applicant's  
16 project be exempt from the local financial support  
17 requirement.

18           13. Any additional information requested by the office  
19 division.

20           (c) Applications for certification based on the  
21 conversion of defense production jobs to nondefense production  
22 jobs must be submitted to the office division as prescribed by  
23 the office ~~Department of Commerce~~ and must include, but are  
24 not limited to, the following information:

25           1. The applicant's federal employer identification  
26 number, the applicant's Florida sales tax registration number,  
27 and a notarized signature of an officer of the applicant.

28           2. The permanent location of the manufacturing,  
29 assembling, fabricating, research, development, or design  
30 facility in this state at which the project is or is to be  
31 located.

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1           3. The Department of Defense contract numbers of the  
2 contract under which the defense production jobs will be  
3 converted to nondefense production jobs.

4           4. The date the contract was executed, and the date  
5 the contract is due to expire or is expected to expire, or was  
6 canceled.

7           5. The commencement date for the nondefense production  
8 operations in this state.

9           6. The number of full-time equivalent jobs in this  
10 state which are or will be dedicated to the nondefense  
11 production project during the year and the average wage of  
12 such jobs.

13           7. The total number of full-time equivalent employees  
14 employed by the applicant in this state.

15           8. The percentage of the applicant's gross receipts  
16 derived from Department of Defense contracts during the 5  
17 taxable years immediately preceding the date the application  
18 is submitted.

19           9. The amount of:

20           a. Taxes on sales, use, and other transactions paid  
21 pursuant to chapter 212;

22           b. Corporate income taxes paid pursuant to chapter  
23 220;

24           c. Intangible personal property taxes paid pursuant to  
25 chapter 199;

26           d. Emergency excise taxes paid pursuant to chapter  
27 221;

28           e. Excise taxes paid on documents pursuant to chapter  
29 201; and

30           f. Ad valorem taxes paid  
31

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1 during the 5 fiscal years immediately preceding the date of  
2 the application, and the projected amounts of such taxes to be  
3 due in the 3 fiscal years immediately following the date of  
4 the application.

5 10. The estimated amount of tax refunds to be claimed  
6 in each fiscal year.

7 11. A brief statement concerning the applicant's need  
8 for tax refunds, and the proposed uses of such refunds by the  
9 applicant.

10 12. A resolution adopted by the county commissioners  
11 of the county in which the project will be located, which  
12 recommends the applicant be approved as a qualified applicant,  
13 and which indicates that the necessary commitments of local  
14 financial support for the applicant exist. Prior to the  
15 adoption of the resolution, the county commission may review  
16 the proposed public or private sources of such support and  
17 determine whether the proposed sources of local financial  
18 support can be provided or, for any applicant whose project is  
19 located in a county designated by the Rural Economic  
20 Development Initiative, a resolution adopted by the county  
21 commissioners of such county requesting that the applicant's  
22 project be exempt from the local financial support  
23 requirement.

24 13. Any additional information requested by the office  
25 division.

26 (d) Applications for certification based on a contract  
27 for reuse of a defense-related facility must be submitted to  
28 the office division as prescribed by the office ~~Department of~~  
29 ~~Commerce~~ and must include, but are not limited to, the  
30 following information:

31 1. The applicant's Florida sales tax registration

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1 number and a notarized signature of an officer of the  
2 applicant.

3           2. The permanent location of the manufacturing,  
4 assembling, fabricating, research, development, or design  
5 facility in this state at which the project is or is to be  
6 located.

7           3. The business entity holding a valid Department of  
8 Defense contract or branch of the Armed Forces of the United  
9 States that previously occupied the facility, and the date  
10 such entity last occupied the facility.

11           4. A copy of the contract to reuse the facility, or  
12 such alternative proof as may be prescribed by the office  
13 ~~department~~ that the applicant is seeking to contract for the  
14 reuse of such facility.

15           5. The date the contract to reuse the facility was  
16 executed or is expected to be executed, and the date the  
17 contract is due to expire or is expected to expire.

18           6. The commencement date for project operations under  
19 the contract in this state.

20           7. The number of full-time equivalent jobs in this  
21 state which are or will be dedicated to the project during the  
22 year and the average wage of such jobs.

23           8. The total number of full-time equivalent employees  
24 employed by the applicant in this state.

25           9. The amount of:

26           a. Taxes on sales, use, and other transactions paid  
27 pursuant to chapter 212.

28           b. Corporate income taxes paid pursuant to chapter  
29 220.

30           c. Intangible personal property taxes paid pursuant to  
31 chapter 199.

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1           d. Emergency excise taxes paid pursuant to chapter  
2 221.

3           e. Excise taxes paid on documents pursuant to chapter  
4 201.

5           f. Ad valorem taxes paid during the 5 fiscal years  
6 immediately preceding the date of the application, and the  
7 projected amounts of such taxes to be due in the 3 fiscal  
8 years immediately following the date of the application.

9           10. The estimated amount of tax refunds to be claimed  
10 in each fiscal year.

11           11. A brief statement concerning the applicant's need  
12 for tax refunds, and the proposed uses of such refunds by the  
13 applicant.

14           12. A resolution adopted by the county commissioners  
15 of the county in which the project will be located, which  
16 recommends the applicant be approved as a qualified applicant,  
17 and which indicates that the necessary commitments of local  
18 financial support for the applicant exist. Prior to the  
19 adoption of the resolution, the county commission may review  
20 the proposed public or private sources of such support and  
21 determine whether the proposed sources of local financial  
22 support can be provided or, for any applicant whose project is  
23 located in a county designated by the Rural Economic  
24 Development Initiative, a resolution adopted by the county  
25 commissioners of such county requesting that the applicant's  
26 project be exempt from the local financial support  
27 requirement.

28           13. Any additional information requested by the office  
29 division.

30           (e) To qualify for review by the office ~~division~~, the  
31 application of an applicant must, at a minimum, establish the

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1 following to the satisfaction of the office division:

2           1. The jobs proposed to be provided under the  
3 application, pursuant to subparagraph (b)6. or subparagraph  
4 (c)6., must pay an estimated annual average wage equaling at  
5 least 115 percent of the average wage in the area where the  
6 project is to be located.

7           2. The consolidation of a Department of Defense  
8 contract must result in a net increase of at least 25 percent  
9 in the number of jobs at the applicant's facilities in this  
10 state or the addition of at least 80 jobs at the applicant's  
11 facilities in this state.

12           3. The conversion of defense production jobs to  
13 nondefense production jobs must result in net increases in  
14 nondefense employment at the applicant's facilities in this  
15 state.

16           4. The Department of Defense contract cannot allow the  
17 business to include the costs of relocation or retooling in  
18 its base as allowable costs under a cost-plus, or similar,  
19 contract.

20           5. A business unit of the applicant must have derived  
21 not less than 70 percent of its gross receipts in this state  
22 from Department of Defense contracts over the applicant's last  
23 fiscal year, and must have derived not less than 80 percent of  
24 its gross receipts in this state from Department of Defense  
25 contracts over the 5 years preceding the date an application  
26 is submitted pursuant to this section. This subparagraph does  
27 not apply to any application for certification based on a  
28 contract for reuse of a defense-related facility.

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

31           (f) Each application meeting the requirements of

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1 paragraphs (b) and (e), paragraphs (c) and (e), or paragraphs  
2 (d) and (e) must be submitted to the office ~~division~~ for a  
3 determination of eligibility. The office ~~division~~ shall  
4 review, evaluate, and score each application based on, but not  
5 limited to, the following criteria:

6           1. Expected contributions to the state strategic  
7 economic development plan adopted by Enterprise Florida, Inc.,  
8 taking into account the extent to which the project  
9 contributes to the state's high-technology base, and the  
10 long-term impact of the project and the applicant on the  
11 state's economy.

12           2. The economic benefit of the jobs created or  
13 retained by the project in this state, taking into account the  
14 cost and average wage of each job created or retained, and the  
15 potential risk to existing jobs.

16           3. The amount of capital investment to be made by the  
17 applicant in this state.

18           4. The local commitment and support for the project  
19 and applicant.

20           5. The impact of the project on the local community,  
21 taking into account the unemployment rate for the county where  
22 the project will be located.

23           6. The dependence of the local community on the  
24 defense industry.

25           7. The impact of any tax refunds granted pursuant to  
26 this section on the viability of the project and the  
27 probability that the project will occur in this state if such  
28 tax refunds are granted to the applicant, taking into account  
29 the expected long-term commitment of the applicant to economic  
30 growth and employment in this state.

31           8. The length of the project, or the expected



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1 long-term commitment to this state resulting from the project.

2 (g) The office division shall forward its written  
3 findings and evaluation on each application meeting the  
4 requirements of paragraphs (b) and (e), paragraphs (c) and  
5 (e), or paragraphs (d) and (e) to the director secretary  
6 within 60 calendar days of receipt of a complete application.  
7 The office division shall notify each applicant when its  
8 application is complete, and when the 60-day period begins. In  
9 its written report to the director secretary, the office  
10 division shall specifically address each of the factors  
11 specified in paragraph (f), and shall make a specific  
12 assessment with respect to the minimum requirements  
13 established in paragraph (e). The office division shall  
14 include in its report projections of the tax refund claims  
15 that will be sought by the applicant in each fiscal year based  
16 on the information submitted in the application.

17 (h) Within 30 days after receipt of the office's  
18 division's findings and evaluation, the director secretary  
19 shall enter a final order that either approves or disapproves  
20 an application. The decision must be in writing and provide  
21 the justifications for either approval or disapproval. If  
22 appropriate, the director secretary shall enter into a written  
23 agreement with the qualified applicant pursuant to subsection  
24 (4).

25 (i) The director secretary may not enter any final  
26 order that certifies any applicant as a qualified applicant  
27 when the value of tax refunds to be included in that final  
28 order exceeds the available amount of authority to enter final  
29 orders as determined in s. 288.095(3) aggregate amount of tax  
30 refunds for all qualified applicants projected by the division  
31 in any fiscal year exceeds the lesser of \$25 million or the

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1 ~~amount appropriated for tax refunds for that fiscal year. A~~  
2 final order that approves an application must specify the  
3 maximum amount of a tax refund that is to be available to the  
4 contractor in each fiscal year and the total amount of tax  
5 refunds for all fiscal years.

6 (j) This section does not create a presumption that an  
7 applicant should receive any tax refunds under this section.

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

10 (a) A qualified applicant shall enter into a written  
11 agreement with the office ~~department~~ containing, but not  
12 limited to, the following:

13 1. The total number of full-time equivalent jobs in  
14 this state that are or will be dedicated to the qualified  
15 applicant's project, the average wage of such jobs, the  
16 definitions that will apply for measuring the achievement of  
17 these terms during the pendency of the agreement, and a time  
18 schedule or plan for when such jobs will be in place and  
19 active in this state. This information must be the same as the  
20 information contained in the application submitted by the  
21 contractor pursuant to subsection (3).

22 2. The maximum amount of a refund that the qualified  
23 applicant is eligible to receive in each fiscal year.

24 3. An agreement with the office ~~department~~ allowing  
25 the office ~~department~~ to review and verify the financial and  
26 personnel records of the qualified applicant to ascertain  
27 whether the qualified applicant is complying with the  
28 requirements of this section.

29 4. The date after which, each fiscal year, the  
30 qualified applicant may file an annual claim pursuant to  
31 subsection (5).

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1           5. That local financial support shall be annually  
2 available and will be paid to the Economic Development Trust  
3 Fund.

4           (b) Compliance with the terms and conditions of the  
5 agreement is a condition precedent for receipt of tax refunds  
6 each year. The failure to comply with the terms and conditions  
7 of the agreement shall result in the loss of eligibility for  
8 receipt of all tax refunds previously authorized pursuant to  
9 this section, and the revocation of the certification as a  
10 qualified applicant by the director ~~secretary~~.

11           (c) The agreement shall be signed by the director  
12 ~~secretary~~ and the authorized officer of the qualified  
13 applicant.

14           (d) The agreement must contain the following legend,  
15 clearly printed on its face in bold type of not less than 10  
16 points:

17  
18           "This agreement is neither a general obligation  
19 of the State of Florida, nor is it backed by  
20 the full faith and credit of the State of  
21 Florida. Payment of tax refunds are conditioned  
22 on and subject to specific annual  
23 appropriations by the Florida Legislature of  
24 funds sufficient to pay amounts authorized in  
25 s. 288.1045 ~~s. 288.104~~, Florida Statutes."

26  
27           (5) ANNUAL CLAIM FOR REFUND FROM A QUALIFIED DEFENSE  
28 CONTRACTOR.--

29           (a) Qualified applicants who have entered into a  
30 written agreement with the office ~~department~~ pursuant to  
31 subsection (4) and who have entered into a valid new

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1 Department of Defense contract, commenced the consolidation of  
 2 a Department of Defense contract, commenced the conversion of  
 3 defense production jobs to nondefense production jobs or who  
 4 have entered into a valid contract for reuse of a  
 5 defense-related facility may apply once each fiscal year to  
 6 the office ~~Department of Commerce~~ for tax refunds. The  
 7 application must be made on or after the date contained in the  
 8 agreement entered into pursuant to subsection (4) and must  
 9 include a notarized signature of an officer of the applicant.

10 (b) The claim for refund by the qualified applicant  
 11 must include a copy of all receipts pertaining to the payment  
 12 of taxes for which a refund is sought, and data related to  
 13 achieving each performance item contained in the tax refund  
 14 agreement pursuant to subsection (4). The amount requested as  
 15 a tax refund may not exceed the amount for the fiscal year in  
 16 the written agreement entered pursuant to subsection (4).

17 (c) A tax refund may not be approved for any qualified  
 18 applicant unless local financial support has been paid to the  
 19 Economic Development Trust Fund in that fiscal year. If the  
 20 local financial support is less than 20 percent of the  
 21 approved tax refund, the tax refund shall be reduced. The tax  
 22 refund paid may not exceed 5 times the local financial support  
 23 received. Funding from local sources includes tax abatement  
 24 under s. 196.1995 provided to a qualified applicant. The  
 25 amount of any tax refund for an applicant approved under this  
 26 section shall be reduced by the amount of any such tax  
 27 abatement, and the limitations in subsection (2) and paragraph  
 28 (3)(h) shall be reduced by the amount of any such tax  
 29 abatement. A report listing all sources of the local financial  
 30 support shall be provided to the office ~~division~~ when such  
 31 support is paid to the Economic Development Trust Fund.

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1           (d) The director ~~secretary~~, with assistance from the  
2 office ~~division~~, the Department of Revenue, and the Department  
3 of Labor and Employment Security, shall determine the amount  
4 of the tax refund that is authorized for the qualified  
5 applicant for the fiscal year in a written final order within  
6 30 days after the date the claim for the annual tax refund is  
7 received by the office ~~Department of Commerce~~.

8           (e) The total amount of tax refunds approved by the  
9 director ~~secretary~~ under this section in any fiscal year may  
10 not exceed the amount appropriated to the Economic Development  
11 Trust Fund for such purposes for the fiscal year. If the  
12 Legislature does not appropriate an amount sufficient to  
13 satisfy projections by the office ~~division~~ for tax refunds in  
14 a fiscal year, the director ~~secretary~~ shall, not later than  
15 July 15 of such year, determine the proportion of each refund  
16 claim which shall be paid by dividing the amount appropriated  
17 for tax refunds for the fiscal year by the projected total  
18 amount of refund claims for the fiscal year. The amount of  
19 each claim for a tax refund shall be multiplied by the  
20 resulting quotient. If, after the payment of all such refund  
21 claims, funds remain in the Economic Development Trust Fund  
22 for tax refunds, the director ~~secretary~~ shall recalculate the  
23 proportion for each refund claim and adjust the amount of each  
24 claim accordingly.

25           (f) Upon approval of the tax refund pursuant to  
26 paragraphs (c) and (d), the Comptroller shall issue a warrant  
27 for the amount included in the final order. In the event of  
28 any appeal of the final order, the Comptroller may not issue a  
29 warrant for a refund to the qualified applicant until the  
30 conclusion of all appeals of the final order.

31           (g) A prorated tax refund, less a 5 percent penalty,

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1 shall be approved for a qualified applicant provided all other  
2 applicable requirements have been satisfied and the applicant  
3 proves to the satisfaction of the director that it has  
4 achieved at least 80 percent of its projected employment.

5 (6) ADMINISTRATION.--

6 (a) The office ~~may department shall~~ adopt rules  
7 pursuant to chapter 120 for the administration of this  
8 section.

9 (b) The office ~~department~~ may verify information  
10 provided in any claim submitted for tax credits under this  
11 section with regard to employment and wage levels or the  
12 payment of the taxes with the appropriate agency or authority  
13 including the Department of Revenue, the Department of Labor  
14 and Employment Security, or any local government or authority.

15 (c) To facilitate the process of monitoring and  
16 auditing applications made under this program, the office  
17 ~~department~~ may provide a list of qualified applicants to the  
18 Department of Revenue, the Department of Labor and Employment  
19 Security, or to any local government or authority. The office  
20 ~~department~~ may request the assistance of said entities with  
21 respect to monitoring the payment of the taxes listed in  
22 subsection (2).

23 (d) By December 1 of each year, the office ~~department~~  
24 shall submit a complete and detailed report to the Governor,  
25 the President of the Senate, and the Speaker of the House of  
26 Representatives of all tax refunds paid under this section,  
27 including analyses of benefits and costs, types of projects  
28 supported, employment and investment created, geographic  
29 distribution of tax refunds granted, and minority business  
30 participation. The report must indicate whether the moneys  
31 appropriated by the Legislature to the qualified applicant tax

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1 refund program were expended in a prudent, fiducially sound  
2 manner.

3 (7) EXPIRATION.--An applicant may not be certified as  
4 qualified under this section after June 30, 1999.

5 Section 9. Paragraph (b) of subsection (4) of section  
6 288.106, Florida Statutes, is amended to read:

7 288.106 Tax refund program for qualified target  
8 industry businesses.--

9 (4) APPLICATION AND APPROVAL PROCESS.--

10 (b) To qualify for review by the office, the  
11 application of a target industry business must, at a minimum,  
12 establish the following to the satisfaction of the office:

13 1. The jobs proposed to be provided under the  
14 application, pursuant to subparagraph (a)4., must pay an  
15 estimated annual average wage equaling at least 115 percent of  
16 the average private sector wage in the area where the business  
17 is to be located or the statewide private sector average wage.  
18 The office may waive this average wage requirement at the  
19 request of the local governing body recommending the project  
20 and Enterprise Florida, Inc. The wage requirement may only be  
21 waived for a project located in a rural city or county or in  
22 an enterprise zone and only when the merits of the individual  
23 project or the specific circumstances in the community in  
24 relationship to the project warrant such action. If the local  
25 governing body and Enterprise Florida, Inc., make such a  
26 recommendation, it must be transmitted in writing and the  
27 specific justification for the waiver recommendation must be  
28 explained. If the director elects to waive the wage  
29 requirement, the waiver must be stated in writing and the  
30 reasons for granting the waiver must be explained.

31 2. The target industry business's project must result

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1 in the creation of at least 10 jobs at such project and, if an  
2 expansion of an existing business, must result in a net  
3 increase in employment of not less than 10 percent at such  
4 business. Notwithstanding the definition of the term  
5 "expansion of an existing business" under paragraph (2)(g), at  
6 the request of the local governing body recommending the  
7 project and Enterprise Florida, Inc., the office may define an  
8 "expansion of an existing business" in a rural city, a rural  
9 county, or an enterprise zone as the expansion of a business  
10 resulting in a net increase in employment of less than 10  
11 percent at such business, if the merits of the individual  
12 project or the specific circumstances in the community in  
13 relationship to the project warrant such action. If the local  
14 governing body and Enterprise Florida, Inc., make such a  
15 request, it must be transmitted in writing and the specific  
16 justification for the request must be explained. If the  
17 director elects to accept such request, such election must be  
18 stated in writing and the reason for granting the request must  
19 be explained.

20           3. The business activity or product for the  
21 applicant's project is within an industry or industries that  
22 have been identified by the office to be high-value-added  
23 industries that contribute to the area and to the economic  
24 growth of the state and that produce a higher standard of  
25 living for citizens of this state in the new global economy or  
26 that can be shown to make an equivalent contribution to the  
27 area and state's economic progress.

28           Section 10. Subsection (1) of section 288.1221,  
29 Florida Statutes, is amended to read:

30           288.1221 Legislative intent.--

31           (1) It is the intent of the Legislature to establish a



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1 public-private partnership to provide policy direction to and  
2 technical expertise in the promotion and marketing of the  
3 state's tourism attributes. The Legislature further intends to  
4 authorize this partnership to recommend the tenets of an  
5 industry standard 4-year ~~5-year~~ marketing plan for an annual  
6 marketing plan for tourism promotion and recommend a  
7 comparable organizational structure to carry out such a plan.  
8 The Legislature intends to have such a plan funded by that  
9 portion of the rental car surcharge annually dedicated to the  
10 Tourism Promotional Trust Fund, pursuant to s. 212.0606, and  
11 by the tourism industry. The Legislature intends that the  
12 exercise of this authority by the public-private partnership  
13 shall take into consideration the recommendations made to the  
14 1992 Legislature in the report submitted by the Florida  
15 Tourism Commission created pursuant to chapter 91-31, Laws of  
16 Florida.

17 Section 11. Subsection (2) of section 288.1222,  
18 Florida Statutes, is amended to read:

19 288.1222 Definitions.--For the purposes of ss.  
20 288.017, 288.121-288.1226, and 288.124, the term:

21 (2) "Tourist" means any person who participates in  
22 trade or recreation activities outside the county ~~country~~ of  
23 his or her permanent residence or who rents or leases  
24 transient living quarters or accommodations as described in s.  
25 125.0104(3)(a).

26 Section 12. Paragraph (g) of subsection (2) of section  
27 288.1223, Florida Statutes, is amended to read:

28 288.1223 Florida Commission on Tourism; creation;  
29 purpose; membership.--

30 (2)

31 (g) The Governor shall serve as chair of the

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1 commission. The commission shall annually ~~biennially~~ elect one  
2 of its tourism-industry-related members as vice chair, who  
3 shall preside in the absence of the chair.

4       Section 13. (1) The Legislature finds that tourism  
5 associated with the natural, cultural, and historical assets  
6 of this state constitutes one of the fastest growing segments  
7 of the travel and tourism industry. Such ecotourism and  
8 heritage tourism hold significant potential for contributing  
9 to the economic well-being of this state and its citizens  
10 through the generation of revenues and the creation of jobs.  
11 The Legislature further finds that there are opportunities to  
12 promote travel experiences that link this state's traditional  
13 travel destinations with its ecotourism or heritage tourism  
14 destinations and to promote travel experiences that link  
15 ecotourism or heritage tourism destinations within a county or  
16 among multiple counties. Overarching these findings is the  
17 Legislature's recognition that the state's ecotourism and  
18 heritage tourism assets must be preserved and maintained if  
19 they are to be enjoyed by future generations. It is the intent  
20 of the Legislature to encourage the promotion of sustainable  
21 ecotourism and heritage tourism in this state.

22       (2) The Division of Recreation and Parks of the  
23 Department of Environmental Protection is authorized to  
24 establish an ecotourism promotion program designed to  
25 encourage and facilitate visitation to state parks and to  
26 other natural resources in the state, while also safeguarding  
27 that such visitation does not jeopardize the environmental  
28 value or the sustainability of the resources. Funds  
29 appropriated for this program may be used to:

30       (a) Make infrastructure improvements within and to, or  
31 otherwise rehabilitate, state parks or other natural resources

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1 under the jurisdiction of the division;

2 (b) Develop and distribute marketing materials  
3 describing ecotourism resources under the jurisdiction of the  
4 division, including the proximity of the resources to  
5 commercial tourism sites in a region or to other ecotourism  
6 sites in a region in order to encourage travel experiences  
7 that link these sites; or

8 (c) Award ecotourism promotion grants to assist  
9 localities and regions in promoting ecotourism or the economic  
10 development activities related to such tourism.

11 1. An eligible grant applicant is a governmental or  
12 not-for-profit tourism or economic development organization in  
13 this state. An application may be submitted jointly on behalf  
14 of a combination of such organizations, in which case the  
15 organizations together shall be deemed to be one applicant. An  
16 organization may not participate in the submission of more  
17 than one application.

18 2. Applications submitted to the division must include  
19 a requested grant amount and a detailed plan governing the  
20 proposed use of the grant award. The division shall review  
21 each application and shall submit award recommendations to the  
22 Secretary of Environmental Protection for final approval.

23 3. The division shall establish guidelines for  
24 administering this program and shall establish criteria for  
25 the competitive evaluation of grant applications. Evaluation  
26 criteria must include, but need not be limited to, the extent  
27 to which the plan submitted with the application links tourism  
28 sites within the community or region or links tourism sites  
29 within two or more communities or regions.

30 4. Eligible uses of grant awards include:

31 a. Marketing ecotourism sites;

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1           b. Marketing areas as appropriate sites for the  
2 location or expansion of businesses that are engaged in or  
3 that facilitate ecotourism activities; or

4           c. Establishing local or regional ecotourism and  
5 heritage tourism advisory and promotion organizations for  
6 specific state parks.

7           5. Each grant awarded to an applicant under this  
8 program shall not exceed \$30,000.

9           Section 14. Section 288.90151, Florida Statutes, is  
10 amended to read:

11           288.90151 Funding for contracting with Enterprise  
12 Florida, Inc.--

13           (1)(a) From funds appropriated from the General  
14 Revenue Fund to the Office of Tourism, Trade, and Economic  
15 Development for the purpose of annually contracting with  
16 Enterprise Florida, Inc., 10 percent of such funds for the  
17 fiscal year 1996-1997, 20 percent of such funds for the fiscal  
18 year 1997-1998, 30 percent of such funds for the fiscal year  
19 1998-1999, 40 percent of such funds for the fiscal year  
20 1999-2000, and 50 percent of such funds for the fiscal year  
21 2000-2001 shall be placed in reserve by the Executive Office  
22 of the Governor. The funds may be released through a budget  
23 amendment, in accordance with chapter 216, as requested by  
24 Enterprise Florida, Inc., through the Office of Tourism,  
25 Trade, and Economic Development if Enterprise Florida, Inc.,  
26 has provided sufficient documentation that the same amount of  
27 matching private funds as the amount placed in reserve has  
28 been contributed during the same fiscal year to Enterprise  
29 Florida, Inc., in support of its economic development efforts.  
30 If sufficient documentation is not provided by the end of the  
31 fiscal year, such funds shall revert back to the General

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1 Revenue Fund.

2 (b) In fiscal years 1999-2000 and 2000-2001, 50  
3 percent of the funds placed in reserve may be released by the  
4 same budget amendment process if Enterprise Florida, Inc., has  
5 provided sufficient documentation that the amount of matching  
6 private funds contributed during the same fiscal year to  
7 Enterprise Florida, Inc., is equal to 75 percent of the funds  
8 placed in reserve. The remaining funds in reserve may be  
9 released by the same budget amendment process if Enterprise  
10 Florida, Inc., meets the requirements of paragraph (a).

11

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

16 (2) Prior to the 1999 Regular Session of the  
17 Legislature, the Office of Program Policy Analysis and  
18 Government Accountability shall conduct a review of the  
19 contributions made to Enterprise Florida, Inc., during the  
20 prior 3 years pursuant to this section. The review must be  
21 conducted in such a manner as to determine the amount and type  
22 of matching private funds contributed and the circumstances  
23 affecting the ability to achieve or not achieve the specified  
24 amount of matching private funds for each year. Based on this  
25 information and historical data, the Office of Program Policy  
26 Analysis and Governmental Accountability shall determine  
27 whether the funding levels of matching private funds for  
28 fiscal year 1999-2000, and fiscal year 2000-2001, as specified  
29 in this section, are appropriate. This report shall be  
30 submitted by January 1, 1999, to the President of the Senate,  
31 the Speaker of the House of Representatives, the Senate

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1 Minority Leader, and the House Minority Leader.

2 (3) For the purposes of this section, matching private  
3 funds shall be divided into two categories. The first category  
4 of matching private funds shall include any payment of cash  
5 made ~~in response to a solicitation by~~ Enterprise Florida,  
6 Inc., and used ~~exclusively~~ by Enterprise Florida, Inc., in its  
7 operations or programs, excluding any payment of cash made by  
8 any entity to qualify for any Enterprise Florida, Inc., state,  
9 or local incentive, grant, or loan program, or any cash  
10 received by Enterprise Florida, Inc., pursuant to a grant or  
11 contract. The second category of matching private funds shall  
12 include a conveyance of property, or payment or distribution  
13 of property or anything of value, including contributions  
14 in-kind having an attributable monetary value in any form, and  
15 including any payment of cash not counted within the first  
16 category of matching private funds. Contributions in-kind  
17 include, but are not limited to, goods or services rendered.  
18 The cost of the contribution shall be the reasonable cost to  
19 the sponsor of the goods or services.

20 Section 15. Subsection (3) is added to section  
21 288.9618, Florida Statutes, to read:

22 288.9618 Microenterprises.--

23 (3) Not more than 15 percent of the funds appropriated  
24 or otherwise available each fiscal year for activities under  
25 this section may be used for administrative expenses of the  
26 Office of Tourism, Trade, and Economic Development or for  
27 administrative expenses of the organization with which the  
28 office contracts under this section.

29 Section 16. Section 288.9958, Florida Statutes, is  
30 created to read:

31 288.9958 PRIDE Job Placement Incentive Program.--

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1           (1) The Legislature recognizes that the location of  
2 some correctional facilities has been determined by the desire  
3 to provide employment opportunities for residents of  
4 communities that have not experienced the economic growth of  
5 other portions of the state. The Legislature further  
6 recognizes that the corporation authorized by chapter 946 to  
7 manage correctional work programs can provide expertise and  
8 assistance in the areas of on-the-job training and employment  
9 assistance. Partnerships between the state and the corporation  
10 authorized by chapter 946 to manage correctional work programs  
11 may result in increased employment opportunities for local  
12 citizens. To assist the corporation authorized by chapter 946  
13 in economic development initiatives that specifically enhance  
14 the employment opportunities for WAGES participants, the PRIDE  
15 Job Placement Incentive Program is created. The Legislature  
16 hereby permits the corporation authorized by chapter 946 to  
17 participate in the PRIDE Job Training Placement Incentive  
18 Program.

19           (2) The PRIDE Job Placement Incentive Program is  
20 created to encourage the use of the corporation's expertise  
21 and resources, including correctional facilities, in job  
22 training and employment assistance in the economic development  
23 of the state. The program shall be administered by the  
24 Workforce Development Board of Enterprise Florida, Inc. The  
25 Workforce Development Board shall adopt guidelines for the  
26 administration of this program. Awarding of grants is  
27 dependent upon legislative appropriation.

28           (a) The Workforce Development Board may authorize a  
29 grant of \$1,000 to the corporation authorized by chapter 946,  
30 or a business working in association with such corporation,  
31 for full-time employment of a WAGES participant in those

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1 workforce development regions and two sites identified by the  
 2 Workforce Development Board pursuant to subsection (3). The  
 3 incentive payment shall be paid incrementally, with a payment  
 4 of \$250 upon initial employment, \$250 at an employment  
 5 duration of 6 months, and \$500 at an employment duration of 1  
 6 year. Such grants are provided to off-set the costs of  
 7 business location and training the local workforce.

8 (b) The Workforce Development Board may authorize a  
 9 grant of \$2,400 to the corporation authorized by chapter 946,  
 10 or a business working in association with such corporation for  
 11 full-time employment of a WAGES participant and when the  
 12 corporation provides on-the-job training to the WAGES  
 13 participant.

14 (c) Grants may not be issued for the employment of  
 15 individuals who have participated in a prison rehabilitative  
 16 industry program longer than 6 months in the 2 years prior to  
 17 employment.

18 (d) WAGES participants eligible for employment in the  
 19 PRIDE Job Placement Incentive Program must be referred by  
 20 local WAGES coalitions to the corporation authorized by  
 21 chapter 946.

22 (3) The Workforce Development Board shall identify  
 23 five workforce development regions in the state which have the  
 24 least employment opportunities per WAGES participant and, if  
 25 approved by the Workforce Development Board, two sites where  
 26 the corporation authorized by chapter 946 has facilities or  
 27 resources. The five workforce development regions and two  
 28 sites, if applicable, designated by the Workforce Development  
 29 Board as having the fewest employment opportunities per WAGES  
 30 participant are those in which the corporation authorized by  
 31 chapter 946 or businesses working in association with such



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1 corporation may be eligible for job placement incentives.

2 (4) Businesses that have accepted a job placement  
3 incentive pursuant to this section may also be eligible to  
4 apply for any tax credits, wage supplementation, wage subsidy,  
5 or employer payment for that employee which are authorized in  
6 law or by agreement with the employer.

7 (5) If approved by the Department of Corrections,  
8 WAGES participants may be employed by the corporation  
9 authorized by chapter 946 in those facilities not operated  
10 within the secured perimeters of the prison grounds that are  
11 managed by such corporation, and in other areas, as approved  
12 by the Department of Corrections. A safety plan for all WAGES  
13 participants in this program must be completed by the  
14 corporation in cooperation with the Department of Corrections.

15 (6) In carrying out the provisions of this section,  
16 the corporation shall be entitled to all the privileges and  
17 immunities as set forth in part II of chapter 946.

18 Section 17. Notwithstanding any provision of law to  
19 the contrary, the governing body of a municipality or county  
20 containing a United States Environmental Protection Agency  
21 brownfield pilot project that was designated as of May 1,  
22 1997, may apply to the Office of Tourism, Trade, and Economic  
23 Development for designation of one enterprise zone  
24 encompassing the brownfield pilot project if the project is  
25 located in a county with a population less than one million.  
26 The application must be submitted by December 31, 1999, and  
27 must comply with the requirements of section 290.0055, Florida  
28 Statutes, except section 290.0055(3), Florida Statutes.  
29 Notwithstanding the provisions of section 290.0065, Florida  
30 Statutes, limiting the total number of enterprise zones  
31 designated and the number of enterprise zones within a

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1 population category, the Office of Tourism, Trade, and  
 2 Economic Development shall designate one enterprise zone under  
 3 this section if the zone is consistent with the limitations  
 4 imposed under this section. The Office of Tourism, Trade, and  
 5 Economic Development shall establish the initial effective  
 6 date of the enterprise zone designated pursuant to this  
 7 section.

8 Section 18. Subsection (4) of section 370.28, Florida  
 9 Statutes, is amended, and subsection (5) is added to that  
 10 section to read:

11 370.28 Enterprise zone designation; communities  
 12 adversely impacted by net limitations.--

13 (4) Notwithstanding the enterprise zone residency  
 14 requirements set out in ss. 212.096(1)(c) and 220.03(1)(q),  
 15 businesses located in enterprise zones designated pursuant to  
 16 this section may receive the credit provided under s. 212.096  
 17 or s. 220.181 for hiring any person within the jurisdiction of  
 18 the county within which ~~nominating community~~ of such  
 19 enterprise zone is located. All other provisions of ss.  
 20 212.096, 220.03(1)(q), and 220.181 apply to such businesses.  
 21 Notwithstanding the requirement specified in ss.

22 212.08(5)(g)5. and (h)5. and (15)(a) and 220.182(1)(b) that no  
 23 less than 20 percent of a business's employees, excluding  
 24 temporary and part-time employees, must be residents of an  
 25 enterprise zone for the business to qualify for the maximum  
 26 exemption or credit provided in ss. 212.08(5)(g) and (h) and  
 27 (15) and 220.182, a business that is located in an enterprise  
 28 zone designated pursuant to this section shall be qualified  
 29 for those maximum exemptions or credits if no less than 20  
 30 percent of such employees of the business are residents of the  
 31 jurisdiction of the county within which the enterprise zone is

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1 located. All other provisions of ss. 212.08(5)(g) and (h) and  
2 (15) and 220.182 apply to such business.

3 (5) Notwithstanding the time limitations contained in  
4 chapters 212 and 220, a business eligible to receive tax  
5 credits under this section from January 1, 1997, to June 1,  
6 1998, must submit an application for the tax credits by  
7 December 1, 1998. All other requirements of the enterprise  
8 zone program apply to such a business.

9 Section 19. Subsection (1) of section 479.261, Florida  
10 Statutes, is amended to read:

11 479.261 Logo sign program.--

12 (1) The department shall establish a logo sign program  
13 for the rights-of-way of the interstate highway system to  
14 provide information to motorists about available gas, food,  
15 lodging, and camping services at interchanges, through the use  
16 of business logos, and may include additional interchanges  
17 under the program. A logo sign for nearby attractions may be  
18 added to this program if allowed by federal rules. An  
19 attraction as used in this chapter is defined as an  
20 establishment, site, facility, or landmark which is open a  
21 minimum of 5 days a week for 52 weeks a year; which charges an  
22 admission for entry; which has as its principal focus  
23 family-oriented entertainment, cultural, educational,  
24 recreational, scientific, or historical activities; and which  
25 is publicly recognized as a bona fide tourist attraction.  
26 However, the permits for businesses seeking to participate in  
27 the attractions logo sign program shall be awarded by the  
28 department annually to the highest bidders, notwithstanding  
29 the limitation on fees in subsection (5), which are qualified  
30 for available space at each qualified location, but the fees  
31 therefor may not be less than the fees established for logo

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1 participants in other logo categories. The department shall,  
2 if approved by the Federal Highway Administration, institute a  
3 sign program to recognize regional or local heritage,  
4 historic, or scenic trails at interchanges on the interstate  
5 highway system.

6 Section 20. Enterprise Florida, Inc., shall prepare a  
7 strategic plan designed to allow Florida to capitalize on the  
8 economic opportunities associated with the Caribbean nations  
9 and South Africa. The plan should recognize the historical and  
10 cultural ties between this state and such areas and should  
11 focus on building a long-term economic relationship between  
12 these communities. The plan should also recognize existing  
13 economic infrastructure in Florida that could be applied  
14 toward trade and other business activities with the Caribbean  
15 and South Africa. In developing this plan, Enterprise Florida,  
16 Inc., shall solicit the participation and input of individuals  
17 who have expertise on these areas and their economies,  
18 including, but not limited to, business leaders in Florida who  
19 have had previous business experience in these areas. The plan  
20 may include recommendations for legislative action necessary  
21 to implement the strategic plan. The plan must be submitted to  
22 the Governor and Legislature before January 1, 1999.

23 Section 21. In anticipation of the day that the people  
24 of Cuba are no longer denied the inalienable rights and  
25 freedom that all men and women should be guaranteed,  
26 Enterprise Florida, Inc., shall prepare a strategic plan  
27 designed to allow Florida to capitalize on the economic  
28 opportunities associated with a free Cuba. The plan should  
29 recognize the historical and cultural ties between this state  
30 and Cuba and should focus on building a long-term economic  
31 relationship between these communities. The plan should also

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1 recognize existing economic infrastructure in Florida that  
2 could be applied toward trade and other business activities  
3 with Cuba. The plan should identify specific preparatory steps  
4 to be taken in advance of a lifting of the trade embargo with  
5 Cuba. In developing this plan, Enterprise Florida, Inc., shall  
6 solicit the participation and input of individuals who have  
7 expertise on Cuba and its economy, including, but not limited  
8 to, business leaders in Florida who have had previous business  
9 experience in Cuba. The plan may include recommendations for  
10 legislative action necessary to implement the strategic plan.  
11 The plan must be submitted to the Governor and Legislature  
12 before January 1, 1999.

13           Section 22. Section 15.18, Florida Statutes, is  
14 amended to read:

15           15.18 International and cultural relations.--The  
16 Divisions of Cultural Affairs, Historical Resources, and  
17 Library and Information Services of the Department of State  
18 promote programs having substantial cultural, artistic, and  
19 indirect economic significance that emphasize American  
20 creativity. The Secretary of State, as the head administrator  
21 of these divisions, shall hereafter be known as "Florida's  
22 Chief Cultural Officer." As this officer, the Secretary of  
23 State is encouraged to initiate and develop relationships  
24 between the state and foreign cultural officers, their  
25 representatives, and other foreign governmental officials in  
26 order to promote Florida as the center of American creativity.  
27 The Secretary of State shall coordinate international  
28 activities pursuant to this section with Enterprise Florida,  
29 Inc., and any other organization the secretary deems  
30 appropriate ~~the Florida International Affairs Commission~~. For  
31 the accomplishment of this purpose, the Secretary of State

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1 shall have the power and authority to:

2 (1) Disseminate any information pertaining to the  
3 State of Florida which promotes the state's cultural assets.

4 (2) Plan and carry out activities designed to cause  
5 improved cultural and governmental programs and exchanges with  
6 foreign countries.

7 (3) Plan and implement cultural and social activities  
8 for visiting foreign heads of state, diplomats, dignitaries,  
9 and exchange groups.

10 (4) Encourage and cooperate with other public and  
11 private organizations or groups in their efforts to promote  
12 the cultural advantages of Florida.

13 (5) Establish and maintain the list prescribed in s.  
14 55.605(2)(g), relating to recognition of foreign money  
15 judgments.

16 ~~(6)(5)~~ Serve as the liaison with all foreign consular  
17 and ambassadorial corps, as well as international  
18 organizations, that are consistent with the purposes of this  
19 section.

20 ~~(7)(6)~~ Provide, arrange, and make expenditures for the  
21 achievement of any or all of the purposes specified in this  
22 section.

23 ~~(8)(7)~~ Notwithstanding the provisions of part I of  
24 chapter 287, promulgate rules for entering into contracts  
25 which are primarily for promotional services and events, which  
26 may include commodities involving a service. Such rules shall  
27 include the authority to negotiate costs with the offerors of  
28 such services and commodities who have been determined to be  
29 qualified on the basis of technical merit, creative ability,  
30 and professional competency. The rules shall only apply to the  
31 expenditure of funds donated for promotional services and

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1 events. Expenditures of appropriated funds shall be made only  
2 in accordance with part I of chapter 287.

3 Section 23. Paragraph (g) of subsection (2) of section  
4 55.605, Florida Statutes, is amended to read:

5 55.605 Grounds for nonrecognition.--

6 (2) A foreign judgment need not be recognized if:

7 (g) The foreign jurisdiction where judgment was  
8 rendered would not give recognition to a similar judgment  
9 rendered in this state. For purposes of this paragraph, the  
10 Secretary of State shall establish and maintain a list of  
11 foreign jurisdictions where the condition specified in this  
12 paragraph has been found to apply.

13 Section 24. Section 257.35, Florida Statutes, is  
14 amended to read:

15 257.35 Florida State Archives.--

16 (1) There is created within the Division of Library  
17 and Information Services of the Department of State the  
18 Florida State Archives for the preservation of those public  
19 records, as defined in s. 119.011(1), manuscripts, and other  
20 archival material that have been determined by the division to  
21 have sufficient historical or other value to warrant their  
22 continued preservation and have been accepted by the division  
23 for deposit in its custody. It is the duty and responsibility  
24 of the division to:

25 (a) Organize and administer the Florida State  
26 Archives.

27 (b) Preserve and administer such records as shall be  
28 transferred to its custody; accept, arrange, and preserve  
29 them, according to approved archival practices; and permit  
30 them, at reasonable times and under the supervision of the  
31 division, to be inspected, examined, and copied. All public

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1 records transferred to the custody of the division shall be  
2 subject to the provisions of s. 119.07(1), except that any  
3 public record or other record provided by law to be  
4 confidential or prohibited from inspection by the public shall  
5 be made accessible only after a period of 50 years from the  
6 date of the creation of the record. Any nonpublic manuscript  
7 or other archival material which is placed in the keeping of  
8 the division under special terms and conditions, shall be made  
9 accessible only in accordance with such law terms and  
10 conditions and shall be exempt from the provisions of s.  
11 119.07(1) to the extent necessary to meet the terms and  
12 conditions for a nonpublic manuscript or other archival  
13 material.

14 (c) Assist the records and information management  
15 program in the determination of retention values for records.

16 (d) Cooperate with and assist insofar as practicable  
17 state institutions, departments, agencies, counties,  
18 municipalities, and individuals engaged in activities in the  
19 field of state archives, manuscripts, and history and accept  
20 from any person any paper, book, record, or similar material  
21 which in the judgment of the division warrants preservation in  
22 the state archives.

23 (e) Provide a public research room where, under rules  
24 established by the division, the materials in the state  
25 archives may be studied.

26 (f) Conduct, promote, and encourage research in  
27 Florida history, government, international trade and culture  
28 and maintain a program of information, assistance,  
29 coordination, and guidance for public officials, educational  
30 institutions, libraries, the scholarly community, and the  
31 general public engaged in such research.



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1           (g) Cooperate with and, insofar as practicable, assist  
2 agencies, libraries, institutions, and individuals in projects  
3 designed to preserve original source materials relating to  
4 Florida history, government, international trade and culture  
5 and prepare and publish handbooks, guides, indexes, and other  
6 literature directed toward encouraging the preservation and  
7 use of the state's documentary resources.

8           (h) Encourage and initiate efforts to preserve,  
9 collect, process, transcribe, index, and research the oral  
10 history of Florida government.

11           (i) Assist and cooperate with the records and  
12 information management program in the training and information  
13 program described in s. 257.36(1)(g).

14           (2) Any agency is authorized and empowered to turn  
15 over to the division any record no longer in current official  
16 use. The division, in its discretion, is authorized to accept  
17 such record and, having done so, shall provide for its  
18 administration and preservation as herein provided and, upon  
19 acceptance, shall be considered the legal custodian of such  
20 record. The division is empowered to direct and effect the  
21 transfer to the archives of any records that are determined by  
22 the division to have such historical or other value to warrant  
23 their continued preservation or protection, unless the head of  
24 the agency which has custody of the records certifies in  
25 writing to the division that the records shall be retained in  
26 the agency's custody for use in the conduct of the regular  
27 current business of the agency.

28           (3) Title to any record transferred to the Florida  
29 State Archives, as authorized in this chapter, shall be vested  
30 in the division.

31           (4) The division shall make certified copies under

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1 seal of any record transferred to it upon the application of  
2 any person, and said certificates shall have the same force  
3 and effect as if made by the agency from which the record was  
4 received. The division may charge a fee for this service  
5 based upon the cost of service.

6 (5) The division may establish and maintain a schedule  
7 of fees for services which shall include, but not be limited  
8 to, restoration of archival materials, storage of archival  
9 materials, special research services, and publications.

10 (6) The division may establish and maintain as part of  
11 the state archives a Florida State Photographic Collection.  
12 The division shall:

13 (a) Acquire, identify, appraise, arrange, index,  
14 restore, and preserve photographs, motion pictures, drawings,  
15 and other iconographic material considered appropriate for  
16 preservation.

17 (b) Initiate appropriate action to acquire, identify,  
18 preserve, recover, and restore photographs, motion pictures,  
19 and other iconographic material considered appropriate for  
20 preservation.

21 (c) Provide for an index to the historical  
22 photographic holdings of the Florida State Photographic  
23 Collection and the State of Florida.

24  
25 Any use or reproduction of material deposited with the Florida  
26 State Photographic Collection shall be allowed pursuant to the  
27 provisions of paragraph (1)(b) and subsection (4) provided  
28 that appropriate credit for its use is given.

29 (7) The division shall establish and maintain, as part  
30 of the state archives, a Florida State International Archive.  
31 The division shall:

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1           (a) Establish and maintain a mechanism by which the  
2 information contained within the Florida State International  
3 Archive may be accessed by computer via the World Wide Web. In  
4 doing so, the division shall take whatever measures it deems  
5 appropriate to insure the validity, quality, and safety of the  
6 information being accessed;

7           (b) The Florida Council of International Development  
8 may select materials for inclusion in the Florida State  
9 International Archive and shall be consulted closely by the  
10 division in all matters relating to its establishment and  
11 maintenance; and

12           (c) Records transferred shall be in a format  
13 established by the division. The Florida Council on  
14 International Development shall be responsible for the cost of  
15 any data conversion.

16           ~~(8)(7)~~ The division shall promulgate such rules as are  
17 necessary to implement the provisions of this act.

18           Section 25. Present subsections (3), (4), and (5) of  
19 section 288.012, Florida Statutes, are redesignated as  
20 subsections (4), (5), and (6), respectively, and a new  
21 subsection (3) is added to that section to read:

22           288.012 State of Florida foreign offices.--The  
23 Legislature finds that the expansion of international trade  
24 and tourism is vital to the overall health and growth of the  
25 economy of this state. This expansion is hampered by the lack  
26 of technical and business assistance, financial assistance,  
27 and information services for businesses in this state. The  
28 Legislature finds that these businesses could be assisted by  
29 providing these services at State of Florida foreign offices.  
30 The Legislature further finds that the accessibility and  
31 provision of services at these offices can be enhanced through

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1 cooperative agreements or strategic alliances between state  
2 entities, local entities, foreign entities, and private  
3 businesses.

4 (3) By October 1 of each year, each foreign office  
5 shall submit to the Office of Tourism, Trade, and Economic  
6 Development a complete and detailed report on its activities  
7 and accomplishments during the preceding fiscal year. In a  
8 format provided by Enterprise Florida, Inc., the report must  
9 set forth information on:

10 (a) The number of Florida companies assisted.

11 (b) The number of inquiries received about investment  
12 opportunities in this state.

13 (c) The number of trade leads generated.

14 (d) The number of investment projects announced.

15 (e) The estimated U.S. dollar value of sales  
16 confirmations.

17 (f) The number of representation agreements.

18 (g) The number of company consultations.

19 (h) Barriers or other issues affecting the effective  
20 operation of the office.

21 (i) Changes in office operations which are planned for  
22 the current fiscal year.

23 (j) Marketing activities conducted.

24 (k) Strategic alliances formed with organizations in  
25 the country in which the office is located.

26 (l) Activities conducted with other Florida foreign  
27 offices.

28 (m) Any other information that the office believes  
29 would contribute to an understanding of its activities.

30 Section 26. Subsection (9) of section 288.8175,  
31 Florida Statutes, is amended to read:

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

3           (9) The Department of Education shall review and make  
4 linkage-institute budget requests to the Governor and the  
5 Legislature. State appropriations for institutes created under  
6 this section must be made by a single lump-sum line item to  
7 the department, which must apportion the funds among the  
8 various institutes in accordance with criteria established by  
9 the department. The linkage institutes shall be eligible to  
10 apply on a competitive basis to the Office of Tourism, Trade,  
11 and Economic Development for the Targeted Market Pilot Project  
12 Grants Program as defined in s. 14.2015, designed to improve  
13 short and long term international business opportunities for  
14 Florida businesses.

15           Section 27. Section 288.9530, Florida Statutes, is  
16 created to read:

17           288.9530 The Florida Business Expansion Corporation.--

18           (1) The Florida Business Expansion Corporation is  
19 hereby created as a corporation not-for-profit, to be  
20 incorporated under the provisions of chapter 617. The  
21 corporation is organized on a nonstock basis. The corporation  
22 shall provide business expansion assistance to businesses in  
23 this state having job growth or emerging technology potential  
24 and fewer than 500 employees. The primary purpose of the  
25 corporation shall be to assist such Florida businesses to grow  
26 through the development of cross-border transactions which  
27 lead to increased revenues, cost reductions, sales or  
28 investments for Florida businesses. For purposes of this Act,  
29 "cross-border transactions" shall be defined as the formation  
30 of joint venture, strategic alliance, investment, technology  
31 transfer or licensing, co-development, or other commercial

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1 relationships between Florida businesses and non-Florida  
2 entities. In providing its services, the corporation shall  
3 seek to recover its costs and expenditures of state funds via  
4 fee, equity participation, or any other form of revenue  
5 generation or recovery, and to achieve the self-sufficiency of  
6 its operations. It is the intent of the Legislature that the  
7 corporation achieve self-sufficiency within three years of its  
8 establishment. For the purposes of this section, the term  
9 "self-sufficiency" shall mean that the annual expenses of  
10 operation of the corporation shall be less than or equal to  
11 the total value of the compensation derived including fee,  
12 equity participation, or any other form of revenue generation  
13 or recovery from the operations of the corporation by June 30,  
14 2001.

15 (2) The corporation is intended to compliment, rather  
16 than duplicate, the services and programs of Enterprise  
17 Florida, Inc., the Florida Export Finance Corporation, and  
18 other existing economic development entities. The corporation  
19 programs are to serve small to mid-sized Florida firms in  
20 conducting transactions with entities located in other states  
21 and nations.

22 Section 28. Section 288.9531, Florida Statutes, is  
23 created to read:

24 288.9531 Powers and Duties of the Corporation.--

25 (1) In addition to all of the statutory powers of  
26 Florida not-for-profit corporations, the corporation shall  
27 have the power and duty to:

28 (a) Perform analyses of opportunities to Florida  
29 businesses from the formation of stronger and numerous  
30 commercial relationships through cross-border transactions;

31 (b) Locate Florida businesses which are strong

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- 1 candidates for business expansion and match such businesses  
2 with joint venture or strategic alliance partners, sources of  
3 investment capital, or purchasers or licensees of technology;  
4 (c) Prepare selected Florida firms to achieve business  
5 expansion through preparation of business plans and marketing  
6 materials, arranging participation in major domestic and  
7 international events targeted towards industry participants  
8 and investors, and placement of articles in business press and  
9 trade publications;  
10 (d) Counsel Florida businesses in the development and  
11 execution of cross-border transactions;  
12 (e) Develop, in conjunction with target businesses,  
13 criteria for evaluation of potential cross-border transactions  
14 or strategic partners;  
15 (f) Provide listings of strategic partners which meet  
16 agreed-upon criteria;  
17 (g) Develop negotiating strategies and marketing  
18 materials designed to address the concerns of potential  
19 strategic partners;  
20 (h) Approach and initiate discussions with potential  
21 strategic partners and investors;  
22 (i) Present Florida small and medium-sized firms to  
23 potential strategic partners and investors;  
24 (j) Identify and, in conjunction with associated  
25 professionals, provide guidance on critical business and legal  
26 issues associated with proposed transactions, including issues  
27 relating to transfers of assets, ownership of intellectual  
28 property, tax planning, and other relevant matters;  
29 (k) Assist in the negotiation of pricing and terms of  
30 participation of the parties;  
31 (l) Close cross-border transactions on behalf of

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1 Florida small and medium-sized firms, and manage outside  
 2 professionals in the closing of the transaction;  
 3 (m) Handle issues that arise after closing to ensure  
 4 continued success of the transaction; and  
 5 (n) Charge fees, in amounts to be determined by the  
 6 board, to defray the operating costs of its programs.  
 7 (2) On or before December 31, 1998, the corporation  
 8 shall submit to the Office of Tourism, Trade, and Economic  
 9 Development a business plan providing further specifics of its  
 10 operations, including, but not limited to, the following:  
 11 (a) Specific goals and outcomes to be achieved by the  
 12 corporation in the accomplishment of its statutory duties;  
 13 (b) Types of specific assistance to be rendered to  
 14 Florida businesses, including detailed descriptions of the  
 15 specific steps required to provide each type of assistance,  
 16 and the projected costs of such assistance; and  
 17 (c) Specific provisions for the self-sufficient  
 18 operation of the corporation prior to July 1, 2001, including  
 19 specific projections of the compensation anticipated from  
 20 generation of successful cross-border transactions.  
 21 (d) A description of the manner in which the  
 22 corporation will interact with existing state-sponsored  
 23 economic development entities.  
 24 (3) The business plan and the data upon which it is  
 25 based shall constitute a public record and shall be  
 26 distributed in a manner which will provide maximum benefit to  
 27 Florida businesses.  
 28 Section 29. Section 288.9532, Florida Statutes, is  
 29 created to read:  
 30 288.9532 Board of directors.--  
 31 (1) The corporation shall have an initial board of



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1 directors consisting of the following persons:

2 (a) The President of Enterprise Florida, Inc., or his  
3 designee;

4 (b) The Comptroller or his designee;

5 (c) The Commissioner of Insurance or his designee;

6 (d) The chair of the Florida Black Business Investment  
7 Board or his designee;

8 (e) The chair of the Florida Export Finance  
9 Corporation or his designee; and

10 (f) The chair of the Florida First Capital Finance  
11 corporation or his designee.

12 (2) Notwithstanding the provisions of subsection (1),  
13 the board of directors may by resolution appoint to the board  
14 up to ten at-large members from the private sector, each of  
15 whom shall serve a 2-year term. Minority and gender  
16 representation shall be considered when making at-large  
17 appointments to the board. At-large members shall have the  
18 powers and duties of other members of the board. An at-large  
19 member is eligible for reappointment, but may not vote on his  
20 or her own reappointment.

21 (3) The board shall ensure that its composition is  
22 reflective of the diversity of Florida's business community,  
23 and to the greatest degree possible shall include, but not be  
24 limited to, individuals representing small and medium-sized  
25 businesses, minority businesses, universities and other  
26 institutions of higher education, and international and  
27 domestic economic development organizations. A majority of  
28 at-large members of the board shall have significant  
29 experience in international business, with expertise in the  
30 areas of trade, transportation, finance, law, or  
31 manufacturing.

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1           (4) Members of the board of directors shall serve  
2 without compensation, but members, the president, and staff  
3 may be reimbursed for all reasonable, necessary, and actual  
4 expenses, as determined by the board of directors.

5           (5) A majority of currently serving members of the  
6 board shall constitute a quorum for purposes of all business  
7 of the board.

8           Section 30. Section 288.9533, Florida Statutes, is  
9 created to read:

10           288.9533 Powers and Duties of the Board of  
11 Directors.--The board shall:

12           (1) Prior to the expenditure of funds from the Florida  
13 Business Expansion account, adopt bylaws and internal  
14 procedures which are necessary to carry out the  
15 responsibilities of the corporation. The articles and bylaws  
16 of the corporation shall be reviewed and approved by the  
17 Office of Tourism, Trade, and Economic Development prior to  
18 final adoption by the board;

19           (2) Hold regularly scheduled meetings, at least  
20 quarterly, in order to carry out the objectives and duties of  
21 the board;

22           (3) Develop a streamlined application and review  
23 process;

24           (4) Adopt rules and policies, including application  
25 and award criteria, regarding eligibility of businesses to  
26 receive assistance from the corporation. Such rules and  
27 policies shall include, but not be limited to, the  
28 requirements that the target businesses:

29           (a) Shall have substantial operations in Florida;

30           (b) Shall have products, business or technology in  
31 existence at the time of application;



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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 32. 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.

31 (2) Resources in the account shall be allocated for

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

5 (3) Appropriations for the corporation shall be  
6 deposited into the account.

7 (4) The board may establish the account and any  
8 sub-accounts necessary and convenient for the operation of the  
9 corporation with state or federally chartered financial  
10 institutions in this state and may invest the assets of the  
11 account in permissible securities.

12 (5) At all times, the board shall attempt to maximize  
13 the returns on funds in the account.

14 (6) All revenues received from the operations of the  
15 corporation shall be redeposited in the account to be used to  
16 promote the statutory purposes of the corporation.

17 (7) Under no circumstances shall the credit of the  
18 state be pledged by or on behalf of the corporation, nor shall  
19 the state be liable or obligated in any way for claims on the  
20 account or against the corporation.

21 (8) Pursuant to s. 216.351, the amount of any moneys  
22 appropriated to the account which are unused at the end of the  
23 fiscal year shall not be subject to reversion under s.  
24 216.301. All moneys in the account are continuously  
25 appropriated to the account and may be used for the purposes  
26 specified in this section. The Office of Tourism, Trade, and  
27 Economic Development shall ensure that all funds in the  
28 account shall revert to the state in the event that the  
29 corporation is dissolved, ceases operations, or upon the  
30 evaluation of the board that such services cannot be provided  
31 on a cost-recovery basis. Such a determination shall be made

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1 only after an initial period of program setup and market  
2 research of at least one year.

3 Section 33. Section 288.9536, Florida Statutes, is  
4 created to read:

5 288.9536 Reporting and Review.--

6 (1) By September 1, 1999, the corporation in  
7 cooperation with the Office of Program Policy Analysis and  
8 Government Accountability shall develop a research design,  
9 including goals and measurable objectives for the corporation,  
10 which will provide the Legislature with a quantitative  
11 evaluation of the corporation. The corporation shall utilize  
12 the monitoring mechanisms and reports developed in the designs  
13 and provide these reports to the Governor, the President of  
14 the Senate, the Speaker of the House of Representatives, and  
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  
19 financial status of the corporation and the account and shall  
20 submit a copy of the report to the Governor, the President of  
21 the Senate, the Speaker of the House of Representatives, and  
22 the President of Enterprise Florida, Inc. The report shall  
23 specify the assets and liabilities of the account within the  
24 current fiscal year and shall include a list of the businesses  
25 assisted, the benefits obtained by each business assisted,  
26 including, but not limited to, increased revenues, cost  
27 reductions, sales or investment which have been realized by  
28 such businesses.

29 (3) Prior to the 2001 regular session of the  
30 Legislature, the Office of Program Policy Analysis and  
31 Government Accountability shall perform a review and

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

9           Section 34. Subject to an appropriation in the General  
 10 Appropriations Act, the Office of Tourism, Trade, and Economic  
 11 Development is authorized to contract with Enterprise Florida,  
 12 Inc., for the award of Inner City Redevelopment Assistance  
 13 Grants in connection with the urban initiative of Enterprise  
 14 Florida, Inc. Such grants may only be used to fund economic  
 15 development in areas that meet or exceed the criteria for  
 16 areas eligible under the Urban High-Crime Area Job Tax Credit  
 17 Program pursuant to section 212.097, Florida Statutes.

18           Section 35. Section 118.10, Florida Statutes, is  
 19 amended to read:

20           118.10 Civil Law Notary ~~Florida international~~  
 21 ~~notary.--~~

22           (1) As used in this section, the term:

23           (a) "Authentic act ~~Authentication instrument~~" means an  
 24 instrument executed by a civil law ~~Florida international~~  
 25 notary referencing this section, which includes the  
 26 particulars and capacities to act of transacting parties, a  
 27 confirmation of the full text of the instrument, the  
 28 signatures of the parties or legal equivalent thereof, and the  
 29 signature and seal of a civil law ~~Florida international~~ notary  
 30 as prescribed by the Florida Secretary of State ~~for use in a~~  
 31 ~~jurisdiction outside the borders of the United States.~~



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1           (b) "Civil law notary"~~"Florida international notary"~~  
2 means a person who is a member in good standing of The Florida  
3 Bar ~~admitted to the practice of law in this state~~, who has  
4 practiced law for at least 5 years, and who is appointed by  
5 the Secretary of State as a civil law ~~Florida international~~  
6 notary.

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

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

13           (3) A civil law ~~Florida international~~ notary is  
14 authorized to issue authentic acts and may administer an oath  
15 and make a certificate thereof whenever it is necessary for  
16 execution of any writing or document to be attested,  
17 protested, or published under the seal of a notary public. A  
18 civil law notary may also take acknowledgments of deeds and  
19 other instruments of writing for record, and solemnize the  
20 rites of matrimony, as fully as other officers of this state  
21 ~~authentication instruments for use in non-United States~~  
22 ~~jurisdictions. A~~ civil law ~~Florida international~~ notary is not  
23 authorized to issue authentic acts ~~authentication instruments~~  
24 for use in a ~~non-United States~~ jurisdiction if the United  
25 States Department of State has determined that the  
26 jurisdiction does not have diplomatic relations with the  
27 United States or is a terrorist country, or if trade with the  
28 jurisdiction is prohibited under the Trading With the Enemy  
29 Act of 1917, as amended, 50 U.S.C. ss. 1, et seq.

30           ~~(4) The authentication instruments of a Florida~~  
31 ~~international notary shall not be considered authentication~~

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1 ~~instruments within the borders of the United States and shall~~  
2 ~~have no consequences or effects as authentication instruments~~  
3 ~~in the United States.~~

4       (4)(5) The authentic acts, oaths and acknowledgments,  
5 and solemnizations, authentication instruments of a civil law  
6 ~~Florida international~~ notary shall be recorded in the civil  
7 law Florida international notary's protocol in a manner  
8 prescribed by the Secretary of State.

9       (5)(6) The Secretary of State may adopt rules  
10 prescribing:

11           (a) The form and content of signatures and seals or  
12 their legal equivalents for authentic acts, and the  
13 circumstances under which authentic acts may be issued  
14 authentication instruments;

15           (b) Procedures for the permanent archiving of  
16 authentic acts, maintaining records of acknowledgments, oaths  
17 and solemnizations, procedures and requirement for marriage,  
18 and procedures for the administration of oaths and taking of  
19 acknowledgments authentication instruments;

20           (c) The charging of reasonable fees to be retained by  
21 the Secretary of State for the purpose of administering this  
22 section;

23           (d) Educational requirements and procedures for  
24 testing applicants' knowledge of the requirements, procedures,  
25 and effects and consequences associated with authentic acts,  
26 oaths, acknowledgments, and solemnizations of matrimony  
27 ~~authentication instruments in jurisdictions outside the United~~  
28 ~~States;~~

29           (e) Procedures for the disciplining of civil law  
30 ~~Florida international~~ notaries, including the suspension and  
31 revocation of appointments for misrepresentation or fraud

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1 regarding the civil law ~~Florida international~~ notary's  
 2 authority, the effect of the civil law ~~Florida international~~  
 3 notary's authentic acts ~~authentication instruments~~, or the  
 4 identities or acts of the parties to a transaction; and

5 (f) Other matters necessary for administering this  
 6 section.

7 ~~(6)(7)~~ The Secretary of State shall not regulate,  
 8 discipline or attempt to discipline, or establish any  
 9 educational requirements for any civil law ~~Florida~~  
 10 ~~international~~ notary for, or with regard to, any action or  
 11 conduct that would constitute the practice of law in this  
 12 state, except by agreement with The Florida Bar. The  
 13 Secretary of State shall not establish as a prerequisite to  
 14 the appointment of a civil law ~~Florida international~~ notary  
 15 any test containing any question that inquires of the  
 16 applicant's knowledge regarding the practice of law in the  
 17 United States, except by agreement with The Florida Bar.

18 (7) The powers of civil law notaries shall include but  
 19 not be limited to all of the powers of a notary public under  
 20 any law of this state.

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

24 Section 36. Subsection (7) of section 163.3178,  
 25 Florida Statutes, is amended to read:

26 163.3178 Coastal management.--

27 (7) Each port listed in s. 311.09(1), and each local  
 28 government in the coastal area which has spoil disposal  
 29 responsibilities shall provide for or identify disposal sites  
 30 for dredged materials in the future land use and port elements  
 31 of the local comprehensive plan as needed to assure proper

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1 long-term management of material dredged from navigation  
2 channels, sufficient long-range disposal capacity,  
3 environmental sensitivity and compatibility, and reasonable  
4 cost and transportation. The disposal site selection criteria  
5 shall be developed in consultation with navigation and inlet  
6 districts and other appropriate state and federal agencies and  
7 the public. For areas owned or controlled by ports listed in  
8 s. 311.09(1), and proposed port expansion areas, compliance  
9 with the provisions of this subsection shall be achieved  
10 through comprehensive master plans prepared by each port and  
11 integrated with the appropriate local plan pursuant to s.  
12 163.3178(2)(k).

13 Section 37. Paragraph (g) is added to subsection (1)  
14 and paragraph (d) is added to subsection (6) of section  
15 163.3187, Florida Statutes, to read:

16 163.3187 Amendment of adopted comprehensive plan.--

17 (1) Amendments to comprehensive plans adopted pursuant  
18 to this part may be made not more than two times during any  
19 calendar year, except:

20 (g) Any comprehensive plan amendments for port  
21 transportation facilities and projects which are eligible for  
22 funding by the Florida Seaport Transportation and Economic  
23 Development Council pursuant to the provisions of s. 311.07.

24 (6) No local government may amend its comprehensive  
25 plan after the date established by rule for submittal of its  
26 evaluation and appraisal report unless it has submitted its  
27 report or addendum to the state land planning agency as  
28 prescribed by s. 163.3191, except for:

29 (d) Plan amendments for port transportation facilities  
30 and projects which are eligible for funding by the Florida  
31 Seaport Transportation and Economic Development Council

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1 pursuant to the provisions of s. 311.07.

2

3 When the agency has determined that the report or addendum has  
4 sufficiently addressed all pertinent provisions of s.  
5 163.3191, the local government may proceed with plan  
6 amendments in addition to those necessary to implement  
7 recommendations in the report or addendum.

8 Section 38. Subsection (3) is added to section  
9 288.8155, Florida Statutes, to read:

10 288.8155 International Trade Data Resource and  
11 Research Center.--Enterprise Florida, Inc., and the Florida  
12 Seaport Transportation and Economic Development Council may  
13 establish a comprehensive trade data resource and research  
14 center to be known as the "International Trade Data Resource  
15 and Research Center." The center may join with other public  
16 sector or private sector entities, domestic or foreign, to  
17 accomplish its purposes.

18 (3) The center may create an Internet-based system to  
19 form an information partnership between this state and its  
20 strategic trading partners in the Western Hemisphere. Prior  
21 to creating the system, the center shall prepare a  
22 comprehensive plan for the development and operation of the  
23 system that includes a cost analysis, performance measures,  
24 and objective outcomes for the system. The plan shall be  
25 approved by the board and copies of the plan shall be  
26 delivered to the Legislature and the Office of Tourism, Trade,  
27 and Economic Development prior to the release of any funds for  
28 the system.

29 Section 39. Paragraph (a) of subsection (7) of section  
30 288.9607, Florida Statutes, is amended to read:

31 288.9607 Guaranty of bond issues.--

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1           (7)(a) The corporation is authorized to enter into an  
 2 investment agreement with the Department of Transportation and  
 3 the State Board of Administration concerning the investment of  
 4 the earnings accrued and collected upon the investment of the  
 5 minimum balance of funds required to be maintained in the  
 6 State Transportation Trust Fund pursuant to s. 339.135(7)(b).  
 7 Such investment shall be limited as follows:

8           1. Not more than \$4 million of the investment earnings  
 9 earned on the investment of the minimum balance of the State  
 10 Transportation Trust Fund in a fiscal year shall be at risk at  
 11 any time on one or more bonds or series of bonds issued by the  
 12 corporation.

13           2. The investment earnings shall not be used to  
 14 guarantee any bonds issued after June 30, 2002 ~~1998~~, and in no  
 15 event shall the investment earnings be used to guarantee any  
 16 bond issued for a maturity longer than 15 years.

17           3. The corporation shall pay a reasonable fee, set by  
 18 the State Board of Administration, in return for the  
 19 investment of such funds. The fee shall not be less than the  
 20 comparable rate for similar investments in terms of size and  
 21 risk.

22           4. The proceeds of bonds, or portions thereof, issued  
 23 by the corporation for which a guaranty has been or will be  
 24 issued pursuant to s. 288.9606, s. 288.9608, or this section  
 25 used to make loans to any one person, including any related  
 26 interests, as defined in s. 658.48, of such person, shall not  
 27 exceed 20 percent of the principal of all such outstanding  
 28 bonds of the corporation issued prior to the first composite  
 29 bond issue of the corporation, or December 31, 1995, whichever  
 30 comes first, and shall not exceed 15 percent of the principal  
 31 of all such outstanding bonds of the corporation issued

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1 thereafter, in each case determined as of the date of issuance  
 2 of the bonds for which such determination is being made and  
 3 taking into account the principal amount of such bonds to be  
 4 issued. The provisions of this subparagraph shall not apply  
 5 when the total amount of all such outstanding bonds issued by  
 6 the corporation is less than \$10 million. For the purpose of  
 7 calculating the limits imposed by the provisions of this  
 8 subparagraph, the first \$10 million of bonds issued by the  
 9 corporation shall be taken into account.

10           5. The corporation shall establish a debt service  
 11 reserve account which contains not less than 6 months' debt  
 12 service reserves from the proceeds of the sale of any bonds,  
 13 or portions thereof, guaranteed by the corporation.

14           6. The corporation shall establish an account known as  
 15 the Revenue Bond Guaranty Reserve Account, the Guaranty Fund.  
 16 The corporation shall deposit a sum of money or other cash  
 17 equivalents into this fund and maintain a balance of money or  
 18 cash equivalents in this fund, from sources other than the  
 19 investment of earnings accrued and collected upon the  
 20 investment of the minimum balance of funds required to be  
 21 maintained in the State Transportation Trust Fund, not less  
 22 than a sum equal to 1 year of maximum debt service on all  
 23 outstanding bonds, or portions thereof, of the corporation for  
 24 which a guaranty has been issued pursuant to ss. 288.9606,  
 25 288.9607, and 288.9608. In the event the corporation fails to  
 26 maintain the balance required pursuant to this subparagraph  
 27 for any reason other than a default on a bond issue of the  
 28 corporation guaranteed pursuant to this section or because of  
 29 the use by the corporation of any such funds to pay insurance,  
 30 maintenance, or other costs which may be required for the  
 31 preservation of any project or other collateral security for

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1 any bond issued by the corporation, or to otherwise protect  
 2 the Revenue Bond Guaranty Reserve Account from loss while the  
 3 applicant is in default on amortization payments, or to  
 4 minimize losses to the reserve account in each case in such  
 5 manner as may be deemed necessary or advisable by the  
 6 corporation, the corporation shall immediately notify the  
 7 Department of Transportation of such deficiency. Any  
 8 supplemental funding authorized by an investment agreement  
 9 entered into with the Department of Transportation and the  
 10 State Board of Administration concerning the use of investment  
 11 earnings of the minimum balance of funds is void unless such  
 12 deficiency of funds is cured by the corporation within 90 days  
 13 after the corporation has notified the Department of  
 14 Transportation of such deficiency.

15  
 16 The corporation shall include, as part of the annual report  
 17 prepared pursuant to s. 288.9610, a detailed report concerning  
 18 the use of guaranteed bond proceeds for loans guaranteed or  
 19 issued pursuant to any agreement with the Florida Black  
 20 Business Investment Board, including the percentage of such  
 21 loans guaranteed or issued and the total volume of such loans  
 22 guaranteed or issued.

23 Section 40. Section 288.9614, Florida Statutes, is  
 24 amended to read:

25 288.9614 Authorized programs.--  
 26 (1) The capital development board may take any action  
 27 that it deems necessary to achieve the purposes of this act in  
 28 partnership with private enterprises, public agencies, and  
 29 other organizations, including, but not limited to, efforts to  
 30 address the long-term debt needs of small-sized and  
 31 medium-sized firms, to address the needs of microenterprises,



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1 to expand availability of venture capital, and to increase  
2 international trade and export finance opportunities for firms  
3 critical to achieving the purposes of this act.

4 (2) The capital development board or Enterprise  
5 Florida, Inc., shall not expend any state appropriated funds  
6 on any venture capital fund created by Enterprise Florida,  
7 Inc., and its affiliates or any other entity that does not  
8 solely invest in businesses located in this state.

9 Section 41. Subsection (4) of section 253.77, Florida  
10 Statutes, is created to read:

11 253.77 State lands; state agency authorization for use  
12 prohibited without consent of agency in which title vested;  
13 concurrent processing requirements.--

14 (4) Notwithstanding any other provision of this  
15 Chapter, Chapter 373 or chapter 403, Florida Statutes, for  
16 activities authorized by a permit or exemption pursuant to  
17 chapter 373 or 403, ports listed in subsection 403.021(9)(b),  
18 and inland navigation districts created pursuant to subsection  
19 374.975(3), shall not be required to pay any fees for  
20 activities involving the use of sovereign lands, including  
21 leases, easements or consents of use.

22 Section 42. Section 311.07, Florida Statutes, is  
23 amended to read:

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

26 (1) There is created the Florida Seaport  
27 Transportation and Economic Development Program within the  
28 Department of Transportation to finance port transportation ~~or~~  
29 ~~port~~ facilities and projects that will improve the movement  
30 and intermodal transportation of cargo or passengers in  
31 commerce and trade and that will support the interests,

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1 purposes, and requirements of ports located in this state.

2 (2) A minimum of \$8 million per year shall be made  
3 available from the State Transportation Trust Fund to fund the  
4 Florida Seaport Transportation and Economic Development  
5 Program.

6 (3)(a) Program funds shall be used to fund approved  
7 projects on a 50-50 matching basis with any of the deepwater  
8 ports, as listed in s. 403.021(9)(b), which is governed by a  
9 public body or any other deepwater port which is governed by a  
10 public body and which complies with the water quality  
11 provisions of s. 403.061, the comprehensive master plan  
12 requirements of s. 163.3178(2)(k), the local financial  
13 management and reporting provisions of part III of chapter  
14 218, and the auditing provisions of s. 11.45(3)(a)4. Program  
15 funds also may be used by the Seaport Transportation and  
16 Economic Development Council to develop with the Florida Trade  
17 Data Center such trade data information products which will  
18 assist Florida's seaports and international trade.

19 (b) Projects eligible for funding by grants under the  
20 program are limited to the following port transportation  
21 facilities and ~~or port transportation~~ projects:

22 1. Transportation facilities within the jurisdiction  
23 of the port.

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

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

30 4. The acquisition of container cranes or other  
31 mechanized equipment used in the movement of cargo or

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1 passengers in international commerce.

2 5. The acquisition of land to be used for port  
3 purposes as described in, or consistent with, port master  
4 plans.

5 6. The acquisition, improvement, enlargement, or  
6 extension of existing port facilities as described in, or  
7 consistent with, port master plans.

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

17 8. Transportation facilities as defined in s.  
18 334.03(31) which are not otherwise part of the Department of  
19 Transportation's adopted work program.

20 9. Seaport intermodal access projects identified in  
21 the 5-year Florida Seaport Mission Plan as provided in s.  
22 311.09(3).

23 (c) To be eligible for consideration by the council  
24 pursuant to this section, a project must be consistent with  
25 the port comprehensive master plan which is incorporated as  
26 part of the approved local government comprehensive plan as  
27 required by s. 163.3178(2)(k) or other provisions of the Local  
28 Government Comprehensive Planning and Land Development  
29 Regulation Act, part II of chapter 163.

30 (4) A port eligible for matching funds under the  
31 program may receive a distribution of not more than \$7 million

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1 during any 1 calendar year and a distribution of not more than  
2 \$30 million during any 5-calendar-year period.

3 (5) Any port which receives funding under the program  
4 shall institute procedures to ensure that jobs created as a  
5 result of the state funding shall be subject to equal  
6 opportunity hiring practices in the manner provided in s.  
7 110.112.

8 (6) The Department of Transportation shall subject any  
9 project that receives funds pursuant to this section to a  
10 final audit. The department may adopt rules and perform such  
11 other acts as are necessary or convenient to ensure that the  
12 final audits are conducted and that any deficiency or  
13 questioned costs noted by the audit are resolved.

14 Section 43. Subsection (9) of section 311.09, Florida  
15 Statutes, is amended to read:

16 311.09 Florida Seaport Transportation and Economic  
17 Development Council.--

18 (9) The council shall review the findings of the  
19 Department of Community Affairs; the Office of Tourism, Trade,  
20 and Economic Development; and the Department of  
21 Transportation. Projects found to be inconsistent pursuant to  
22 subsections (6), (7), and (8) and projects which have been  
23 determined not to offer an economic benefit to the state  
24 pursuant to subsection (8) shall not be included in the list  
25 of projects to be funded. Projects found to be consistent  
26 pursuant to subsection (6), (7), and (8) shall be presumed in  
27 the public interest.

28 Section 44. Sections 288.99, 288.9951, 288.9952,  
29 288.9953, 288.9954, 288.9955, 288.9956, and 288.9957, Florida  
30 Statutes, are designated as part XI of chapter 288, Florida  
31 Statutes, and the Division of Statutory Revision is requested

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1 to designate that part "Workforce Development Board."

2 Section 45. Section 288.9620, Florida Statutes, is  
3 transferred, renumbered as section 288.99, Florida Statutes,  
4 and amended to read:

5 (Substantial rewording of section. See  
6 s. 288.9620, F.S., for present text.)  
7 288.99 Workforce Development Board.--

8 (1) The Legislature finds that the growth and  
9 competitive strength of Florida's economy depend upon the  
10 state's ability to attract and support industries that add to  
11 the value of the state's social capital as well as to its  
12 economic capital. It is crucial to the retention and growth of  
13 these high-value-added industries to assure that skilled human  
14 resources are adequate in quality and quantity. The  
15 Legislature intends to adopt a uniform policy to guide  
16 education, training, and employment programs, so that the  
17 combined efforts of all the programs accomplish the following  
18 objectives:

19 (a) Provide for a skilled workforce to enable Florida  
20 to compete in a global economy.

21 (b) Respond to changes in technology and to emerging  
22 industries.

23 (c) Promote the development of market-driven programs  
24 through a planning and funding system based upon products of  
25 the Occupational Forecasting Conference created in s. 216.136.

26 (d) Base evaluations of program success on student and  
27 participant outcomes rather than processes.

28 (e) Coordinate state, federal, local, and private  
29 funds for maximum impact.

30 (f) Encourage the participation, education, and  
31 training of members of populations selected by state or

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1 federal policy to receive additional resources, guidance, or  
2 services. The selected populations must include people with  
3 disabilities or economic disadvantages, especially those who  
4 are participants in the WAGES Program, are eligible for public  
5 assistance, or are dislocated workers.

6 (2) There is created within the nonprofit corporate  
7 structure of Enterprise Florida, Inc., a nonprofit  
8 public-private Workforce Development Board. The purpose of  
9 the Workforce Development Board, also known as the Jobs and  
10 Education Partnership, is to create a Florida economy  
11 characterized by better employment opportunities leading to  
12 higher wages by creating and maintaining a highly skilled  
13 workforce that responds to the rapidly changing technology and  
14 diversified market opportunities critical to this mission.

15 (3)(a) The Workforce Development Board shall be  
16 governed by a board of directors consisting of the following  
17 members:

- 18 1. The Commissioner of Education.
- 19 2. The Secretary of the Department of Elderly Affairs.
- 20 3. The Secretary of the Department of Children and  
21 Family Services.
- 22 4. The Secretary of the Department of Labor and  
23 Employment Security.
- 24 5. The Chancellor of the State University System or  
25 the Chancellor's designee.
- 26 6. The Executive Director of the State Community  
27 College System or the executive director's designee.
- 28 7. A member of the Senate, to be appointed by the  
29 President of the Senate as an ex officio member of the board  
30 and serve at the pleasure of the President.
- 31 8. A member of the House of Representatives, to be

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1 appointed by the Speaker of the House of Representatives as an  
2 ex officio member of the board and serve at the pleasure of  
3 the Speaker.

4 9. Eleven to 13 members from the public and private  
5 sectors who possess an understanding of the broad spectrum of  
6 education, training, and employment needs of the residents of  
7 the state, with the majority from the private sector, to be  
8 appointed by the Governor, subject to Senate confirmation.  
9 Membership must be consistent with Pub. L. No. 97-300, as  
10 amended, including the requirement that organized labor  
11 representatives must constitute not less than 15 percent of  
12 the membership and represent those industries critical to the  
13 state's economic base, as well as that portion of the state's  
14 population which has limited employment skills and work  
15 experience. The members from the public sector must also  
16 include an occupational dean of a community college and a  
17 school district vocational director with responsibility for  
18 postsecondary programs. The members from the private sector  
19 must include a private business representative from a private  
20 industry council, at least one representative of a regional  
21 workforce development board, a representative of organized  
22 labor, as well as two representatives from licensed, private  
23 postsecondary institutions in the state currently  
24 participating in vocational education and job training  
25 programs provided that at least one of these members is  
26 recommended by the Florida Association of Postsecondary  
27 Schools and Colleges.

28 (b) Additional members may be appointed, subject to  
29 Senate confirmation, when necessary to conform to the  
30 requirements of the Job Training Partnership Act or the  
31 requirements of any other federal act establishing or

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1 designating a Human Resources Investment Council or other  
2 federal workforce development board.

3 (c) Private-sector members appointed by the Governor  
4 must be appointed for 4-year, staggered terms. Public-sector  
5 members appointed by the Governor must be appointed to 4-year  
6 terms. At least 50 percent of the Governor's appointees must  
7 be members of regional workforce development boards. The  
8 regional workforce development boards may nominate members for  
9 the Governor's consideration.

10 (d) The chair of the board of directors of the  
11 Workforce Development Board and the vice chair of the board of  
12 directors of Enterprise Florida, Inc., shall jointly select a  
13 list of nominees for appointment to the board of directors of  
14 the Workforce Development Board from a slate of candidates  
15 submitted by the board of directors of Enterprise Florida,  
16 Inc. The chair of the board of directors of the Workforce  
17 Development Board and vice chair of the board of directors of  
18 Enterprise Florida, Inc., may request that additional  
19 candidates be submitted by the board of directors of  
20 Enterprise Florida, Inc., if the chair and vice chair cannot  
21 agree on a list of nominees submitted. Appointments to the  
22 board of directors of the Workforce Development Board shall be  
23 made by the Governor from the list of nominees jointly  
24 selected by the chair of the board of directors of the  
25 Workforce Development Board and vice chair of the board of  
26 directors of Enterprise Florida, Inc. Appointees shall  
27 represent all geographic regions of the state, including both  
28 urban and rural regions. The importance of minority and  
29 gender representation shall be considered when making  
30 nominations for each position on the board of directors of the  
31 Workforce Development Board. A vacancy on the board of



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1 directors of the Workforce Development Board shall be filled  
2 for the remainder of the unexpired term in the same manner as  
3 the original appointment.

4 (e) The Governor shall appoint members from the public  
5 sector and private sector to the board of directors of the  
6 Workforce Development Board within 30 days after the receipt  
7 of the nominations from the board of directors of Enterprise  
8 Florida, Inc.

9 (f) A member of the board of directors of the  
10 Workforce Development Board may be removed by the Governor for  
11 cause. Absence from three consecutive meetings results in  
12 automatic removal.

13 (4) The board of directors of the Workforce  
14 Development Board may appoint subcommittees to fulfill its  
15 responsibilities, to comply with federal requirements, or to  
16 obtain technical assistance and must incorporate members of  
17 regional workforce development boards and former boards and  
18 commissions into its structure. These subcommittees may  
19 provide the board of directors of the Workforce Development  
20 Board with technical advice, policy consultation, and  
21 information about workforce development issues.

22 (5)(a) The board of directors of the Workforce  
23 Development Board shall be chaired by a board member  
24 designated by the Governor.

25 (b) The president of the Workforce Development Board  
26 shall be hired by the president of Enterprise Florida, Inc.,  
27 and shall serve in the capacity of an executive director and  
28 secretary of the Workforce Development Board. The president of  
29 Enterprise Florida, Inc., shall hire any additional staff  
30 within the parameters established by the board of directors of  
31 Enterprise Florida, Inc.

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1           (c) The board of directors of the Workforce  
2 Development Board shall meet at least quarterly and at other  
3 times upon call of its chair.

4           (d) A majority of the total current membership of the  
5 board of directors of the Workforce Development Board  
6 comprises a quorum of the board.

7           (e) A majority of those voting is required to organize  
8 and conduct the business of the Workforce Development Board,  
9 except that a majority of the entire board of directors of the  
10 Workforce Development Board is required to adopt or amend the  
11 operational plan.

12           (f) Except as delegated or authorized by the board of  
13 directors of the Workforce Development Board, individual  
14 members have no authority to control or direct the operations  
15 of the Workforce Development Board or the actions of its  
16 officers and employees, including the president.

17           (g) The board of directors of the Workforce  
18 Development Board may delegate to its president those powers  
19 and responsibilities it deems appropriate.

20           (h) Members of the board of directors of the Workforce  
21 Development Board and its subcommittees shall serve without  
22 compensation, but these members, the president, and all  
23 employees of the Workforce Development Board may be reimbursed  
24 for all reasonable, necessary, and actual expenses, as  
25 determined by the board of directors of Enterprise Florida,  
26 Inc.

27           (i) The board of directors of the Workforce  
28 Development Board may establish an executive committee  
29 consisting of the chair and at least two additional board  
30 members selected by the board of directors. The executive  
31 committee shall have such authority as the board of directors

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1 of the Workforce Development Board delegates to it, except  
2 that the board of directors may not delegate to the executive  
3 committee authority to take action that requires approval by a  
4 majority of the entire board of directors.

5 (j) Each member of the board of directors of the  
6 Workforce Development Board who is not otherwise required to  
7 file a financial disclosure pursuant to s. 8, Art. II of the  
8 State Constitution or s. 112.3144 must file disclosure of  
9 financial interests pursuant to s. 112.3145.

10 (6) The Workforce Development Board shall have all the  
11 powers and authority, not explicitly prohibited by statute,  
12 necessary or convenient to carry out and effectuate the  
13 purposes of this section, as well as its functions, duties,  
14 and responsibilities, including, but not limited to, the  
15 following:

16 (a) Advising and assisting in the formulation and  
17 coordination of the state's economic policy regarding  
18 workforce development critical to achieve the purposes of the  
19 board, as stated in this section and consistent with the  
20 policies of the board of directors of Enterprise Florida, Inc.

21 (b) Using a corporate seal.

22 (c) Advising and assisting in developing the state's  
23 strategic workforce development plan and subsequent  
24 implementation plans as part of the strategic economic  
25 development plan of Enterprise Florida, Inc.

26 (d) Designing the state's workforce development  
27 strategy as the state's Human Resource Investment Council,  
28 recommending a market-driven, placement-based,  
29 community-managed, and customer-focused workforce development  
30 system and promoting that system's implementation at the state  
31 and local level. The strategy should establish standards and

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1 measures for job placement cost, direct customer service  
 2 costs, and overall service delivery costs to measure  
 3 performance for various categories of workers as well as  
 4 performance when taking into account the difficulties  
 5 confronted by workers. Unless otherwise required by federal  
 6 law, at least 90 percent of the funding covered by this  
 7 strategy must go into direct customer service costs. Of the  
 8 allowable administrative overhead, appropriate amounts shall  
 9 be expended to procure independent job placement performance  
 10 evaluations.

11 (e) Evaluating the performance and effectiveness of  
 12 Florida's workforce development programs.

13 (f) Reporting to the board of directors of Enterprise  
 14 Florida, Inc., regarding its recommendations, functions,  
 15 duties, and responsibilities.

16 (g) Soliciting, borrowing, accepting, receiving,  
 17 investing, and expending funds from any public or private  
 18 source.

19 (h) Contracting with public and private entities as  
 20 necessary to further the directives of this section, except  
 21 that any contract made with an organization represented on the  
 22 board of directors of Enterprise Florida, Inc., or on the  
 23 board of directors of the Workforce Development Board must be  
 24 approved by a two-thirds vote of the entire board of directors  
 25 of the Workforce Development Board, and, if applicable, the  
 26 board member representing such organization shall abstain from  
 27 voting. No more than 65 percent of the dollar value of all  
 28 contracts or other agreements entered into in any fiscal year,  
 29 exclusive of grant programs, shall be made with an  
 30 organization represented on the board of directors of  
 31 Enterprise Florida, Inc., or the board of directors of the

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1 Workforce Development Board. An organization represented on  
 2 the board of directors of the Workforce Development Board or  
 3 on the board of directors of Enterprise Florida, Inc., may not  
 4 enter into a contract to receive a state-funded economic  
 5 development incentive or similar grant, unless such incentive  
 6 award is specifically endorsed by a two-thirds vote of the  
 7 entire board of directors of the Workforce Development Board.  
 8 The member of the board of directors of the Workforce  
 9 Development Board representing such organization, if  
 10 applicable, shall abstain from voting and refrain from  
 11 discussing the issue with other members of the board. No more  
 12 than 50 percent of the dollar value of grants issued by the  
 13 board in any fiscal year may go to businesses associated with  
 14 members of the board of directors of the Workforce Development  
 15 Board.

16 (i) Approving an annual budget.

17 (j) Carrying forward any unexpended state  
18 appropriations into succeeding fiscal years.

19 (k) Providing an annual report to the board of  
20 directors of Enterprise Florida, Inc., by November 1 which  
21 includes a copy of an annual financial and compliance audit of  
22 its accounts and records conducted by an independent certified  
23 public accountant and performed in accordance with rules  
24 adopted by the Auditor General.

25 (l) Serving as the designated State Human Resource  
26 Investment Council, as described in Pub. L. No. 102-367, Title  
27 VII, with responsibility for policy, planning, and  
28 accountability for the state's workforce development strategy.

29 (m) Working with affected communities, councils, and  
30 agencies to develop and implement a transition plan  
31 consolidating and coordinating these groups and their funding

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1 into the state's workforce development strategy.

2 (n) Implementing a charter process that uses regional  
3 workforce development boards whose membership,  
4 responsibilities, and authority must be consistent with  
5 federal and state law. Such charter process must align local  
6 workforce groups' resources and services under the regional  
7 workforce development boards' plans to eliminate unwarranted  
8 duplication, minimize administrative costs, and increase  
9 responsiveness to business, communities, and workers.

10 (o) Identifying resources that can be directed to  
11 charters and designs that can make state expenditures more  
12 job-placement-focused and performance-based.

13 (p) Establishing procedures to award resources and  
14 incentives to chartered communities and to measure the job  
15 placement outcomes of those charters, rewarding positive  
16 outcomes, and penalizing negative outcomes, ultimately  
17 revoking failing charters. Notwithstanding s. 216.351, to  
18 allow time for documenting program performance, funds  
19 allocated for the incentives provided in this section and s.  
20 239.249 must be carried forward to the next fiscal year and  
21 must be awarded for the current year's performance, unless  
22 federal law requires the funds to revert at the year's end.

23 (q) Developing workforce development innovations in  
24 consultation with business, labor, community groups, workforce  
25 development groups, educational institutions, research groups,  
26 and agencies.

27 (7) The Workforce Development Board may take any  
28 action that it deems necessary to achieve the purposes of this  
29 section and consistent with the policies of the board of  
30 directors of Enterprise Florida, Inc., in partnership with  
31 private enterprises, public agencies, and other organizations.

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1 The Workforce Development Board shall advise and make  
2 recommendations to the board of directors of Enterprise  
3 Florida, Inc., and through that board of directors to the  
4 State Board of Education and the Legislature concerning action  
5 needed to bring about the following benefits to the state's  
6 social and economic resources:

7 (a) A state employment, education, and training policy  
8 that ensures that programs to prepare workers are responsive  
9 to present and future business and industry needs and  
10 complement the initiatives of the boards of Enterprise  
11 Florida, Inc.

12 (b) A funding system that provides incentives to  
13 improve the outcomes of vocational education programs, and of  
14 registered apprenticeship and work-based learning programs,  
15 and that focuses resources on occupations related to new or  
16 emerging industries that add greatly to the value of the  
17 state's economy.

18 (c) A comprehensive approach to the education and  
19 training of target populations such as those who have  
20 disabilities, are economically disadvantaged, receive public  
21 assistance, are not proficient in English, or are dislocated  
22 workers. This approach should ensure the effective use of  
23 federal, state, local, and private resources in reducing the  
24 need for public assistance.

25 (d) The designation of institutes of applied  
26 technology composed of postsecondary institutions working  
27 together with business and industry to ensure that technical  
28 and vocational education programs use the most advanced  
29 technology and instructional methods available and respond to  
30 the changing needs of business and industry.

31 (e) A system to project and evaluate labor market

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1 supply and demand using the results of the Occupational  
2 Forecasting Conference created in s. 216.136 and the career  
3 education performance standards identified in s. 239.233.

4 (f) A review of the performance of public programs  
5 that are responsible for economic development, education,  
6 employment, and training. The review must include an analysis  
7 of the return on investment of these programs.

8 (8) By December 1 of each year, Enterprise Florida,  
9 Inc., shall submit to the Governor, the President of the  
10 Senate, the Speaker of the House of Representatives, the  
11 Senate Minority Leader, and the House Minority Leader a  
12 complete and detailed report by the Workforce Development  
13 Board setting forth:

14 (a) The audit in subsection (9), if conducted.

15 (b) The operations and accomplishments of the  
16 partnership including the programs or entities listed in  
17 subsection (7).

18 (9) The Auditor General may, pursuant to his or her  
19 own authority or at the direction of the Legislative Auditing  
20 Committee, conduct an audit of the Workforce Development Board  
21 or the programs or entities created by the Workforce  
22 Development Board.

23 (10) The Workforce Development Board, in collaboration  
24 with the regional workforce development boards, the Office of  
25 Program Policy Analysis and Government Accountability, and  
26 appropriate state agencies and local public and private  
27 service providers, must establish uniform measures and  
28 standards, to gauge the performance of the workforce  
29 development strategy. These measures and standards must be  
30 organized into three outcome tiers.

31 (a) The first tier must be organized to provide



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1 benchmarks for systemwide outcomes. The Workforce Development  
2 Board must, in collaboration with the Office of Program Policy  
3 Analysis and Government Accountability, establish goals for  
4 the tier one outcomes. The resources of the University of  
5 Florida Bureau of Economics and Business Research, the  
6 Department of Labor and Employment Security, the Commission on  
7 Government Accountability to the People, the Florida Education  
8 and Training Placement Information Program, and the  
9 Occupational Forecasting Conference, as well as any other  
10 relevant federal, state, or private sources, may be consulted  
11 for assistance in establishing standards and measures, for  
12 providing data collection and ensuring data reliability, or  
13 for data evaluation and interpretation by the Workforce  
14 Development Board. Systemwide outcomes may include employment  
15 in occupations demonstrating continued growth in wages,  
16 continued employment after 3, 6, 12, and 24 months, reduction  
17 in and elimination of public assistance reliance, job  
18 placement, employer satisfaction, and positive return on  
19 investment of public resources.

20 (b) The second tier must be organized to provide a set  
21 of benchmark outcomes for each of the four strategic  
22 components of the workforce development strategy. A set of  
23 standards and measures must be developed for One-Stop Career  
24 Centers, School-to-Work, Welfare-to-Work, and High Skills/High  
25 Wage, targeting the specific goals of that particular  
26 strategy. Cost per entered employment, earnings at placement,  
27 retention in employment, job placement, and entered employment  
28 rate must be included among the performance outcome measures.  
29 The resources of the University of Florida Bureau of Economics  
30 and Business Research, the Department of Labor and Employment  
31 Security, the Commission on Government Accountability to the

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1 People, the Florida Education and Training Placement  
 2 Information Program, and the Occupational Forecasting  
 3 Conference, as well as any other relevant federal, state, or  
 4 private sources, may be consulted for assistance in  
 5 establishing standards and measures, for providing data  
 6 collection and ensuring data reliability, or for data  
 7 evaluation and interpretation by the Workforce Development  
 8 Board.

9 1. Appropriate measures for One-Stop Career Centers  
 10 may include direct job placements at minimum wage, at a wage  
 11 level established by the Occupational Forecasting Conference,  
 12 and at a wage level above the level established by the  
 13 Occupational Forecasting Conference.

14 2. Appropriate measures for the School-to-Work  
 15 component may include the number of students enrolling and  
 16 completing work-based programs including apprenticeship  
 17 programs, job placement rate, job retention rate, wage at  
 18 placement, and wage growth.

19 3. Welfare-to-Work measures may include job placement  
 20 rate, job retention rate, wage at placement, wage growth,  
 21 reduction and elimination of reliance on public assistance,  
 22 and savings resulting from reduced reliance on public  
 23 assistance.

24 4. High Skills/High Wage measures may include job  
 25 placement rate, job retention rate, wage at placement, and  
 26 wage growth.

27 (c) A third tier of measures and standards shall be  
 28 the operational and output measures to be used by the agency  
 29 implementing programs, and it may be specific to federal  
 30 requirements. The tier three standards must be developed by  
 31 the agencies implementing programs, and the Workforce

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1 Development Board may be consulted in this effort. Such  
2 outputs must be reported to the Workforce Development Board by  
3 the appropriate implementing agency.

4 (d) Regional differences must be reflective of the  
5 establishment of performance goals and may include job  
6 availability, unemployment rates, average worker wage, and  
7 available employable population. All performance goals must be  
8 derived from the goals, principles, and strategies established  
9 in the Workforce Florida Act of 1996.

10 (e) Job placement must be reported pursuant to s.  
11 229.8075. Positive outcomes for providers of education and  
12 training must be consistent with ss. 239.233 and 239.245.

13 (f) The uniform measures of success that are adopted  
14 by the Workforce Development Board or the regional workforce  
15 development boards must be developed in a manner that provides  
16 for an equitable comparison of the relative success or failure  
17 of any service provider in terms of positive outcomes.

18 Section 46. Section 446.601, Florida Statutes, is  
19 transferred, renumbered as section 288.9951, Florida Statutes,  
20 and amended to read:

21 288.9951 ~~446.601~~ Short title; legislative intent.--

22 (1) This section may be cited as the "Workforce  
23 Florida Act of 1996."

24 (2) The goal of this section is to utilize the  
25 workforce development system to upgrade dramatically  
26 Floridians' workplace skills, economically benefiting the  
27 workforce, employers, and the state.

28 (3) These principles should guide the state's efforts:

29 (a) Floridians must upgrade their skills to succeed in  
30 today's workplace.

31 (b) In business, workforce skills are the key

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1 competitive advantage.

2 (c) Workforce skills will be Florida's key  
3 job-creating incentive for business.

4 (d) Budget cuts, efficiency, effectiveness, and  
5 accountability mandate the consolidation of program services  
6 and the elimination of unwarranted duplication.

7 (e) Streamlined state and local partnerships must  
8 focus on outcomes, not process.

9 (f) Locally designed, customer-focused, market-driven  
10 service delivery works best.

11 (g) Job training curricula must be developed in  
12 concert with the input and needs of existing employers and  
13 businesses, and must consider the anticipated demand for  
14 targeted job opportunities, as specified by the Occupational  
15 Forecasting Conference under s. 216.136.

16 (h) Job placement, job retention, and  
17 return-on-investment should control workforce development  
18 expenditures and be a part of the measure for success and  
19 failure.

20 (i) Success will be rewarded and failure will have  
21 consequences.

22 (j) Job placement success will be publicly measured  
23 and reported to the Legislature.

24 (k) Apprenticeship programs, pursuant to s. 446.011,  
25 which provide a valuable opportunity for preparing citizens  
26 for productive employment, will be encouraged.

27 (4) The workforce development strategy shall be  
28 designed by the Workforce Development Board ~~Enterprise Florida~~  
29 ~~Jobs and Education Partnership~~ pursuant to s. 288.99 ~~s.~~  
30 ~~288.0475~~, and shall be centered around the four integrated  
31 strategic components of One-Stop Career Centers,

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1 School-to-Work, Welfare-to-Work, and High Skills/High Wage  
2 Jobs.

3 (a) One-Stop Career Centers are the state's initial  
4 customer-service contact strategy for offering every Floridian  
5 access, through service sites, telephone, or computer  
6 networks, to the following services:

- 7 1. Job search, referral, and placement assistance.
- 8 2. Career counseling and educational planning.
- 9 3. Consumer reports on service providers.
- 10 4. Recruitment and eligibility determination.
- 11 5. Support services, including child care and  
12 transportation.
- 13 6. Employability skills training.
- 14 7. Adult education and basic skills training.
- 15 8. Technical training leading to a certification and  
16 degree.
- 17 9. Claim filing for unemployment compensation  
18 services.
- 19 10. Temporary income, health, nutritional, and housing  
20 assistance.
- 21 11. Child care and transportation assistance to gain  
22 employment.
- 23 12. Other appropriate and available workforce  
24 development services.

25 (b) School-to-Work is the state's youth and adult  
26 workforce education strategy for coordinating business,  
27 education, and the community to support students in achieving  
28 long-term career goals, and for ensuring the workforce is  
29 prepared with the academic and occupational skills required  
30 for success.

31 (c) Welfare-to-Work is the state's strategy for

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1 encouraging self-sufficiency and minimizing dependence upon  
2 public assistance by emphasizing job placement and transition  
3 support services for welfare recipients.

4 (d) High Skills/High Wage is the state's strategy for  
5 aligning education and training programs with the Occupational  
6 Forecasting Conference under s. 216.136, for meeting the job  
7 demands of the state's existing businesses, and for providing  
8 a ready workforce which is integral to the state's economic  
9 development goal of attracting new and expanding businesses.

10 (5) The workforce development system shall utilize a  
11 charter process approach aimed at encouraging local design and  
12 control of service delivery and targeted activities. The  
13 Workforce Development Board ~~Enterprise Florida Jobs and~~  
14 ~~Education Partnership~~ shall be responsible for granting  
15 charters to regional workforce development boards which have a  
16 membership consistent with the requirements of federal and  
17 state law and which have developed a plan consistent with the  
18 state's workforce development strategy and with the strategic  
19 components of One-Stop Career Centers, School-to-Work,  
20 Welfare-to-Work, and High Skills/High Wage. The plan shall  
21 specify methods for allocating the resources and programs in a  
22 manner that eliminates unwarranted duplication, minimizes  
23 administrative costs, meets the existing job market demands  
24 and the job market demands resulting from successful economic  
25 development activities, ensures access to quality workforce  
26 development services for all Floridians, and maximizes  
27 successful outcomes. As part of the charter process, the  
28 Workforce Development Board ~~Enterprise Florida Jobs and~~  
29 ~~Education Partnership~~ shall establish incentives for effective  
30 coordination of federal and state programs, outline rewards  
31 for successful job placements, and institute collaborative

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1 approaches among local service providers. Local  
2 decisionmaking and control shall be important components for  
3 inclusion in this charter application.

4 Section 47. Section 446.602, Florida Statutes, is  
5 transferred, renumbered as section 288.9952, Florida Statutes,  
6 and amended to read:

7 288.9952 ~~446.602~~ Regional workforce development  
8 boards.--

9 (1) One regional workforce development board shall be  
10 appointed in each designated service delivery area. The  
11 membership and responsibilities of the board shall be  
12 consistent with Pub. L. No. 97-300, as amended. The board  
13 shall be appointed by the chief elected official or his or her  
14 designee of the local county or city governing bodies or  
15 consortiums of county and/or city governmental units that  
16 exist through interlocal agreements and shall include:

17 (a) At least 51 percent of the members of each board  
18 being from the private sector and being chief executives,  
19 chief operating officers, owners of business concerns, or  
20 other private sector executives with substantial management or  
21 policy responsibility.

22 (b) Representatives of organized labor and  
23 community-based organizations, who shall constitute not less  
24 than 15 percent of the board members.

25 (c) Representatives of educational agencies, including  
26 presidents of local community colleges, superintendents of  
27 local school districts, licensed private postsecondary  
28 educational institutions participating in vocational education  
29 and job training in the state and conducting programs on the  
30 Occupational Forecasting Conference list or a list validated  
31 by the regional workforce development board; vocational

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1 rehabilitation agencies; economic development agencies; public  
 2 assistance agencies; and public employment service. One of  
 3 the representatives from licensed private postsecondary  
 4 educational institutions shall be from a degree-granting  
 5 institution, and one from an institution offering certificate  
 6 or diploma programs. One of these members shall be a  
 7 nonprofit, community-based organization which provides direct  
 8 job training and placement services to hard-to-serve  
 9 individuals including the target population of people with  
 10 disabilities.

11

12 The current Private Industry Council may be restructured, by  
 13 local agreement, to meet the criteria for a regional workforce  
 14 development board.

15 (2) In addition to the duties and functions specified  
 16 by the Workforce Development Board ~~Enterprise Florida Jobs and~~  
 17 ~~Education Partnership~~ and by the interlocal agreement approved  
 18 by the local county or city governing bodies, the regional  
 19 workforce development board shall have the following  
 20 responsibilities:

21 (a) Review, approve, and ratify the local Job Training  
 22 Partnership Act plan which also must be signed by the chief  
 23 elected officials.

24 (b) Conclude agreements necessary to designate the  
 25 fiscal agent and administrative entity.

26 (c) Complete assurances required for the Workforce  
 27 Development Board ~~Enterprise Florida Jobs and Education~~  
 28 ~~Partnership~~ charter process and provide ongoing oversight  
 29 related to administrative costs, duplicated services, career  
 30 counseling, economic development, equal access, compliance and  
 31 accountability, and performance outcomes.



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1           (3) The Workforce Development Board ~~Enterprise Florida~~  
2 ~~Jobs and Education Partnership~~ shall, ~~by January 1, 1997,~~  
3 design and implement a training program for the regional  
4 workforce development boards to familiarize board members with  
5 the state's workforce development goals and strategies.

6  
7 The regional workforce development board shall designate all  
8 local service providers and shall not transfer this authority  
9 to a third party. In order to exercise independent oversight,  
10 the regional workforce development board shall not be a direct  
11 provider of intake, assessment, eligibility determinations, or  
12 other direct provider services.

13           Section 48. Section 446.603, Florida Statutes, is  
14 transferred, renumbered as section 288.9953, Florida Statutes,  
15 and amended to read:

16           288.9953 ~~446.603~~ Untried Worker Placement and  
17 Employment Incentive Act.--

18           (1) This section may be cited as the "Untried Worker  
19 Placement and Employment Incentive Act."

20           (2) For purposes of this section, the term "untried  
21 worker" means a person who is a hard-to-place participant in  
22 the welfare-to-work programs of the Department of Labor and  
23 Employment Security or the Department of Children and Family  
24 ~~Health and Rehabilitative~~ Services because they have  
25 limitations associated with the long-term receipt of welfare  
26 and difficulty in sustaining employment.

27           (3) The Department of Labor and Employment Security  
28 and the Department of Children and Family ~~Health and~~  
29 ~~Rehabilitative~~ Services, working with the Workforce  
30 Development Board ~~Enterprise Florida Jobs and Education~~  
31 ~~Partnership~~, shall develop five Untried Worker Placement and

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1 Employment Incentive pilot projects in at least five different  
2 counties.

3 (4) In these pilots, incentive payments will be made  
4 to for-profit or not-for-profit agents selected by the  
5 regional workforce development boards who successfully place  
6 untried workers in full-time employment for 6 months with an  
7 employer after the employee successfully completes a  
8 probationary placement of no more than 6 months with that  
9 employer. Full-time employment that includes health care  
10 benefits will receive an additional incentive payment.

11 (5) The for-profit and not-for-profit agents shall  
12 contract to provide services for no more than 1 year.  
13 Contracts may be renewed upon successful review by the  
14 contracting agent.

15 (6) The Department of Labor and Employment Security  
16 and the Department of Children and Family Health and  
17 ~~Rehabilitative Services~~, working with the Workforce  
18 Development Board ~~Enterprise Florida Jobs and Education~~  
19 ~~Partnership~~, shall develop an incentive schedule that costs  
20 the state less per placement than the state's 12-month  
21 expenditure on a welfare recipient.

22 (7) During an untried worker's probationary placement,  
23 the for-profit or not-for-profit agent shall be the employer  
24 of record of that untried worker, and shall provide workers'  
25 compensation and unemployment compensation coverage as  
26 provided by law. The business employing the untried worker  
27 through the agent may be eligible to apply for any tax  
28 credits, wage supplementation, wage subsidy, or employer  
29 payment for that employee that are authorized in law or by  
30 agreement with the employer. After satisfactory completion of  
31 such a probationary period, an untried worker shall not be

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1 considered an untried worker.

2 (8) This section shall not be used for the purpose of  
3 displacing or replacing an employer's regular employees, and  
4 shall not interfere with executed collective bargaining  
5 agreements. Untried workers shall be paid by the employer at  
6 the same rate as similarly situated and assessed workers in  
7 the same place of employment.

8 (9) An employer that demonstrates a pattern of  
9 unsuccessful placements shall be disqualified from  
10 participation in these pilots because of poor return on the  
11 public's investment.

12 (10) The Department of Labor and Employment Security  
13 and the Department of Children and Family Health and  
14 ~~Rehabilitative~~ Services, working with the Workforce  
15 Development Board Enterprise Florida Jobs and Education  
16 ~~Partnership~~, may offer to any employer that chooses to employ  
17 untried workers such incentives and benefits that are  
18 available and provided in law, as long as the long-term, cost  
19 savings can be quantified with each such additional  
20 inducement.

21 (11) Unless otherwise reenacted, this section shall be  
22 repealed on July 1, 1999.

23 Section 49. Section 446.604, Florida Statutes, is  
24 transferred, renumbered as section 288.9954, Florida Statutes,  
25 and amended to read:

26 288.9954 ~~446.604~~ One-Stop Career Centers.--

27 (1) The Department of Management Services shall  
28 coordinate among the agencies a plan for a One-Stop Career  
29 Center Electronic Network made up of One-Stop Career Centers  
30 that are operated by the Department of Labor and Employment  
31 Security, the Department of Children and Family Health and

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1 ~~Rehabilitative~~ Services, the Department of Education, and  
 2 other authorized public or private for-profit or  
 3 not-for-profit agents. The plan shall identify resources  
 4 within existing revenues to establish and support such  
 5 electronic network for service delivery that includes the  
 6 Florida Communities Network.

7 (2) The network shall assure that a uniform method is  
 8 used to determine eligibility for and management of services  
 9 provided by agencies that conduct workforce development  
 10 activities. The Department of Management Services shall  
 11 develop strategies to allow access to the databases and  
 12 information management systems of the following systems in  
 13 order to link information in those databases with the One-Stop  
 14 Career Centers:

15 (a) The Unemployment Compensation System of the  
 16 Department of Labor and Employment Security.

17 (b) The Job Service System of the Department of Labor  
 18 and Employment Security.

19 (c) The FLORIDA System and the components related to  
 20 Aid to Families with Dependent Children, food stamps, and  
 21 Medicaid eligibility.

22 (d) The Workers' Compensation System of the Department  
 23 of Labor and Employment Security.

24 (e) The Student Financial Assistance System of the  
 25 Department of Education.

26 (f) Enrollment in the public postsecondary education  
 27 system.

28  
 29 The systems shall be fully coordinated at both the state and  
 30 local levels by July 1, 1999.

31 Section 50. Section 446.605, Florida Statutes, is

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1 transferred, renumbered as section 288.9955, Florida Statutes,  
2 and amended to read:

3           288.9955 ~~446.605~~ Applicability of Workforce Florida  
4 Act of 1996.--Unless otherwise provided herein, the Workforce  
5 Florida Act of 1996 shall apply to the State Human Resource  
6 Investment Council and any regional workforce development  
7 boards in existence on the effective date of such act.  
8 Regional workforce development boards shall be reconstituted,  
9 if necessary, to meet the requirements of the Workforce  
10 Florida Act of 1996. In addition, the Workforce Development  
11 Board ~~Enterprise Florida Jobs and Education Partnership~~ shall  
12 review each charter granted prior to the effective date of the  
13 Workforce Florida Act of 1996 to assure its compliance with  
14 the provisions of such act.

15           Section 51. Section 446.606, Florida Statutes, is  
16 transferred, renumbered as section 288.9956, Florida Statutes,  
17 and amended to read:

18           288.9956 ~~446.606~~ Designation of primary service  
19 providers.--Designation of primary service providers shall not  
20 be made until the regional workforce development boards have  
21 been reconstituted in compliance with the Workforce Florida  
22 Act of 1996.

23           Section 52. Section 446.607, Florida Statutes, is  
24 transferred, renumbered as section 288.9957, Florida Statutes,  
25 and amended to read:

26           288.9957 ~~446.607~~ Consultation, consolidation, and  
27 coordination.--The Workforce Development Board ~~Enterprise~~  
28 ~~Florida Jobs and Education Partnership~~ and any state public  
29 assistance policy board established pursuant to law shall  
30 consult with each other in developing each of their statewide  
31 implementation plans and strategies. The regional workforce

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1 development boards and any local public assistance policy  
2 boards established pursuant to law may elect to consolidate  
3 into one board provided that the consolidated board membership  
4 complies with the requirements of Pub. L. No. 97-300, as  
5 amended, and with any other law delineating the membership  
6 requirements for either of the separate boards. The regional  
7 workforce development boards and any respective local public  
8 assistance policy board established pursuant to law shall  
9 collaboratively coordinate, to the maximum extent possible,  
10 the local services and activities provided by and through each  
11 of these boards and their designated local service providers.

12 Section 53. Subsection (5) of section 288.902, Florida  
13 Statutes, is amended to read:

14 288.902 Enterprise Florida Nominating Council.--

15 (5) Notwithstanding the provisions of ss. 288.901,  
16 288.9412, 288.9512, and 288.9611, ~~and 288.9620~~ regarding the  
17 process of selecting nominees for a board, all nominations  
18 shall be conducted in accordance with the provisions of this  
19 section. All statutory requirements of board members and all  
20 statutory requirements regarding the composition of all boards  
21 shall be considered and complied with throughout the  
22 nominating process.

23 Section 54. Section 288.125, Florida Statutes, is  
24 created to read:

25 288.125 Short title.--Sections 288.1251 through  
26 288.1255 shall be known and may be cited as the "Florida  
27 Entertainment Industry Growth Act."

28 Section 55. Section 288.1251, Florida Statutes, is  
29 created to read:

30 288.1251 Definitions.--For the purposes of this act,  
31 the term:

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1           (1) "Entertainment industry" means any person engaged  
2 in the operation of motion picture or television studios or  
3 recording studios, or any person engaged in the production of  
4 motion pictures, made-for-TV motion pictures, television  
5 series, commercial advertising, music videos, or sound  
6 recordings.

7           (2) "Motion picture or television studio" means a  
8 facility in which film or video tape productions or parts of  
9 productions are made and which contains the necessary  
10 equipment and personnel for this purpose and also means a  
11 mobile unit or vehicle that is equipped in much the same  
12 manner as a stationary studio and used in the making of film  
13 or video tape productions.

14           (3) "Motion picture" means any live-action or animated  
15 feature-length or short subject audiovisual work at any stage  
16 of the production, consisting of a series of related images,  
17 either on film, tape, or other embodiment, including, but not  
18 limited to, all items comprising part of the work and  
19 film-related products derived therefrom as well as duplicates  
20 and prints thereof and all sound recordings created to  
21 accompany a motion picture, which is produced, adapted, or  
22 altered for exploitation in, on, or through any medium or  
23 device and at any location, primarily for entertainment,  
24 commercial, industrial, or educational purposes.

25           (4) "Commercial advertising production" means any  
26 film, video, audio, or photographic production that is created  
27 to promote statewide, nationally, or internationally specific  
28 brands, products, services, retailers, or advocacy positions  
29 for commercial purposes.

30           (5) "Recording studio" means a place where, by means  
31 of mechanical or electronic devices, voices, music, or other

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1 sounds are transmitted to tapes, records, or other devices  
2 capable of storing and reproducing sound.

3 (6) "Recording industry" means any person engaged in  
4 an occupation or business of making recordings embodying sound  
5 for a livelihood or for a profit.

6 (7) "Sound recording" means a recording of voices,  
7 music, or other sounds by mechanical or electronic  
8 transmission to tapes, records, or other devices capable of  
9 storing and reproducing sound.

10 (8) "Music video production" means a cohesive  
11 compilation of motion pictures with a specific sound recording  
12 product for the purpose of broadcasting on a music television  
13 network or for commercial distribution.

14 (9) "Production" means any production, or part  
15 thereof, of motion pictures, made-for-TV motion pictures,  
16 television series, commercial advertising productions, music  
17 videos, or sound recordings as defined by this act.

18 (10) "Preproduction activities" means those  
19 preliminary activities performed directly in connection with  
20 the production of a motion picture, made-for-TV motion  
21 picture, television series, commercial advertising production,  
22 music video, or sound recording, which include, but are not  
23 limited to, obtaining story rights, scriptwriting,  
24 storyboarding, budgeting, scheduling, and assembling the  
25 financing, producers, director, and prime talent.

26 (11) "Production activities" means those activities  
27 performed in direct connection with the production, or any  
28 part thereof, of a motion picture, made-for-TV motion picture,  
29 television series, commercial advertising production, music  
30 video, or sound recording, which include, but are not limited  
31 to, location scouting and managing, set construction and



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1 acquisition, props acquisition, wardrobe construction and  
2 acquisition, hair and makeup design and execution,  
3 cinematography, photography, videography, sound recording, and  
4 personnel travel and meal acquisition and related activities.

5 (12) "Postproduction activities" means those  
6 activities performed directly in connection with transforming  
7 the individual images and sounds recorded during production  
8 into a cohesive body, which include, but are not limited to,  
9 editing, dubbing, creating supplementary sound tracks,  
10 automated dialogue replacement, foley stage recording, sound  
11 mixing, creating special effects, two-dimensional and  
12 three-dimensional graphics and animation, and creating credit  
13 titles.

14 (13) "Producer" means any person who causes to be made  
15 a motion picture, made-for-TV motion picture, television  
16 series, commercial advertising, music video, or sound  
17 recording, or any part thereof, primarily for entertainment,  
18 commercial, industrial, or educational purposes.

19 (14) "Council" means the Entertainment Florida  
20 Council.

21 (15) These terms and the provisions of this act do not  
22 include television, cable or radio companies licensed by the  
23 Federal Communications Commission in their capacities as  
24 broadcast companies, but may include such companies in their  
25 capacities as producers of entertainment industry products  
26 created primarily for entertainment, commercial, industrial,  
27 or educational purposes for statewide, national, or  
28 international distribution.

29 Section 56. Section 288.1252, Florida Statutes, is  
30 created to read:

31 288.1252 Entertainment Florida Council; creation;

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1 purpose; membership; powers and duties.--

2 (1) CREATION.--There is hereby created within the  
3 Office of Tourism, Trade, and Economic Development of the  
4 Executive Office of the Governor, for administrative purposes  
5 only, the Entertainment Florida Council.

6 (2) PURPOSE.--The purpose of the council shall be to  
7 serve as an advisory body to the Office of Tourism, Trade, and  
8 Economic Development; to promote the growth of the  
9 entertainment industry in Florida; to service the state's  
10 entertainment industry; and to provide private-sector  
11 supplemental financial support to programs under the direction  
12 of the council.

13 (3) MEMBERSHIP.--

14 (a) The council shall consist of 11 members, to be  
15 appointed by the Governor and confirmed by the Senate, with  
16 the initial appointments being made no later than July 1,  
17 1998.

18 (b) When making appointments to the council, the  
19 Governor shall appoint persons who are residents of the state  
20 and who are highly knowledgeable of, active in, and recognized  
21 leaders in Florida's motion picture, television, video, sound  
22 recording or other entertainment industries. These persons  
23 shall include, but not be limited to, representatives of local  
24 government film commissions, representatives of entertainment  
25 associations, and board chairs, presidents, chief executive  
26 officers, chief operating officers, or persons of comparable  
27 executive position or stature of leading or otherwise  
28 important entertainment industry businesses. Council members  
29 shall be appointed in such a manner as to equitably represent  
30 the broadest spectrum of the entertainment industry and  
31 geographic areas of the state.

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1           (c) Council members shall serve for 4-year terms,  
2 except that the initial terms shall be staggered. The Governor  
3 shall appoint two members for 1-year terms, three members for  
4 2-year terms, three members for 3-year terms, and three  
5 members for 4-year terms.

6           (d) Absence from three consecutive meetings shall  
7 result in automatic removal from the council.

8           (e) A vacancy on the council shall be filled for the  
9 remainder of the unexpired term in the same manner as the  
10 original appointment.

11           (f) No more than one member of the council may be an  
12 employee of any one company, organization, or association.

13           (g) Any member shall be eligible for reappointment but  
14 may not serve more than two full consecutive terms.

15           (h) The council shall meet no less frequently than  
16 once each quarter of the calendar year, but may meet more  
17 often as set by the council.

18           (i) The council shall annually elect one member to  
19 serve as chair of the council and one member to serve as vice  
20 chair.

21           (j) A majority of the members of the council shall  
22 constitute a quorum.

23           (k) Members of the council shall serve without  
24 compensation, but shall be entitled to reimbursement for per  
25 diem and travel expenses in accordance with s. 112.061 while  
26 in performance of their duties.

27           (l) Each member of the council shall file disclosure  
28 of financial interests pursuant to s. 112.3145.

29           (m) The Entertainment Industry Commissioner shall be  
30 an ex officio nonvoting member of the council.

31           (4) POWERS AND DUTIES.--Entertainment Florida Council

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1 shall have all the powers necessary or convenient to carry out  
2 and effectuate the purposes and provisions of this act,  
3 including, but not limited to, the power to:

4 (a) Adopt bylaws for the governance of its affairs and  
5 the conduct of its business and rules to implement the  
6 provisions of this act.

7 (b) Make and execute contracts and other instruments  
8 necessary or convenient for the exercise of its powers and  
9 functions, including, but not limited to, a contract with a  
10 direct-support organization.

11 (c) Create a direct-support organization to raise  
12 funds to provide supplemental support for the operation and  
13 programs of the council and serve as the board of directors of  
14 such an organization, which shall:

15 1. Be a Florida corporation not for profit,  
16 incorporated under the provisions of chapter 617 and approved  
17 by the Department of State.

18 2. Be organized and operated exclusively to receive,  
19 hold, invest, and administer property, to raise funds and  
20 accept gifts, and to make expenditures to implement the  
21 activities, services, functions, and programs approved by the  
22 council.

23 3. Be certified annually by the Office of Tourism,  
24 Trade, and Economic Development as operating in a manner  
25 consistent with the goals of the approved strategic plan for  
26 the council.

27 4. Be governed by a board of directors whose  
28 membership is synonymous with the membership of the  
29 Entertainment Florida Council.

30 5. Make provisions for an annual postaudit of its  
31 financial accounts to be conducted by an independent certified

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1 public accountant in accordance with rules promulgated by the  
2 Auditor General. The annual audit report shall include a  
3 management letter and shall be submitted to the Auditor  
4 General and the Office of Tourism, Trade, and Economic  
5 Development for review. The Office of Tourism, Trade, and  
6 Economic Development and the Auditor General shall have the  
7 authority to require and receive from the organization or its  
8 independent auditor any detail or supplemental data relative  
9 to the operation of the organization.

10 6. Not be considered an agency for the purposes of  
11 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,  
12 relating to leasing of buildings; ss. 283.33 and 283.35,  
13 relating to bids for printing; s. 215.31; and parts I, II, and  
14 IV through VIII of chapter 112.

15 (d) Develop a 5-year strategic plan, by no later than  
16 June 30, 1999, to guide the activities of the council. The  
17 plan shall:

18 1. Be annual in construction and ongoing in nature.

19 2. Include recommendations relating to the  
20 organizational structure of the council.

21 3. Include an annual budget projection for the council  
22 for each year of the plan.

23 4. Include an operational model for the council to use  
24 in implementing programs designed to:

25 a. Develop and promote the state's entertainment  
26 industry.

27 b. Have the council serve as a liaison between the  
28 entertainment industry and other state and local governmental  
29 agencies and labor organizations.

30 c. Gather statistical information related to the  
31 state's entertainment industry.

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1           d. Provide information and service to businesses,  
2 communities, organizations and individuals engaged in  
3 entertainment industry activities.

4           5. Include recommendations regarding specific  
5 performance standards and measurable outcomes for the  
6 programs to be implemented by the council.

7           (e) Contract, notwithstanding the provisions of part I  
8 of chapter 287, with the direct-support organization created  
9 under paragraph (c) or with a designated Florida  
10 not-for-profit corporation with experience in promotion and  
11 development of the entertainment industry in Florida to carry  
12 out the purpose and duties of the council, including, but not  
13 limited to, implementation of the strategic plan prepared  
14 under paragraph (d). The council shall serve as contract  
15 administrator, subject to oversight by the Office of Tourism,  
16 Trade, and Economic Development. Any contract entered into by  
17 the council under this paragraph must include:

18           1. Specific and quantifiable performance measures to  
19 assess the progress toward achievement of contract  
20 deliverables;

21           2. Sanctions for failure to satisfy contract  
22 requirements or deliverables;

23           3. Provisions to ensure that any state appropriations  
24 in support of such contract are used exclusively for  
25 activities in fulfillment of the contract;

26           4. Provisions for an annual accounting of expenditures  
27 of any state funds appropriated in support of such contract;  
28 and

29           5. Provisions to ensure that all records and meetings  
30 directly related to the contracted responsibilities are open  
31 and public, unless otherwise exempted by general law.

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1           (f) Appear on its own behalf before boards,  
 2 commissions, departments, or other agencies of municipal,  
 3 county, or state government, or the Federal Government.

4           (g) Do any and all things necessary or convenient to  
 5 carry out the purposes of and exercise the powers granted in  
 6 this act.

7           Section 57. Section 288.12285, Florida Statutes, is  
 8 renumbered as section 288.1253, Florida Statutes, and amended  
 9 to read:

10           288.1253 ~~288.12285~~ Promotion and development of  
 11 entertainment industries; direct-support organization;  
 12 confidentiality of donor identities.--The identity of a donor  
 13 or prospective donor to the direct-support organization  
 14 authorized under s. 288.1252 ~~s. 288.1228~~ who desires to remain  
 15 anonymous and all information identifying such donor or  
 16 prospective donor are confidential and exempt from s.  
 17 119.07(1) and s. 24(a), Art. I of the State Constitution.  
 18 Such anonymity shall be maintained in audit reports. This  
 19 section expires October 2, 2001, and is subject to review by  
 20 the Legislature under the Open Government Sunset Review Act of  
 21 1995 in accordance with s. 119.15 before that date.

22           Section 58. Section 288.1254, Florida Statutes, is  
 23 created to read:

24           288.1254 Promotion and development of entertainment  
 25 industry; Entertainment Industry Commissioner; creation;  
 26 purpose; powers and duties.--

27           (1) CREATION.--

28           (a) There is hereby created within the Office of  
 29 Tourism, Trade, and Economic Development the position of  
 30 Entertainment Industry Commissioner for the purpose of  
 31 assisting the Entertainment Florida Council in developing,

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1 promoting, and providing services to the state's entertainment  
2 industry. The Entertainment Industry Commissioner shall  
3 function as a liaison for the Governor and the Office of  
4 Tourism, Trade, and Economic Development to coordinate efforts  
5 of other governmental bodies with those of the Entertainment  
6 Florida Council.

7 (b) The Office of Tourism, Trade, and Economic  
8 Development shall conduct a search for a qualified person to  
9 fill the position of Entertainment Industry Commissioner, and  
10 the Director of the Office of Tourism, Trade, and Economic  
11 Development shall appoint the Entertainment Industry  
12 Commissioner.

13 (2) POWERS AND DUTIES.--

14 (a) The Entertainment Industry Commissioner, in  
15 performance of his or her duties, shall:

16 1. Develop and facilitate a smooth working  
17 relationship between state agencies and local governments in  
18 cooperation with local film commission offices for  
19 out-of-state and indigenous entertainment industry production  
20 entities.

21 2. Represent the state's indigenous entertainment  
22 industry to key decisionmakers within the national and  
23 international entertainment industry, and to state and local  
24 officials.

25 3. Serve as liaison between entertainment industry  
26 producers and labor organizations.

27 (b) The Entertainment Industry Commissioner, in the  
28 performance of his or her duties, may:

29 1. Exercise the powers granted by this act in any  
30 state, territory, district, or possession of the United  
31 States.



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1           2. Carry out any program of information, special  
2 events, or publicity designed to attract entertainment  
3 industry to Florida.

4           3. Encourage and cooperate with other public and  
5 private organizations or groups in their efforts to publicize  
6 to the entertainment industry in this state, other states, and  
7 other countries the depth of Florida's entertainment industry  
8 talent, crew, production companies, production equipment  
9 resources, related businesses, and support services, including  
10 the establishment of and expenditure for a program of  
11 cooperative advertising with these public and private  
12 organizations and groups in accordance with the provisions of  
13 chapter 120.

14           Section 59. Section 288.1255, Florida Statutes, is  
15 created to read:

16           288.1255 Travel and entertainment expenses.--

17           (1) As used in this section:

18           (a) "Business client" means any person, other than a  
19 state official or state employee, who receives the services  
20 of, or is the subject of solicitation by, the Entertainment  
21 Florida Council in connection with the performance of the  
22 council's statutory duties, including persons or  
23 representatives of entertainment industry companies  
24 considering or being solicited for location, relocation, or  
25 expansion of an entertainment industry business within the  
26 state.

27           (b) "Entertainment expenses" means the actual,  
28 necessary, and reasonable costs of providing hospitality for  
29 business clients or guests, which costs are defined and  
30 prescribed by rules adopted by the Office of Tourism, Trade,  
31 and Economic Development, subject to approval by the

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1 Comptroller.

2 (c) "Guest" means a person, other than a state  
3 official or state employee, authorized by the Office of  
4 Tourism, Trade, and Economic Development to receive the  
5 hospitality of the Entertainment Florida Council in connection  
6 with the performance of the council's statutory duties.

7 (d) "Travel expenses" means the actual, necessary, and  
8 reasonable costs of transportation, meals, lodging, and  
9 incidental expenses normally incurred by a traveler, which  
10 costs are defined and prescribed by rules adopted by the  
11 Office of Tourism, Trade, and Economic Development, subject to  
12 approval by the Comptroller.

13 (2) Notwithstanding the provisions of s. 112.061, the  
14 Office of Tourism, Trade, and Economic Development shall adopt  
15 rules by which it may make expenditures by advancement or  
16 reimbursement, or a combination thereof, to:

17 (a) State officers and state employees for travel  
18 expenses or entertainment expenses incurred by such officers  
19 and employees in connection with the performance of the  
20 statutory duties of the Entertainment Florida Council.

21 (b) State officers and state employees for travel  
22 expenses or entertainment expenses incurred by such officers  
23 and employees on behalf of guests, business clients, or  
24 authorized persons as defined in s. 112.061(2)(e) in  
25 connection with the performance of the statutory duties of the  
26 Entertainment Florida Council.

27 (c) Third party vendors for the travel or  
28 entertainment expenses of guests, business clients, or  
29 authorized persons as defined in s. 112.061(2)(e) incurred  
30 while such persons are participating in activities or events  
31 carried out by the Entertainment Florida Council in connection

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1 with the council's statutory duties.

2

3 The rules shall be subject to approval by the Comptroller  
4 prior to promulgation. The rules shall require the submission  
5 of paid receipts, or other proof of expenditure prescribed by  
6 the Comptroller, with any claim for reimbursement and shall  
7 require, as a condition for any advancement of funds, an  
8 agreement to submit paid receipts or other proof of  
9 expenditure and to refund any unused portion of the  
10 advancement within 15 days after the expense is incurred or,  
11 if the advancement is made in connection with travel, within  
12 10 working days after the traveler's return to headquarters.  
13 However, with respect to an advancement of funds made solely  
14 for travel expenses, the rules may allow paid receipts or  
15 other proof of expenditure to be submitted, and any unused  
16 portion of the advancement to be refunded, within 10 working  
17 days after the traveler's return to headquarters. Operational  
18 or promotional advancements, as defined in s. 288.35(4),  
19 obtained pursuant to this section shall not be commingled with  
20 any other state funds.

21 (3) The Office of Tourism, Trade, and Economic  
22 Development shall prepare an annual report of the expenditures  
23 of the Entertainment Florida Council and provide such report  
24 to the Legislature no later than December 30 of each year for  
25 the expenditures of the previous fiscal year. The report shall  
26 consist of a summary of all travel, entertainment, and  
27 incidental expenses incurred within the United States and all  
28 travel, entertainment, and incidental expenses incurred  
29 outside the United States.

30 (4) Any claim submitted under this section shall not  
31 be required to be sworn to before a notary public or other

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1 officer authorized to administer oaths, but any claim  
2 authorized or required to be made under any provision of this  
3 section shall contain a statement that the expenses were  
4 actually incurred as necessary travel or entertainment  
5 expenses in the performance of official duties of the  
6 Entertainment Florida Council and shall be verified by written  
7 declaration that it is true and correct as to every material  
8 matter. Any person who willfully makes and subscribes to any  
9 claim which he or she does not believe to be true and correct  
10 as to every material matter or who willfully aids or assists  
11 in, procures, or counsels or advises with respect to, the  
12 preparation or presentation of a claim pursuant to this  
13 section that is fraudulent or false as to any material matter,  
14 whether or not such falsity or fraud is with the knowledge or  
15 consent of the person authorized or required to present the  
16 claim, is guilty of a misdemeanor of the second degree,  
17 punishable as provided in s. 775.082 or s. 775.083. Whoever  
18 receives an advancement or reimbursement by means of a false  
19 claim is civilly liable, in the amount of the overpayment, for  
20 the reimbursement of the public fund from which the claim was  
21 paid.

22 Section 60. Florida Entertainment Industry Model  
23 Permitting Task Force; creation; membership; powers and  
24 duties; report.--There is created within the Office of  
25 Tourism, Trade, and Economic Development, for a period of one  
26 year, a task force for the purpose of developing a model for  
27 uniform permits for use by state agencies and county and  
28 municipal governments.

29 (1) Members of the task force shall be appointed by the  
30 Governor no later than July 1, 1998, for a period of 1 year  
31 and shall include one representative from each of the

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1 following:

2 (a) The Office of Tourism, Trade, and Economic  
3 Development.

4 (b) The Department of Environmental Protection.

5 (c) The Division of Recreation and Parks of the  
6 Department of Environmental Protection.

7 (d) The Department of Transportation.

8 (e) The Office of the State Fire Marshal.

9 (f) The Board of Regents.

10 (g) The Florida League of Cities.

11 (h) The Florida Association of Counties.

12 (i) The Department of Highway Safety and Motor  
13 Vehicles.

14 (j) The Division of Law Enforcement of the Department  
15 of Environmental Protection.

16 (k) The Department of Community Affairs.

17 (l) The Department of Corrections.

18 (m) The Florida Film Commissioner's Association.

19 (n) Each of the state's two largest motion-picture  
20 production studios.

21 (o) The Florida Motion Picture and Television  
22 Association.

23 (p) The recording industry.

24 (q) The commercial advertising industry.

25 (2) The task force shall meet as often as necessary to  
26 develop a report which shall be given to the Governor, the  
27 President of the Senate, and the Speaker of the House of  
28 Representatives no later than June 30, 1999, which shall  
29 include:

30 (a) A recommendation for model permits for use by  
31 state agencies and county and municipal governments in

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1 granting temporary permits to entertainment industry  
 2 businesses in the process of production activities.

3 (b) Cost recommendations for use of state and local  
 4 government buildings, property, and personnel.

5 (c) Recommendations for developing a timetable for  
 6 securing state and local environmental permits during the  
 7 preproduction and production stages of an entertainment  
 8 industry project.

9 (3) The task force shall elect a chair who will set  
 10 the meeting schedules for the task force.

11 (4) The Office of Tourism, Trade, and Economic  
 12 Development may provide staff assistance to the task force for  
 13 the purpose of recording the minutes of each meeting.

14 (5) Members of the task force shall serve without  
 15 compensation, but shall be entitled to reimbursement for per  
 16 diem and travel expenses in accordance with s. 112.061 while  
 17 in the performance of their duties.

18 Section 61. Subsection (2) of section 14.2015, Florida  
 19 Statutes, is amended to read:

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

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

30 ~~(a) Contract, notwithstanding the provisions of part I~~  
 31 ~~of chapter 287, with the direct support organization created~~

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1 ~~under s. 288.1228, or a designated Florida not-for-profit~~  
2 ~~corporation whose board members have had prior experience in~~  
3 ~~promoting, throughout the state, the economic development of~~  
4 ~~the Florida motion picture, television, radio, video,~~  
5 ~~recording, and entertainment industries, to guide, stimulate,~~  
6 ~~and promote the entertainment industry in the state.~~

7       (a)~~(b)~~ Contract, notwithstanding the provisions of  
8 part I of chapter 287, with the direct-support organization  
9 created under s. 288.1229 to guide, stimulate, and promote the  
10 sports industry in the state.

11       (b)~~(c)~~ Monitor the activities of public-private  
12 partnerships and state agencies in order to avoid duplication  
13 and promote coordinated and consistent implementation of  
14 programs in areas including, but not limited to, tourism;  
15 international trade and investment; business recruitment,  
16 creation, retention, and expansion; minority and small  
17 business development; and rural community development.

18       (c)~~(d)~~ Facilitate the direct involvement of the  
19 Governor and the Lieutenant Governor in economic development  
20 projects designed to create, expand, and retain Florida  
21 businesses and to recruit worldwide business.

22       (d)~~(e)~~ Assist the Governor, in cooperation with  
23 Enterprise Florida, Inc., and the Florida Commission on  
24 Tourism, in preparing an annual report to the Legislature on  
25 the state of the business climate in Florida and on the state  
26 of economic development in Florida which will include the  
27 identification of problems and the recommendation of  
28 solutions. This report shall be submitted to the President of  
29 the Senate, the Speaker of the House of Representatives, the  
30 Senate Minority Leader, and the House Minority Leader by  
31 January 1 of each year, and it shall be in addition to the

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1 Governor's message to the Legislature under the State  
2 Constitution and any other economic reports required by law.

3 ~~(e)(f)~~ Plan and conduct at least three meetings per  
4 calendar year of leaders in business, government, and economic  
5 development called by the Governor to address the business  
6 climate in the state, develop a common vision for the economic  
7 future of the state, and identify economic development efforts  
8 to fulfill that vision.

9 ~~(f)(g)~~1. Administer the Florida Enterprise Zone Act  
10 under ss. 290.001-290.016, the community contribution tax  
11 credit program under ss. 220.183 and 624.5105, the tax refund  
12 program for qualified target industry businesses under s.  
13 288.106, contracts for transportation projects under s.  
14 288.063, the sports franchise facility program under s.  
15 288.1162, the professional golf hall of fame facility program  
16 under s. 288.1168, the Florida Jobs Siting Act under ss.  
17 403.950-403.972, the Rural Community Development Revolving  
18 Loan Fund under s. 288.065, the Regional Rural Development  
19 Grants Program under s. 288.018, the Florida State Rural  
20 Development Council, and the Rural Economic Development  
21 Initiative.

22 2. The office may enter into contracts in connection  
23 with the fulfillment of its duties concerning the Florida  
24 First Business Bond Pool under chapter 159, tax incentives  
25 under chapters 212 and 220, foreign offices under chapter 288,  
26 the Enterprise Zone program under chapter 290, the Seaport  
27 Employment Training program under chapter 311, the Florida  
28 Professional Sports Team License Plates under chapter 320,  
29 Spaceport Florida under chapter 331, Job Siting and Expedited  
30 Permitting under chapter 403, and in carrying out other  
31 functions that are specifically assigned to the office by law.



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1           (g)~~(h)~~ Serve as contract administrator for the state  
2 with respect to contracts with Enterprise Florida, Inc., the  
3 Florida Commission on Tourism, the Entertainment Florida  
4 Council, and all direct-support organizations under this act,  
5 excluding those relating to tourism, and provide oversight for  
6 any contract that the Entertainment Florida Council may enter  
7 into with a direct-support organization or with a designated  
8 Florida not-for-profit corporation under s. 288.1252(4)(e).  
9 To accomplish the provisions of this act and applicable  
10 provisions of chapter 288, and notwithstanding the provisions  
11 of part I of chapter 287, the office shall enter into specific  
12 contracts with Enterprise Florida, Inc., the Florida  
13 Commission on Tourism, the Entertainment Florida Council, and  
14 other appropriate direct-support organizations. Such contracts  
15 may be multiyear and shall include specific performance  
16 measures for each year. The office shall provide the President  
17 of the Senate and the Speaker of the House of Representatives  
18 with a report by February 1 of each year on the status of  
19 these contracts, including the extent to which specific  
20 contract performance measures have been met by these  
21 contractors.

22           (h)~~(i)~~ Prepare and submit as a separate budget entity  
23 a unified budget request for tourism, trade, and economic  
24 development in accordance with chapter 216 for, and in  
25 conjunction with, Enterprise Florida, Inc., and its boards,  
26 the Florida Commission on Tourism and its direct-support  
27 organization, the Florida Black Business Investment Board, the  
28 Entertainment Florida Council, and the direct-support  
29 organization ~~organizations~~ created to promote the  
30 ~~entertainment and sports industries.~~

31           (i)~~(j)~~ Promulgate rules to carry out its functions in

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1 connection with the administration of the Qualified Target  
2 Industry program, the Qualified Defense Contractor program,  
3 the Enterprise Zone program, and the Florida First Business  
4 Bond pool.

5 Section 62. Paragraph (e) of subsection (6) of section  
6 288.108, Florida Statutes, is amended to read:

7 288.108 High-impact business.--

8 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT  
9 SECTORS.--

10 (e) The study and its findings and recommendations and  
11 the recommendations gathered from the sector-business network  
12 must be discussed and considered during at least one of the  
13 ~~quarterly~~ meetings required in s. 14.2015(2)(e)~~s.~~  
14 ~~14.2015(2)(h)~~.

15 Section 63. Subsection (7) of section 288.90152,  
16 Florida Statutes, is amended to read:

17 288.90152 Pilot matching grant program.--

18 (7) Upon completing all training funded under this  
19 pilot program, the Office of Tourism, Trade, and Economic  
20 Development shall report on the outputs and outcomes for this  
21 program as part of the annual report prepared under s.  
22 14.2015(2)(d)~~s. 14.2015(2)(g)~~. Such report must include a  
23 recommendation on whether it would be sound public policy to  
24 continue or discontinue funding for the program.

25 Section 64. Sections 288.051, 288.052, 288.053,  
26 288.054, 288.055, 288.056, 288.057, and 288.1228, Florida  
27 Statutes, are repealed.

28 Section 65. (1) From the funds appropriated to the  
29 International Trade and Economic Development Board of  
30 Enterprise Florida, Inc., for fiscal year 1998-99 for  
31 International Representation and Advocacy, \$150,000 shall be

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1 provided to the Florida Delegation of the Southeast U.S./Japan  
2 Association, Inc., and \$100,000 shall be provided to the  
3 Florida Delegation of the Florida/Korea Economic Cooperation  
4 Committee.

5 (2) Notwithstanding the instructions in the General  
6 Appropriations Act for fiscal year 1998-99 relating to funds  
7 appropriated for the International Trade and Economic  
8 Development Board, the Technology Development Board, the  
9 Workforce Development Board, and the Capital Development Board  
10 of Enterprise Florida, Inc., prohibiting the release or  
11 advancement of appropriated funds from fiscal year 1998-99  
12 until such time as all balances of any appropriations made to  
13 Enterprise Florida, Inc., during fiscal year 1997-98 which are  
14 not contracted to be expended prior to June 30, 1998, are  
15 deposited into the State Treasury, no funds which are under  
16 contract or otherwise legally obligated as of June 30, 1998,  
17 shall be returned to the State Treasury. All funds  
18 appropriated in fiscal year 1997-98 to Enterprise Florida,  
19 Inc., not under contract or otherwise legally obligated, must  
20 be deposited in the State Treasury, prior to the release of  
21 funds appropriated for the 1998-99 fiscal year.

22 (3) There is appropriated \$1.2 million from General  
23 Revenue funds to the Office of Tourism, Trade, and Economic  
24 Development which shall be used to fund the activities of the  
25 Technology Research and Development Authority (TRDA).

26 (4) The sum of \$3 million is hereby appropriated from  
27 the General Revenue Fund to the Office of Tourism, Trade, and  
28 Economic Development for fiscal year 1998-99 for the  
29 following:

30 (a) \$2.4 million to the Florida Business Expansion  
31 Corporation. Ninety percent of such funds must be used to

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1 provide assistance to eligible businesses pursuant to s.  
 2 288.9533.

3 (b) \$100,000 to the Department of State to establish  
 4 and maintain a Florida State International Archive.

5 (c) \$400,000 to the Florida Trade Data Center to  
 6 finance an electronic commerce support and information system.

7 (d) \$100,000 for the ecotourism promotion program  
 8 established in this act to the Division of Recreation and  
 9 Parks of the Department of Environmental Protection.

10 Section 66. Section 290.0301, Florida Statutes, is  
 11 amended to read:

12 290.0301 Short title.--Sections 290.0311 through  
 13 290.0395 shall be known and may be cited as the "Invest in  
 14 Neighborhood Vitality and Economies Act ~~Community Development~~  
 15 ~~Corporation Support and Assistance Program Act.~~" This section  
 16 shall stand repealed on June 30, 2007 ~~1998~~.

17 Section 67. Subsections (5), (10), and (11) of section  
 18 290.0311, Florida Statutes, are amended to read:

19 290.0311 Legislative findings.--The Legislature finds  
 20 that:

21 (5) This deterioration contributes to the decline of  
 22 neighborhoods in both rural and urban ~~and surrounding~~ areas,  
 23 causes a reduction of the value of property comprising the tax  
 24 base of local communities, and eventually requires the  
 25 expenditure of disproportionate amounts of public funds for  
 26 health, social services, and police protection to prevent the  
 27 development of slums and the social and economic disruption  
 28 found in slum communities.

29 (10) A viable means of eliminating or reducing these  
 30 deteriorating economic conditions and encouraging local  
 31 resident participation and support is to provide support

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1 assistance and resource investment to community-based  
2 community development organizations corporations. The  
3 Legislature also finds that community-based development  
4 organizations can contribute to the creation of jobs in  
5 response to federal welfare reform and state WAGES legislation  
6 and economic development activities related to urban and rural  
7 economic initiatives.

8 (11) This section shall stand repealed on June 30,  
9 2007 ~~1998~~.

10 Section 68. Section 290.032, Florida Statutes, is  
11 amended to read:

12 (Substantial rewording of section. See  
13 s. 290.032, F.S., for present text.)

14 290.032 Policy and purpose.--It is the policy of this  
15 state to improve the quality of neighborhoods as environments  
16 in which children and families live, by supporting and  
17 fostering positive change in a broad range of domains to  
18 achieve comprehensive improvements in conditions throughout  
19 the neighborhood over time. Such community or neighborhood  
20 redevelopment shall be based on the following principles:

21 (1) Bottom-up, community-focused approach.

22 (2) Enables and supports the effort of the  
23 neighborhoods to make improvements.

24 (3) Requires a holistic focus on the neighborhood to  
25 address all needs in coordinated fashion, including:

26 (a) Need for community-based leadership.

27 (b) Empower neighborhood governance of the process.

28 (c) Human service delivery.

29 (d) Public infrastructure.

30 (e) Housing and safety.

31 (f) Economic development.

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1           (4) Mandates neighborhood collaboration of all  
 2 partners.

3           (5) Empowers residents to make decisions on  
 4 improvements.

5           (6) Builds consensus for a shared vision for the  
 6 future of the neighborhood.

7           (7) Sets definitive performance goals to achieve  
 8 specific outcomes for the neighborhood.

9  
 10 The purpose of this act is to assist community-based  
 11 development organizations in undertaking projects, in concert  
 12 with state and local government and private enterprise,  
 13 designed to create and maintain a sound industrial base, to  
 14 revitalize the health of established commercial areas, to  
 15 promote and retain employment opportunities, to preserve and  
 16 rehabilitate existing residential neighborhoods, and to  
 17 provide safe, decent, affordable housing for residents of  
 18 these areas. The Legislature, therefore, declares that the  
 19 development, redevelopment, preservation, restoration, and  
 20 revitalization of such communities and all the purposes of  
 21 this act are public purposes for which public moneys may be  
 22 used. This section shall stand repealed on June 30, 2007.

23           Section 69. Section 290.033, Florida Statutes, is  
 24 amended to read:

25           (Substantial rewording of section. See  
 26 s. 290.033, F.S., for present text.)

27           290.033 Definitions.--As used in this act, the term:

28           (1) "Department" means the Department of Community  
 29 Affairs.

30           (2) "Community-based development organization" means a  
 31 community-based nonprofit organization, which may also be

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1 known as a "CBDO," that is committed to or engaged in  
2 developing or managing real estate or business enterprises in  
3 economically distressed neighborhoods. To qualify, an agency  
4 must be community based in that the majority of the board is  
5 elected by a mix of stakeholders consisting of area residents,  
6 area business and property owners, and persons employed in the  
7 service area and demonstrate an ability to undertake  
8 affordable housing, business assistance, or commercial  
9 developments.

10 (3) "Fund" means the Operating Trust Fund.

11 (4) "Neighborhood comprehensive revitalization plan"  
12 means a long-term holistic, integrated, and collaborative  
13 strategic plan for the improvement of a defined service area  
14 or neighborhood that was prepared by and approved by a  
15 collaborative partnership of residents, community-based  
16 organizations, local government representatives, churches,  
17 schools, businesses, and other community stakeholders that  
18 sets forth the shared vision for the service area and  
19 identifies specific, measurable outcomes. This comprehensive,  
20 holistic plan shall address the wide array of interrelated  
21 needs including, but not limited to, human services, jobs and  
22 economic development, housing, safety, public infrastructure,  
23 health care, education, community organization, neighborhood  
24 governance, and social organizations. The plan must describe  
25 an organization's mission; include strategies to maintain  
26 community involvement; demonstrate innovation, efficiency, and  
27 accountability to the benefit of the service area  
28 stakeholders; and identify sources of anticipated revenue.

29 (5) "Project" means a public and private activity or  
30 series of activities, designed to be carried out in a  
31 specific, definable location, that achieve objectives which

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1 are consistent with the agency's neighborhood comprehensive  
 2 revitalization plan and the provisions and intent of this act.

3 (6) "Secretary" means the Secretary of Community  
 4 Affairs.

5 (7) "Service area" or "target area" means the entire  
 6 area in which a community-based development organization  
 7 operates and in which community development grant and loan  
 8 funds are to be spent.

9 (8) "Permanent job" means a full-time position, the  
 10 duration of which exceeds 12 months and which consists of an  
 11 average of at least 30 hours per week of employment.

12 (9) "Temporary job" means a full-time or part-time  
 13 position, the duration of which exceeds 45 days, which  
 14 consists of an average of at least 15 hours per week of  
 15 employment, and which is not a permanent job.

16 (10) This section shall stand repealed on June 30,  
 17 2007.

18 Section 70. Section 290.035, Florida Statutes, is  
 19 amended to read:

20 290.035 Eligibility for assistance.--Community-based  
 21 community development organizations corporations meeting the  
 22 following requirements shall be eligible for assistance:

23 (1) The community-based community development  
 24 organization corporation must be a nonprofit corporation under  
 25 state law ~~or a local development company established under~~  
 26 ~~state law and certified to be eligible to participate in the~~  
 27 ~~Small Business Administration Loan Program under s. 502 of the~~  
 28 ~~Small Business Investment Act of 1958, as amended,~~ and must  
 29 meet the following further requirements:

30 (a) Its membership must be open to all service area  
 31 residents 18 years of age or older.



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1           (b) A majority of its board members must be elected by  
2 those members of the corporation who are stakeholders  
3 comprised of a mix of service area residents, area business  
4 and property owners, and area employees.

5           ~~(c) Elections must be held annually for at least a~~  
6 ~~third of the elected board members so that elected members~~  
7 ~~serve terms of no more than 3 years.~~

8           ~~(d) Elections must be adequately publicized within the~~  
9 ~~service area, and ample opportunity must be provided for full~~  
10 ~~participation.~~

11           ~~(e) At least one of the board members shall be~~  
12 ~~appointed by the Governor.~~

13           (2) The community-based community development  
14 organization corporation shall maintain a service area in  
15 which economic development projects are located which meets  
16 one or more of the following criteria:

17           (a) The area has been designated pursuant to s.  
18 163.355 as a slum area or a blighted area as defined in s.  
19 163.340(7) or (8) or is located completely within the  
20 boundaries of a slum or blighted area.

21           (b) The area is a community development block grant  
22 program area in which community development block grant funds  
23 are currently being spent or have been spent during the last 3  
24 years as certified by the local government in which the  
25 service area is located.

26           (c) The area is a neighborhood housing service  
27 district.

28           (d) The area is contained within a state ~~an~~ enterprise  
29 zone designated on or after July 1, 1995, in accordance with  
30 ~~pursuant to~~ s. 290.0065.

31           ~~(e) The area is contained in federal empowerment zones~~

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1 and enterprise communities.

2 (3) This section shall stand repealed on June 30, 2007  
3 ~~1998~~.

4 Section 71. Section 290.036, Florida Statutes, is  
5 amended to read:

6 (Substantial rewording of section. See  
7 s. 290.036, F.S., for present text.)

8 290.036 Community-based development organization  
9 support program; administrative grants and procedures.--

10 (1) The department is authorized to award core and  
11 project administrative grants and project implementation  
12 loans. Administrative grants shall be used for staff salaries  
13 and administrative expenses for eligible community-based  
14 development organizations selected through a competitive  
15 three-tiered process. The department shall develop a set of  
16 criteria for three-tiered funding that shall ensure equitable  
17 geographic distribution of the funding throughout the state.  
18 This three-tiered plan shall include emerging, intermediate,  
19 and mature community-based development organizations  
20 recognizing the varying needs of the three tiers. Funding  
21 shall be provided for core administrative grants for tier I  
22 and tier II community-based development organizations.  
23 Priority shall be given to those organizations that  
24 demonstrate community-based high performance. However, if all  
25 qualified tier I and tier II community-based development  
26 organizations have been funded, qualified tier III  
27 community-based development organizations may receive core  
28 administrative grants. Project administrative grants tied to  
29 project implementation loans shall be available to all levels  
30 of community-based development organizations depending upon  
31 their capacity. Extensive training and technical assistance

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1 shall be available to all community-based development  
2 organizations. Persons, equipment, supplies, and other  
3 resources funded in whole or in part by grant funds shall then  
4 be utilized to further the purposes of this act. Eligible  
5 activities include, but are not limited to:

6 (a) Preparing grant and loan applications, proposals,  
7 fundraising letters, and other documents essential to securing  
8 additional administrative or project funds to further the  
9 purposes of this act.

10 (b) Monitoring and administrating grants and loans,  
11 providing technical assistance to businesses, and any other  
12 administrative tasks essential to maintaining funding  
13 eligibility or meeting contractual obligations.

14 (c) Developing local programs to encourage the  
15 participation of financial institutions, insurance companies,  
16 attorneys, architects, engineers, planners, law enforcement  
17 officers, developers, and other professional firms and  
18 individuals providing services beneficial to redevelopment  
19 efforts.

20 (d) Providing management, technical, accounting, and  
21 financial assistance and information to businesses and  
22 entrepreneurs interested in locating, expanding, or operating  
23 in the service area.

24 (e) Coordinating with state, federal, and local  
25 governments and other nonprofit organizations to ensure that  
26 activities meet local plans and ordinances and to avoid  
27 duplication of tasks.

28 (f) Preparing plans or performing research to identify  
29 critical needs within the service area and developing  
30 approaches to address those needs.

31 (g) Assisting service area residents in identifying

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1 and determining eligibility for state, federal, and local  
2 housing programs including rehabilitation, weatherization,  
3 homeownership, rental assistance, or public housing programs.

4 (h) Developing, owning, and managing housing designed  
5 for very-low-income persons, low-income persons, or WAGES  
6 recipients; or developing, owning, and managing industrial  
7 parks providing jobs to very-low-income persons, low-income  
8 persons, or WAGES recipients.

9 (i) Preparing the neighborhood comprehensive  
10 revitalization plan with baseline data, outcome measures, and  
11 estimates of service area impact as a result of job-generating  
12 or revenue-generating businesses, or enterprise assistance, or  
13 units of commercial, industrial, or affordable housing  
14 developments.

15 (2) A community-based development organization  
16 applying for an administrative grant pursuant to this section  
17 must submit a proposal to the department which includes:

18 (a) A map and narrative description of the service  
19 areas for the community-based development organization.

20 (b) A copy of the documents creating the  
21 community-based development organization.

22 (c) A listing of the membership of the board,  
23 including individual terms of office.

24 (d) An annual plan that describes the expenditure of  
25 the funds, including goals, objectives, and expected results,  
26 and which has a clear relationship to the agency's  
27 neighborhood comprehensive revitalization strategy.

28 (e) Other supporting information which may be required  
29 by the department.

30 (3) The amount of any core administrative grant to an  
31 emerging community-based development organization in any 1

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1 year shall be no more than \$50,000. The amount of any core  
 2 administrative grant to an intermediate community-based  
 3 development organization shall be no more than \$45,000. The  
 4 amount of core administrative grant to a mature  
 5 community-based development organization shall be no more than  
 6 \$40,000. The department may fund as many community-based  
 7 development organizations each year as is permitted based on  
 8 the level of funds provided for in the General Appropriations  
 9 Act.

10 (4) The amount of any project administrative grant to  
 11 any community-based development organization shall be no more  
 12 than \$15,000 for every \$100,000 of project implementation  
 13 loans.

14 (5) A community-based development organization that  
 15 receives funding hereunder shall submit to the department an  
 16 annual year-end audit performed by an independent certified  
 17 public accountant.

18 (6) In evaluating proposals pursuant to this section,  
 19 the department shall develop and consider scoring criteria  
 20 including, but not limited to, the following:

21 (a) The relative degree of distress of the service  
 22 areas of the community-based development organization.

23 (b) The demonstrable capacity of the community-based  
 24 development organization to improve the economic health of the  
 25 service area and carry out the activities contained in the  
 26 long-term revitalization plan.

27 (c) The degree to which the community-based  
 28 development organization would provide assistance to  
 29 very-low-income persons, low-income persons, and particularly  
 30 WAGES recipients.

31 (d) The service area of the community-based

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1 development organization which is located in whole or in part  
2 within a state enterprise zone designated pursuant to s.  
3 290.0065, a federal empowerment zone, or an enterprise  
4 community.

5 (e) The extent to which the proposal would further the  
6 policy and purposes of this act.

7 (7) The department is authorized to award project  
8 administrative grants from the fund to community-based  
9 development organizations for staff salaries, administrative  
10 expenses, and the added cost of technical assistance directly  
11 related to job-generating and revenue-generating enterprises,  
12 including business, commercial, or affordable housing  
13 developments. Eligible organizations shall apply for  
14 competitive funding under the three categories of: business  
15 assistance, commercial, and affordable housing development.  
16 The allocations of funds to these three categories will be  
17 made by the department subject to funding availability and  
18 trends in the amount of qualified proposals submitted under  
19 each category. Community-based development organizations  
20 receiving funds under this section shall be subject to all  
21 applicable requirements of ss. 290.034(1), 290.035, 290.037,  
22 290.038, and 290.039, as determined by the department.

23 (8) The department shall award funding hereunder based  
24 upon a three-tiered approach which recognizes the differing  
25 capacities of new and emerging, intermediate, and mature  
26 community-based development organizations. No community-based  
27 development organization may apply for funding in more than  
28 one tier in any 1 fiscal year.

29 (a) Tier I, for new and emerging community-based  
30 development organizations, shall offer, on a competitive  
31 basis, a minimum of five core administrative grants of up to

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1 \$50,000, annually. Once tier I community-based development  
2 organizations have achieved a minimum level of capacity, they  
3 shall be eligible to apply for, on a competitive funding  
4 basis, a project implementation loan of no more than \$100,000  
5 and an accompanying project administrative grant of up to  
6 \$15,000. Tier I community-based development organizations  
7 shall also receive extensive training and technical assistance  
8 designed to enhance the organization's capacity and thereby  
9 enable it to undertake more complex development projects.

10 (b) Tier II, for intermediate level community-based  
11 development organizations, shall be eligible to apply on a  
12 competitive basis for core administrative grants of up to  
13 \$45,000, annually, and shall be eligible to apply for, on a  
14 competitive basis, project implementation loans of up to  
15 \$300,000, annually, per community-based development  
16 organization and an accompanying project administrative grant  
17 of up to \$45,000. Tier II community-based development  
18 organizations shall also receive training and technical  
19 assistance services hereunder.

20 (c) Tier III, for mature level community-based  
21 development organizations, shall be eligible to apply, on a  
22 competitive basis, for core administrative grants of up to  
23 \$40,000, annually. Such community-based development  
24 organizations shall be eligible to apply for, on a competitive  
25 basis, project implementation loans of up to \$400,000,  
26 annually, per community-based development organization and an  
27 accompanying project administrative grant of up to \$60,000.  
28 Tier III community-based development organizations shall also  
29 receive training and technical assistance services hereunder.

30 (d) No development project funded hereunder shall  
31 exceed \$200,000, annually, per community-based development

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1 organization. A community-based development organization can  
2 apply for project implementation loans in up to three  
3 categories of business development, affordable housing, and  
4 commercial development, within the dollar limitations  
5 contained herein. Project implementation grants shall be based  
6 on up to \$15,000 in grant funds for every \$100,000 awarded in  
7 loan funds.

8 (9) A community-based development organization  
9 applying for project administrative grants pursuant to this  
10 section must submit a proposal to the department which  
11 includes:

12 (a) A map and narrative description of the target  
13 areas for the community-based development organization.

14 (b) A copy of the documents creating the  
15 community-based development organization.

16 (c) A listing of the membership of the board,  
17 including individual terms of office.

18 (d) A copy of the community-based development  
19 organization's neighborhood comprehensive revitalization plan.

20 (e) A description of the location, financing plan, and  
21 potential impact of the business enterprise or residential,  
22 commercial, or industrial development which shows a clear  
23 relationship to the organization's neighborhood comprehensive  
24 revitalization plan and demonstrates how the proposed  
25 expenditures are directly related to the project.

26 (10) In evaluating proposals pursuant to this section,  
27 the department shall develop and consider scoring criteria,  
28 including, but not limited to, the following:

29 (a) The reasonableness of project goals and production  
30 schedules.

31 (b) Prior experience and performance of the applicant



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1 in the production of similar housing, commercial, or business  
 2 developments.

3 (c) The extent of financial leveraging with private  
 4 and public funding.

5 (d) The demonstrable capacity of the community-based  
 6 development organization to improve the economic health of the  
 7 target area as seen by the reasonableness of its comprehensive  
 8 neighborhood revitalization plan and the impact of the  
 9 proposed project.

10 (e) The degree to which the project will benefit  
 11 very-low-income persons, low-income persons, and particularly  
 12 WAGES recipients.

13 (f) The location of the target area of the  
 14 community-based development organization, in whole or in part,  
 15 in a state enterprise zone designated on or after July 1,  
 16 1995, in accordance with s. 290.0065 or a federal empowerment  
 17 zone or enterprise community.

18 (g) The extent to which the proposal would further the  
 19 policy and purposes of this act.

20 (11) This section shall stand repealed on June 30,  
 21 2007.

22 Section 72. Section 290.0365, Florida Statutes, is  
 23 amended to read:

24 (Substantial rewording of section. See  
 25 s. 290.0365, F.S., for present text.)

26 290.0365 Community-based development training and  
 27 technical assistance program.--

28 (1) LEGISLATIVE FINDINGS.--In addition to the  
 29 legislative findings set forth in s. 290.0311, the Legislature  
 30 finds and declares that:

31 (a) Significant declines in resources make it

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1 difficult for community-based development organizations to  
2 generate sufficient revenues from business enterprises or real  
3 estate ventures in low-income neighborhoods to fund the  
4 predevelopment costs, technical assistance, and other  
5 administrative expenses needed to foster new developments.

6 (b) The financing and planning of large-scale  
7 developments is becoming increasingly complex and  
8 community-based development organizations, even those with  
9 considerable experience, often lack the expertise to structure  
10 project financing, partnerships, and joint ventures to  
11 accelerate and expand development activities in distressed  
12 communities.

13 (c) Local governments and private lenders are  
14 demonstrating a willingness to provide risk capital and  
15 project financing, but they are seldom able to provide  
16 technical support and training to the staff of community-based  
17 development organizations.

18 (2) PURPOSE.--The purpose of this section is to  
19 provide community-based development organizations with the  
20 necessary training and technical support to plan, implement,  
21 and manage job-generating and revenue-generating developments  
22 in distressed neighborhoods. This will strengthen the  
23 organizational capacity of community-based development  
24 organizations, assist local governments to enhance and expand  
25 revitalization efforts, and contribute to expanding the base  
26 of commerce, business, and affordable housing that will  
27 benefit persons who are very-low-income, low-income, or WAGES  
28 recipients.

29 (3) TRAINING AND TECHNICAL ASSISTANCE PROGRAM.--The  
30 Department of Community Affairs shall be responsible for  
31 securing the necessary expertise, which may include

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1 subcontracts with nonprofit organizations, to provide training  
2 and technical support to the staff and board of  
3 community-based development organizations, as appropriate, and  
4 to persons forming such organizations, which are formed for  
5 the purpose of redeveloping commercial and residential areas  
6 and revitalizing businesses within distressed neighborhoods  
7 for the benefit of very-low-income residents, low-income  
8 residents, and WAGES recipients.

9 (a) The training component of the program shall assist  
10 organizations receiving administrative grants through a  
11 developmental curriculum to build board and staff capacities  
12 to implement or manage affordable housing, commercial, or  
13 business enterprises. Training will include, but not be  
14 limited to, resource development, project management, real  
15 estate financing, business or venture plan development,  
16 strategic planning for community economic development, and  
17 community leadership and participation.

18 (b) The technical assistance provider shall conduct  
19 onsite assessments, involving the board and staff, to prepare  
20 a technical assistance plan for new and emerging  
21 organizations. The scope and nature of the training will  
22 compliment the annual performance objectives of the  
23 organizations from the development of a neighborhood  
24 comprehensive revitalization plan.

25 (c) Technical support shall be provided to  
26 community-based development organizations receiving project  
27 administrative grants, as appropriate, in methods of financing  
28 and structuring housing, business, or commercial development  
29 projects. This will be in the form of one-on-one technical  
30 assistance secured by either the department or by the  
31 community-based development organization.

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1           (d) The department shall coordinate the technical  
2 assistance and training in support of affordable housing  
3 development with programs funded under s. 420.606.

4           (e) The department may permit other community-based  
5 development organizations to participate in the training based  
6 on the availability of classes, funding, and the priority of  
7 need.

8           (4) REPEAL.--This section shall stand repealed on June  
9 30, 2007.

10           Section 73. Section 290.037, Florida Statutes, is  
11 amended to read:

12           (Substantial rewording of section. See  
13 s. 290.037, F.S., for present text.)

14           290.037 Community development project implementation  
15 loan program.--

16           (1) The department is authorized to make loans, within  
17 the limits of specific appropriations, to eligible applicants  
18 for the following purposes:

19           (a) Financial assistance to a new or existing business  
20 venture located within a community-based development  
21 organization service area;

22           (b) New construction or substantial rehabilitation of  
23 housing to be utilized by very-low-income and low-income  
24 families and individuals, and WAGES recipients; and

25           (c) Commercial developments located within the  
26 community-based development organization's service area.

27           (2) A community-based development organization  
28 applying for a loan pursuant to this section must submit the  
29 information required by s. 290.036(2).

30           (3) In no case shall loans to one community-based  
31 development organization exceed 40 percent of the total annual

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1 appropriation for loans during any given year or \$400,000,  
2 whichever is less.

3 (4) A community-based development organization that  
4 receives a loan shall submit to the department an annual audit  
5 performed by an independent certified public accountant;  
6 however, this subsection shall not be construed to require the  
7 submittal of more than one audit by an individual  
8 community-based development organization submitting pursuant  
9 to s. 290.036.

10 (5) In evaluating proposals pursuant to this section,  
11 the department shall consider:

12 (a) The economic feasibility of the project and the  
13 capacity of the venture to repay the loan.

14 (b) The relative degree of distress of the target  
15 area.

16 (c) The ratio of private and nonstate public money  
17 committed to a project to the amount of state money to be  
18 committed.

19 (d) The demonstrated inability of the borrower to  
20 secure funding from conventional sources at the terms offered  
21 by the community-based development organization.

22 (e) The number of temporary and permanent jobs  
23 generated by the project.

24 (f) The overall net positive impact of the project  
25 long term on local economic and social conditions.

26 (g) The degree to which the project directly benefits  
27 or provides assistance to very-low-income individuals,  
28 low-income individuals, or job-displaced individuals or WAGES  
29 recipients.

30 (h) The demonstrable capacity of the community-based  
31 development organization and technical assistance providers to

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1 see that the project is successfully carried out and managed.

2 (6) Loans permitted under this section for affordable  
3 housing may be used for the purpose of providing first,  
4 second, or other subordinated mortgage loans or loan  
5 guarantees in the construction of single-family homeownership  
6 or multifamily rental units affordable to very-low-income  
7 persons and low-income persons and WAGES recipients in the  
8 target area.

9 (7) All loans to a community-based development  
10 organization shall be at interest rates not to exceed 3  
11 percent and shall be repaid within 15 years or on a basis  
12 approved by the department, except as provided in subsection  
13 (8).

14 (8) Upon the termination of any project as a result of  
15 the sale or failure of the business, all recoverable state  
16 funds shall be returned to the department for deposit into the  
17 Operating Trust Fund. When losses are incurred, the  
18 community-based development organization shall make a diligent  
19 and good-faith effort to recover the full indebtedness from  
20 the business venture, including foreclosure of security and  
21 recovery from guarantors. Upon completion of all such efforts  
22 to the satisfaction of the department, the department shall  
23 write off the unpaid balance of the loan.

24 (9) This section shall stand repealed on June 30,  
25 2007.

26 Section 74. Paragraph (f) of subsection (2) and  
27 subsection (3) of section 290.038, Florida Statutes, are  
28 amended to read:

29 290.038 Authority and duties of the department.--

30 (2) The department may:

31 (f) Assist in training employees of community-based

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1 ~~community~~ development organizations ~~corporations~~ to help  
2 achieve and increase their capacity to administer programs  
3 pursuant to this act and provide technical assistance and  
4 advice to community-based ~~community~~ development organizations  
5 ~~corporations~~ involved with these programs.

6 (3) This section shall stand repealed on June 30, 2007  
7 ~~1998~~.

8 Section 75. Section 290.039, Florida Statutes, is  
9 amended to read:

10 (Substantial rewording of section. See  
11 s. 290.039, F.S., for present text.)  
12 290.039 Reporting requirements.--

13 (1) Community-based development organizations which  
14 receive funds under INVEST shall provide the following  
15 information to the department annually:

16 (a) A listing of business firms and individuals  
17 assisted by the community-based development organization  
18 during the reporting period.

19 (b) A listing of the type, source, purpose, and amount  
20 of each individual grant, loan, or donation received by the  
21 community-based development organization during the reporting  
22 period.

23 (c) The number of paid and voluntary positions within  
24 the community-based development organization.

25 (d) A listing of the salaries and administrative  
26 expenses of the community-based development organization.

27 (e) An identification and explanation of changes to  
28 the target area boundaries.

29 (f) The amount of assets and liabilities and the fund  
30 balance for the community-based development organization at  
31 the beginning and end of the reporting period.

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1           (g) The number and description of projects attempted,  
2 the number and description of projects completed, and a  
3 written explanation of the reasons that caused projects not to  
4 be completed.

5           (h) The impact on target area residents and its  
6 relationship to expected outcomes listed in the agency's  
7 comprehensive neighborhood revitalization plan, as a result of  
8 receiving INVEST funding.

9           (2) Community-based development organizations which  
10 receive project administrative grants shall provide the  
11 following general information to the department annually:

12           (a) A listing of salaries and administrative expenses  
13 of the community-based development organization on approved  
14 projects that receive project administrative grant funding.

15           (b) An identification and explanation of changes to  
16 the target area boundaries.

17           (c) The impact of the completed project on target area  
18 residents and its relationship to expected outcomes listed in  
19 the agency's comprehensive neighborhood revitalization plan.

20           (3) Community-based development organizations which  
21 receive project administrative grants, or a combination of  
22 core administrative and project and grant funds, shall provide  
23 the following information on applicable projects to the  
24 department annually:

25           (a) The number of housing units rehabilitated or  
26 constructed by the community-based development organization  
27 within the service area during the reporting period.

28           (b) The number and amount of loans made to businesses  
29 or individual entrepreneurs in the target area during the  
30 reporting period.

31           (c) The number of outstanding loans made to businesses



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1 or individuals in the service area by the community-based  
2 development organization, the balance of the loans, and the  
3 payment history of the borrowers during the reporting period.

4 (d) The number of jobs, both permanent and temporary,  
5 received by individuals who were directly assisted by the  
6 community-based development organization through assistance to  
7 the business such as a loan or other credit assistance.

8 (e) An identification and explanation of changes to  
9 the service area boundaries.

10 (f) The impact of the completed project on target area  
11 residents and its relationship to expected outcomes listed in  
12 the agency's comprehensive neighborhood revitalization plan.

13 (g) Such other information as the department may  
14 require.

15 (4) The department shall submit an annual report to  
16 the Speaker of the House of Representatives and the President  
17 of the Senate which contains the cumulative data submitted by  
18 the individual community-based development organizations  
19 pursuant to subsection (1). The report shall be submitted by  
20 January 1 of each year.

21 (5) This section shall stand repealed on June 30,  
22 2007.

23 Section 76. Section 290.0395, Florida Statutes, is  
24 amended to read:

25 (Substantial rewording of section. See  
26 s. 290.0395, F.S., for present text.)

27 290.0395 Program performance review and evaluation.--

28 (1) Each community-based development organization  
29 which receives funding under the Invest in Neighborhood  
30 Vitality and Economies Program shall be subject to an annual  
31 performance review by the department. At a minimum, the review

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1 shall determine whether contract objectives are being or have  
2 been met in a timely and efficient manner, expected project  
3 outcomes are being or have been realized, and the impact of  
4 completed projects produced the results desired by the  
5 community-based development organization as stated in its  
6 comprehensive neighborhood revitalization plan and other  
7 supporting documentation for receipt of the grants or loans.

8 (2) Prior to the 2007 Regular Session of the  
9 Legislature, the Office of Program Policy Analysis and  
10 Government Accountability shall perform an evaluation of ss.  
11 290.0301-290.039, using the reporting data specified in s.  
12 290.039 and any other data identified by the department and  
13 the Office of Program Policy Analysis and Government  
14 Accountability as crucial to the evaluation of this program.  
15 The report shall critique the Invest in Neighborhood Vitality  
16 and Economies Program and shall include an analysis of the  
17 improvements in the service area as a result of the holistic  
18 and collaborative efforts of the organizations and partners  
19 within the service area.

20 (3) A report of the findings and recommendations of  
21 the Office of Program Policy Analysis and Government  
22 Accountability shall be submitted to the President of the  
23 Senate and the Speaker of the House of Representatives prior  
24 to the 2007 Regular Session.

25 (4) This section shall stand repealed on June 30,  
26 2007.

27 Section 77. Section 290.034, Florida Statutes, is  
28 repealed.

29 Section 78. Section 189.427, Florida Statutes, is  
30 amended to read:

31 189.427 Fee schedule; Operating Trust Fund.--The

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1 Department of Community Affairs, by rule, shall establish a  
2 schedule of fees to pay one-half of the costs incurred by the  
3 department in administering this act, except that the fee may  
4 not exceed \$175 per district per year. The fees collected  
5 under this section shall be deposited in the Operating Trust  
6 Fund ~~established under s. 290.034~~, which shall be administered  
7 by the Department of Community Affairs. Any fee rule must  
8 consider factors such as the dependent and independent status  
9 of the district and district revenues for the most recent  
10 fiscal year as reported to the Department of Banking and  
11 Finance. The department may assess fines of not more than \$25,  
12 with an aggregate total not to exceed \$50, as penalties  
13 against special districts that fail to remit required fees to  
14 the department. It is the intent of the Legislature that  
15 general revenue funds will be made available to the department  
16 to pay one-half of the cost of administering this act.

17 Section 79. Subsection (7) of section 252.82, Florida  
18 Statutes, is amended to read:

19 252.82 Definitions.--As used in this part:

20 (7) "Trust fund" means the Operating Trust Fund  
21 ~~established in s. 290.034~~.

22 Section 80. Subsection (1) of section 943.25, Florida  
23 Statutes, is amended to read:

24 943.25 Criminal justice trust funds; source of funds;  
25 use of funds.--

26 (1) The Department of Community Affairs may approve,  
27 for disbursement from the Operating Trust Fund ~~established~~  
28 ~~pursuant to s. 290.034~~, those appropriated sums necessary and  
29 required by the state for grant matching, implementing,  
30 administering, evaluating, and qualifying for such federal  
31 funds. Disbursements from the trust fund for the purpose of

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1 supplanting state general revenue funds may not be made  
2 without specific legislative appropriation.

3 Section 81. Section 420.0007, Florida Statutes, is  
4 created to read:

5 420.0007 Exemption from property taxation for  
6 charitable non-profit low income housing properties.  
7 Properties owned entirely by non-profit corporations which are  
8 defined as charitable organizations under s. 501(c)(3) of the  
9 Internal Revenue Code and comply with the Internal Revenue  
10 Procedure 96-32 and which provide housing to low and very low  
11 income person, as defined in s. 420.0004, shall be considered  
12 charitable and exempt from ad valorem taxation under Chapter  
13 196, F.S., to the extent authorized under s. 196.192.

14 Section 82. If no community-based development  
15 organizations qualify for core administrative grants in a  
16 distressed region of the state, the Department of Community  
17 Affairs must identify potentially qualified community-based  
18 development organizations in those regions and provide  
19 assistance to enable them to compete for core administrative  
20 grants in the next funding cycle. For the purposes of this  
21 section, distressed regions include those regions that qualify  
22 for urban high crime area job tax credits or areas that have  
23 experienced civil disturbances within the past three years.

24 Section 83. Sections 163.2511, 163.2514, 163.2517,  
25 163.2520, 163.2523, and 163.2526, Florida Statutes, are  
26 created to read:

27 163.2511 Urban infill and redevelopment.--

28 (1) Sections 163.2511-163.2526 may be cited as the  
29 "Urban Infill and Redevelopment Act."

30 (2) It is found and declared that:

31 (a) Fiscally strong urban centers are beneficial to

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1 regional and state economies and resources, are a method for  
2 reduction of future urban sprawl, and should be promoted by  
3 state, regional, and local governments.

4 (b) The health and vibrancy of the urban cores benefit  
5 their respective regions and the state. Conversely, the  
6 deterioration of those urban cores negatively impacts the  
7 surrounding area and the state.

8 (c) In recognition of the interwoven destiny between  
9 the urban center, the suburbs, the region, and the state, the  
10 respective governments need to establish a framework and work  
11 in partnership with communities and the private sector to  
12 revitalize urban centers.

13 (d) State urban policies should guide the state,  
14 regional agencies, local governments, and the private sector  
15 in preserving and redeveloping existing urban centers and  
16 promoting the adequate provision of infrastructure, human  
17 services, safe neighborhoods, educational facilities, and  
18 economic development to sustain these centers into the future.

19 (e) Successfully revitalizing and sustaining the urban  
20 centers is dependent on addressing, through an integrated and  
21 coordinated community effort, a range of varied components  
22 essential to a healthy urban environment, including cultural,  
23 educational, recreational, economic, transportation, and  
24 social service components.

25 (f) Infill development and redevelopment are  
26 recognized as one of the important components and useful  
27 mechanisms to promote and sustain urban centers. State and  
28 regional entities and local governments should provide  
29 incentives to promote urban infill and redevelopment. Existing  
30 programs and incentives should be integrated to the extent  
31 possible to promote urban infill and redevelopment and to

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1 achieve the goals of the state urban policy.

2 163.2514 Definitions.--As used in ss.

3 163.2511-163.2526:

4 (1) "Local government" means any county or  
5 municipality.

6 (2) "Urban infill and redevelopment area" means an  
7 area or areas designated by a local government for the  
8 development of vacant, abandoned, or significantly  
9 underutilized parcels located where:

10 (a) Public services such as water and wastewater,  
11 transportation, schools, and recreation are already available  
12 or are scheduled to be provided in an adopted 5-year schedule  
13 of capital improvements and are located within the existing  
14 urban service area as defined in the local government's  
15 comprehensive plan;

16 (b) The area contains not more than 10 percent  
17 developable vacant land;

18 (c) The residential density is at least five dwelling  
19 units per acre and the average nonresidential intensity is at  
20 least a floor area ratio of 1.00; and

21 (d) The land area designated as an urban infill and  
22 redevelopment area does not exceed 2 percent of the land area  
23 of the local government jurisdiction or a total area of 3  
24 square miles, whichever is greater.

25 163.2517 Designation of urban infill and redevelopment  
26 area.--

27 (1) A local government may designate a geographic area  
28 or areas within its jurisdiction as an urban infill and  
29 redevelopment area for the purpose of targeting economic, job  
30 creation, housing, transportation, and land-use incentives to  
31 encourage urban infill and redevelopment within the urban

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1 core.

2       (2) A local government seeking to designate a  
3 geographic area within its jurisdiction as an urban infill and  
4 redevelopment area shall first prepare a plan that describes  
5 the infill and redevelopment objectives of the local  
6 government within the proposed area. In lieu of preparing a  
7 new plan, the local government may demonstrate that an  
8 existing plan or combination of plans associated with a  
9 community development area, Florida Main Street program,  
10 sustainable community, enterprise zone, or neighborhood  
11 improvement district includes the factors listed in paragraphs  
12 (a)-(j), or amend such existing plans to include the factors  
13 listed in paragraphs (a)-(j). The plan shall demonstrate the  
14 local government and community's commitment to comprehensively  
15 addressing the urban problems within the urban infill and  
16 redevelopment area and identify activities and programs to  
17 accomplish locally identified goals such as code enforcement;  
18 improved educational opportunities; reduction in crime;  
19 provision of infrastructure needs, including mass transit and  
20 multimodal linkages; and mixed-use planning to promote  
21 multifunctional redevelopment to improve both the residential  
22 and commercial quality of life in the area. The plan shall  
23 also:

24       (a) Contain a map depicting the geographic area or  
25 areas to be included within the designation.

26       (b) Identify the relationship between the proposed  
27 area and the existing urban service area defined in the local  
28 government's comprehensive plan.

29       (c) Identify existing enterprise zones, community  
30 redevelopment areas, community development corporations,  
31 brownfield areas, downtown redevelopment districts, safe

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1 neighborhood improvement districts, historic preservation  
2 districts, and empowerment zones located within the area  
3 proposed for designation as an urban infill and redevelopment  
4 area and provide a framework for coordinating infill and  
5 redevelopment programs within the urban core.

6 (d) Identify a memorandum of understanding between the  
7 district school board and the local government jurisdiction  
8 regarding public school facilities located within the urban  
9 infill and redevelopment area to identify how the school board  
10 will provide priority to enhancing public school facilities  
11 and programs in the designated area, including the reuse of  
12 existing buildings for schools within the area.

13 (e) Identify how the local government intends to  
14 implement affordable housing programs, including, but not  
15 limited to, the State Housing Initiatives Partnership Program,  
16 and economic and community development programs administered  
17 by the Department of Community Affairs, within the urban  
18 infill and redevelopment area.

19 (f) If applicable, provide guidelines for the adoption  
20 of land development regulations specific to the urban infill  
21 and redevelopment area which include, for example, setbacks  
22 and parking requirements appropriate to urban development.

23 (g) Identify any existing transportation concurrency  
24 exception areas, and any relevant public transportation  
25 corridors designated by a metropolitan planning organization  
26 in its long-range transportation plans or by the local  
27 government in its comprehensive plan for which the local  
28 government seeks designation as a transportation concurrency  
29 exception area.

30 (h) Identify and adopt a package of financial and  
31 local government incentives which the local government will



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1 offer for new development, expansion of existing development,  
2 and redevelopment within the urban infill and redevelopment  
3 area. Examples of such incentives include:

- 4 1. Waiver of license and permit fees.
- 5 2. Waiver of delinquent taxes, other than ad valorem,  
6 or fees to promote the return of property to productive use.
- 7 3. Expedited permitting.
- 8 4. Prioritization of infrastructure spending within  
9 the urban infill and redevelopment area.
- 10 5. Local government absorption of developers'  
11 concurrency costs.

12 (i) Identify how activities and incentives within the  
13 urban infill and redevelopment area will be coordinated and  
14 what administrative mechanism the local government will use  
15 for the coordination.

16 (j) Identify performance measures to evaluate the  
17 success of the local government in implementing the urban  
18 infill and redevelopment plan.

19 (3) After the preparation of an urban infill and  
20 redevelopment plan or designation of an existing plan and  
21 before the adoption hearing required for comprehensive plan  
22 amendments, the local government must conduct a public hearing  
23 in the area targeted for designation as an urban infill and  
24 redevelopment area to provide an opportunity for public input  
25 on the size of the area; the objectives for urban infill and  
26 redevelopment; coordination with existing redevelopment  
27 programs; goals for improving transit and transportation; the  
28 objectives for economic development; job creation; crime  
29 reduction; and neighborhood preservation and revitalization.  
30 The purpose of the public hearing is to encourage communities  
31 within the proposed urban infill and redevelopment area to

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1 participate in the design and implementation of the plan,  
 2 including a "visioning" of the community core, before  
 3 redevelopment. Notice for the public hearing must be in the  
 4 form established in s. 166.041(3)(c)2., for municipalities,  
 5 and s. 125.66(4)(b)2. for counties.

6 (4) In order for a local government to designate an  
 7 urban infill and redevelopment area, it must amend its  
 8 comprehensive land use plan under s. 163.3187 to adopt the  
 9 urban infill and redevelopment area plan and delineate the  
 10 urban infill and redevelopment area within the future land use  
 11 element of its comprehensive plan. If the local government  
 12 elects to employ an existing or amended community  
 13 redevelopment, Florida Main Street program, sustainable  
 14 community, enterprise zone, or neighborhood improvement  
 15 district plan or plans in lieu of preparation of an urban  
 16 infill and redevelopment plan, the local government must amend  
 17 its comprehensive land use plan under s. 163.3187 to delineate  
 18 the urban infill and redevelopment area within the future land  
 19 use element of its comprehensive plan. An amendment to the  
 20 local comprehensive plan to designate an urban infill and  
 21 redevelopment area is exempt from the twice-a-year amendment  
 22 limitation of s. 163.3187.

23 163.2520 Economic incentive; State agency reporting.--

24 (1) A local government with an adopted urban infill  
 25 and redevelopment plan or plan employed in lieu thereof may  
 26 exercise the powers granted under s. 163.514 for community  
 27 redevelopment neighborhood improvement districts, including  
 28 the authority to levy special assessments.

29 (2) State agencies that provide infrastructure  
 30 funding, cost reimbursement, grants, or loans to local  
 31 governments, including, but not limited to, the Department of

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1 Environmental Protection (Clean Water State Revolving Fund,  
2 Drinking Water State Revolving Fund, and the State of Florida  
3 Pollution Control Bond Program); the Department of Community  
4 Affairs (State Housing Initiatives Partnership, Florida  
5 Communities Trust); and the Department of Transportation  
6 (Intermodal Transportation Efficiency Act funds), are directed  
7 to report to the President of the Senate and the Speaker of  
8 the House of Representatives by January 1, 1999, regarding  
9 statutory and rule changes necessary to give urban infill and  
10 redevelopment areas identified by local governments under this  
11 act an elevated priority in infrastructure funding, loan, and  
12 grant programs.

13 163.2523 Grant program.--

14 (1) An Urban Infill and Redevelopment Assistance Grant  
15 Program is created for local governments with adopted urban  
16 infill and redevelopment areas. Ninety percent of the general  
17 revenue appropriated for this program shall be available for  
18 fifty/fifty matching grants for planning and implementing  
19 urban infill and redevelopment projects that further the  
20 objectives set forth in the local government's adopted urban  
21 infill and redevelopment plan or plan employed in lieu  
22 thereof. The remaining 10 percent of the revenue must be used  
23 for outright grants for projects requiring under \$50,000.  
24 Projects that provide employment opportunities to clients of  
25 the WAGES program and projects within urban infill and  
26 redevelopment areas that include a community redevelopment  
27 area, Florida Main Street Program, sustainable community,  
28 enterprise zone, or neighborhood improvement district must be  
29 given an elevated priority in the scoring of competing grant  
30 applications. The Division of Housing and Community  
31 Development of the Department of Community Affairs shall

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1 administer the grant program. The Department of Community  
2 Affairs shall adopt rules establishing grant review criteria  
3 consistent with this section.

4 (2) If the local government fails to implement the  
5 urban infill and redevelopment plan, the Department of  
6 Community Affairs may seek to rescind the economic and  
7 regulatory incentives granted to an urban infill and  
8 redevelopment area, subject to the provisions of chapter 120.  
9 The action to rescind may be initiated 90 days after issuing a  
10 written letter of warning to the local government.

11 163.2526 Review and evaluation.--Before the 2003  
12 Regular Session of the Legislature, the Office of Program  
13 Policy Analysis and Government Accountability shall perform a  
14 review and evaluation of ss. 163.2511-163.2526, including the  
15 financial incentives listed in s. 163.2520. The report must  
16 evaluate the effectiveness of the designation of urban infill  
17 and redevelopment areas in stimulating urban infill and  
18 redevelopment and strengthening the urban core. A report of  
19 the findings and recommendations of the Office of Program  
20 Policy Analysis and Government Accountability shall be  
21 submitted to the President of the Senate and the Speaker of  
22 the House of Representatives before the 2003 Regular Session  
23 of the Legislature.

24 Section 84. Subsection (5) of section 163.3180,  
25 Florida Statutes, is amended to read:

26 163.3180 Concurrency.--

27 (5)(a) The Legislature finds that under limited  
28 circumstances dealing with transportation facilities,  
29 countervailing planning and public policy goals may come into  
30 conflict with the requirement that adequate public facilities  
31 and services be available concurrent with the impacts of such

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1 development. The Legislature further finds that often the  
 2 unintended result of the concurrency requirement for  
 3 transportation facilities is the discouragement of urban  
 4 infill development and redevelopment. Such unintended results  
 5 directly conflict with the goals and policies of the state  
 6 comprehensive plan and the intent of this part. Therefore,  
 7 exceptions from the concurrency requirement for transportation  
 8 facilities may be granted as provided by this subsection.

9 (b) A local government may grant an exception from the  
 10 concurrency requirement for transportation facilities if the  
 11 proposed development is otherwise consistent with the adopted  
 12 local government comprehensive plan and is a project that  
 13 promotes public transportation or is located within an area  
 14 designated in the comprehensive plan for:

- 15 1. Urban infill development,
- 16 2. Urban redevelopment, ~~or~~
- 17 3. Downtown revitalization, or-
- 18 4. Urban infill and redevelopment under s. 163.2517.

19 (c) The Legislature also finds that developments  
 20 located within urban infill, urban redevelopment, existing  
 21 urban service, or downtown revitalization areas or areas  
 22 designated as urban infill and redevelopment areas under s.  
 23 163.2517 which pose only special part-time demands on the  
 24 transportation system should be excepted from the concurrency  
 25 requirement for transportation facilities. A special  
 26 part-time demand is one that does not have more than 200  
 27 scheduled events during any calendar year and does not affect  
 28 the 100 highest traffic volume hours.

29 (d) A local government shall establish guidelines for  
 30 granting the exceptions authorized in paragraphs (b) and (c)  
 31 in the comprehensive plan. These guidelines must include

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1 consideration of the impacts on the Florida Intrastate Highway  
2 System, as defined in s. 338.001. The exceptions may be  
3 available only within the specific geographic area of the  
4 jurisdiction designated in the plan. Pursuant to s. 163.3184,  
5 any affected person may challenge a plan amendment  
6 establishing these guidelines and the areas within which an  
7 exception could be granted.

8 Section 85. Subsection (1) of section 163.3187,  
9 Florida Statutes, is amended to read:

10 163.3187 Amendment of adopted comprehensive plan.--

11 (1) Amendments to comprehensive plans adopted pursuant  
12 to this part may be made not more than two times during any  
13 calendar year, except:

14 (a) In the case of an emergency, comprehensive plan  
15 amendments may be made more often than twice during the  
16 calendar year if the additional plan amendment receives the  
17 approval of all of the members of the governing body.

18 "Emergency" means any occurrence or threat thereof whether  
19 accidental or natural, caused by humankind, in war or peace,  
20 which results or may result in substantial injury or harm to  
21 the population or substantial damage to or loss of property or  
22 public funds.

23 (b) Any local government comprehensive plan amendments  
24 directly related to a proposed development of regional impact,  
25 including changes which have been determined to be substantial  
26 deviations and including Florida Quality Developments pursuant  
27 to s. 380.061, may be initiated by a local planning agency and  
28 considered by the local governing body at the same time as the  
29 application for development approval using the procedures  
30 provided for local plan amendment in this section and  
31 applicable local ordinances, without regard to statutory or

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1 local ordinance limits on the frequency of consideration of  
2 amendments to the local comprehensive plan. Nothing in this  
3 subsection shall be deemed to require favorable consideration  
4 of a plan amendment solely because it is related to a  
5 development of regional impact.

6 (c) Any local government comprehensive plan amendments  
7 directly related to proposed small scale development  
8 activities may be approved without regard to statutory limits  
9 on the frequency of consideration of amendments to the local  
10 comprehensive plan. A small scale development amendment may  
11 be adopted only under the following conditions:

12 1. The proposed amendment involves a use of 10 acres  
13 or fewer and:

14 a. The cumulative annual effect of the acreage for all  
15 small scale development amendments adopted by the local  
16 government shall not exceed:

17 (I) A maximum of 120 acres in a local government that  
18 contains areas specifically designated in the local  
19 comprehensive plan for urban infill, urban redevelopment, or  
20 downtown revitalization as defined in s. 163.3164, urban  
21 infill and redevelopment areas designated under s. 163.2517,  
22 transportation concurrency exception areas approved pursuant  
23 to s. 163.3180(5), or regional activity centers and urban  
24 central business districts approved pursuant to s.  
25 380.06(2)(e); however, amendments under this paragraph may be  
26 applied to no more than 60 acres annually of property outside  
27 the designated areas listed in this sub-sub-subparagraph.

28 (II) A maximum of 80 acres in a local government that  
29 does not contain any of the designated areas set forth in  
30 sub-sub-subparagraph (I).

31 (III) A maximum of 120 acres in a county established

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1 pursuant to s. 9, Art. VIII of the State Constitution.

2           b. The proposed amendment does not involve the same  
3 property granted a change within the prior 12 months.

4           c. The proposed amendment does not involve the same  
5 owner's property within 200 feet of property granted a change  
6 within the prior 12 months.

7           d. The proposed amendment does not involve a text  
8 change to the goals, policies, and objectives of the local  
9 government's comprehensive plan, but only proposes a land use  
10 change to the future land use map for a site-specific small  
11 scale development activity.

12           e. The property that is the subject of the proposed  
13 amendment is not located within an area of critical state  
14 concern.

15           f. If the proposed amendment involves a residential  
16 land use, the residential land use has a density of 10 units  
17 or less per acre, except that this limitation does not apply  
18 to small scale amendments described in sub-sub-subparagraph  
19 a.(I) that are designated in the local comprehensive plan for  
20 urban infill, urban redevelopment, or downtown revitalization  
21 as defined in s. 163.3164, urban infill and redevelopment  
22 areas designated under s. 163.2517, transportation concurrency  
23 exception areas approved pursuant to s. 163.3180(5), or  
24 regional activity centers and urban central business districts  
25 approved pursuant to s. 380.06(2)(e).

26           2.a. A local government that proposes to consider a  
27 plan amendment pursuant to this paragraph is not required to  
28 comply with the procedures and public notice requirements of  
29 s. 163.3184(15)(c) for such plan amendments if the local  
30 government complies with the provisions in s. 125.66(4)(a) for  
31 a county or in s. 166.041(3)(c) for a municipality. If a





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1 designating an urban infill and redevelopment area under s.  
 2 163.2517 may be approved without regard to the statutory  
 3 limits on the frequency of amendments to the comprehensive  
 4 plan.

5 Section 86. Subsection (17) of section 187.201,  
 6 Florida Statutes, is amended to read:

7 187.201 State Comprehensive Plan adopted.--The  
 8 Legislature hereby adopts as the State Comprehensive Plan the  
 9 following specific goals and policies:

10 (17) URBAN REDEVELOPMENT AND DOWNTOWN  
 11 REVITALIZATION.--

12 (a) Goal.--In recognition of the importance of  
 13 Florida's vital urban centers and of the need to develop and  
 14 redevelop ~~developing and redeveloping~~ downtowns to the state's  
 15 ability to use existing infrastructure and to accommodate  
 16 growth in an orderly, efficient, and environmentally  
 17 acceptable manner, Florida shall encourage the centralization  
 18 of commercial, governmental, retail, residential, and cultural  
 19 activities within downtown areas.

20 (b) Policies.--

21 1. Provide incentives to encourage private sector  
 22 investment in the preservation and enhancement of downtown  
 23 areas.

24 2. Assist local governments in the planning,  
 25 financing, and implementation of development efforts aimed at  
 26 revitalizing distressed downtown areas.

27 3. Promote state programs and investments which  
 28 encourage redevelopment of downtown areas.

29 4. Promote and encourage communities to engage in a  
 30 redesign step to include public participation of members of  
 31 the community in envisioning redevelopment goals and design of

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1 the community core before redevelopment.

2 5. Ensure that local governments have adequate  
3 flexibility to determine and address their urban priorities  
4 within the state urban policy.

5 6. Enhance the linkages between land use, water use,  
6 and transportation planning in state, regional, and local  
7 plans for current and future designated urban areas.

8 7. Develop concurrency requirements for urban areas  
9 that promote redevelopment efforts where the requirements do  
10 not compromise public health and safety.

11 8. Promote processes for the state, general purpose  
12 local governments, school boards, and local community colleges  
13 to coordinate and cooperate regarding educational facilities  
14 in urban areas, including planning functions, the development  
15 of joint facilities, and the reuse of existing buildings.

16 9. Encourage the development of mass transit systems  
17 for urban centers, including multimodal transportation feeder  
18 systems, as a priority of local, metropolitan, regional, and  
19 state transportation planning.

20 10. Locate appropriate public facilities within urban  
21 centers to demonstrate public commitment to the centers and to  
22 encourage private sector development.

23 11. Integrate state programs that have been developed  
24 to promote economic development and neighborhood  
25 revitalization through incentives to promote the development  
26 of designated urban infill areas.

27 12. Promote infill development and redevelopment as an  
28 important mechanism to revitalize and sustain urban centers.

29 Section 87. Paragraph (b) of subsection (19) of  
30 section 380.06, Florida Statutes, is amended to read:

31 380.06 Developments of regional impact.--

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1 (19) SUBSTANTIAL DEVIATIONS.--

2 (b) Any proposed change to a previously approved  
3 development of regional impact or development order condition  
4 which, either individually or cumulatively with other changes,  
5 exceeds any of the following criteria shall constitute a  
6 substantial deviation and shall cause the development to be  
7 subject to further development-of-regional-impact review  
8 without the necessity for a finding of same by the local  
9 government:

10 1. An increase in the number of parking spaces at an  
11 attraction or recreational facility by 5 percent or 300  
12 spaces, whichever is greater, or an increase in the number of  
13 spectators that may be accommodated at such a facility by 5  
14 percent or 1,000 spectators, whichever is greater.

15 2. A new runway, a new terminal facility, a 25-percent  
16 lengthening of an existing runway, or a 25-percent increase in  
17 the number of gates of an existing terminal, but only if the  
18 increase adds at least three additional gates. However, if an  
19 airport is located in two counties, a 10-percent lengthening  
20 of an existing runway or a 20-percent increase in the number  
21 of gates of an existing terminal is the applicable criteria.

22 3. An increase in the number of hospital beds by 5  
23 percent or 60 beds, whichever is greater.

24 4. An increase in industrial development area by 5  
25 percent or 32 acres, whichever is greater.

26 5. An increase in the average annual acreage mined by  
27 5 percent or 10 acres, whichever is greater, or an increase in  
28 the average daily water consumption by a mining operation by 5  
29 percent or 300,000 gallons, whichever is greater. An increase  
30 in the size of the mine by 5 percent or 750 acres, whichever  
31 is less.

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1           6. An increase in land area for office development by  
2 5 percent or 6 acres, whichever is greater, or an increase of  
3 gross floor area of office development by 5 percent or 60,000  
4 gross square feet, whichever is greater.

5           7. An increase in the storage capacity for chemical or  
6 petroleum storage facilities by 5 percent, 20,000 barrels, or  
7 7 million pounds, whichever is greater.

8           8. An increase of development at a waterport of wet  
9 storage for 20 watercraft, dry storage for 30 watercraft, or  
10 wet/dry storage for 60 watercraft in an area identified in the  
11 state marina siting plan as an appropriate site for additional  
12 waterport development or a 5-percent increase in watercraft  
13 storage capacity, whichever is greater.

14           9. An increase in the number of dwelling units by 5  
15 percent or 50 dwelling units, whichever is greater.

16           10. An increase in commercial development by 6 acres  
17 of land area or by 50,000 square feet of gross floor area, or  
18 of parking spaces provided for customers for 300 cars or a  
19 5-percent increase of any of these, whichever is greater.

20           11. An increase in hotel or motel facility units by 5  
21 percent or 75 units, whichever is greater.

22           12. An increase in a recreational vehicle park area by  
23 5 percent or 100 vehicle spaces, whichever is less.

24           13. A decrease in the area set aside for open space of  
25 5 percent or 20 acres, whichever is less.

26           14. A proposed increase to an approved multiuse  
27 development of regional impact where the sum of the increases  
28 of each land use as a percentage of the applicable substantial  
29 deviation criteria is equal to or exceeds 100 percent. The  
30 percentage of any decrease in the amount of open space shall  
31 be treated as an increase for purposes of determining when 100

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1 percent has been reached or exceeded.

2 15. A 15-percent increase in the number of external  
3 vehicle trips generated by the development above that which  
4 was projected during the original  
5 development-of-regional-impact review.

6 16. Any change which would result in development of  
7 any area which was specifically set aside in the application  
8 for development approval or in the development order for  
9 preservation or special protection of endangered or threatened  
10 plants or animals designated as endangered, threatened, or  
11 species of special concern and their habitat, primary dunes,  
12 or archaeological and historical sites designated as  
13 significant by the Division of Historical Resources of the  
14 Department of State. The further refinement of such areas by  
15 survey shall be considered under sub-subparagraph (e)5.b.

16  
17 The substantial deviation numerical standards in subparagraphs  
18 4., 6., 10., 14., excluding residential uses, and 15., are  
19 increased by 100 percent for a project certified under s.  
20 403.973 which creates jobs and meets criteria established by  
21 the Office of Tourism, Trade, and Economic Development as to  
22 its impact on an area's economy, employment, and prevailing  
23 wage and skill levels. The substantial deviation numerical  
24 standards in subparagraphs 4., 6., 9., 10., 11., and 14. are  
25 increased by 50 percent for a project located wholly within an  
26 urban infill and redevelopment area designated on the  
27 applicable adopted local comprehensive plan future land use  
28 map and not located within the coastal high hazard area.

29 Section 88. Subsection (1) of section 163.375, Florida  
30 Statutes, is amended to read:

31 163.375 Eminent domain.--



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1 contiguous, compact, unincorporated territory shall be adopted  
2 by the governing body of the annexing municipality pursuant to  
3 the procedure for the adoption of a nonemergency ordinance  
4 established by s. 166.041. Prior to the adoption of the  
5 ordinance of annexation, the local governing body shall hold  
6 at least two advertised public hearings on the proposed  
7 annexation. The first public hearing shall be on a weekday at  
8 least 7 days after the day that the first advertisement is  
9 published. The second public hearing shall be held on a  
10 weekday at least 5 days after the day that the second  
11 advertisement is published. The governing body of the annexing  
12 municipality may choose to submit the ordinance of annexation  
13 to a separate vote of the registered electors of the annexing  
14 municipality. Each such ordinance shall propose only one  
15 reasonably compact area to be annexed. However, prior to the  
16 ordinance of annexation becoming effective, a referendum on  
17 annexation shall be held as set out below, and, if approved by  
18 the referendum, the ordinance shall become effective 10 days  
19 after the referendum or as otherwise provided in the  
20 ordinance, but not more than 1 year following the date of the  
21 referendum.

22 (2) Following the final adoption of the ordinance of  
23 annexation by the governing body of the annexing municipality,  
24 the ordinance shall be submitted to a vote of the registered  
25 electors of the area proposed to be annexed. ~~If the proposed~~  
26 ~~ordinance would cause the total area annexed by a municipality~~  
27 ~~pursuant to this section during any one calendar year period~~  
28 ~~cumulatively to exceed more than 5 percent of the total land~~  
29 ~~area of the municipality or cumulatively to exceed more than 5~~  
30 ~~percent of the municipal population, the ordinance shall be~~  
31 ~~submitted to a separate vote of the registered electors of the~~



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1 ~~annexing municipality and of the area proposed to be annexed.~~  
2 The referendum on annexation shall be called and conducted and  
3 the expense thereof paid by the governing body of the annexing  
4 municipality.

5 (a) The referendum on annexation shall be held at the  
6 next regularly scheduled election following the final adoption  
7 of the ordinance of annexation by the governing body of the  
8 annexing municipality or at a special election called for the  
9 purpose of holding the referendum. However, the referendum,  
10 whether held at a regularly scheduled election or at a special  
11 election, shall not be held sooner than 30 days following the  
12 final adoption of the ordinance by the governing body of the  
13 annexing municipality.

14 (b) The governing body of the annexing municipality  
15 shall publish notice of the referendum on annexation at least  
16 once each week for 2 consecutive weeks immediately preceding  
17 the date of the referendum in a newspaper of general  
18 circulation in the area in which the referendum is to be held.  
19 The notice shall give the ordinance number, the time and  
20 places for the referendum, and a brief, general description of  
21 the area proposed to be annexed. The description shall  
22 include a map clearly showing the area and a statement that  
23 the complete legal description by metes and bounds and the  
24 ordinance can be obtained from the office of the city clerk.

25 (c) On the day of the referendum on annexation there  
26 shall be prominently displayed at each polling place a copy of  
27 the ordinance of annexation and a description of the property  
28 proposed to be annexed. The description shall be by metes and  
29 bounds and shall include a map clearly showing such area.

30 (d) Ballots or mechanical voting devices used in the  
31 referendum on annexation shall offer the choice "For

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1 annexation of property described in ordinance number .... of  
2 the City of ...." and "Against annexation of property  
3 described in ordinance number .... of the City of ...." in  
4 that order.

5 (e) If the referendum ~~is held only~~ in the area  
6 proposed to be annexed ~~and receives a majority vote, or if the~~  
7 ~~ordinance is submitted to a separate vote of the registered~~  
8 ~~electors of the annexing municipality and the area proposed to~~  
9 ~~be annexed and there is a separate majority vote for~~  
10 ~~annexation in the annexing municipality and in the area~~  
11 ~~proposed to be annexed,~~ the ordinance of annexation shall  
12 become effective on the effective date specified therein. If  
13 there is a ~~any~~ majority vote against annexation, the ordinance  
14 shall not become effective, and the area proposed to be  
15 annexed shall not be the subject of an annexation ordinance by  
16 the annexing municipality for a period of 2 years from the  
17 date of the referendum on annexation.

18 (3) Any parcel of land which is owned by one  
19 individual, corporation, or legal entity, or owned  
20 collectively by one or more individuals, corporations, or  
21 legal entities, proposed to be annexed under the provisions of  
22 this act shall not be severed, separated, divided, or  
23 partitioned by the provisions of said ordinance, but shall, if  
24 intended to be annexed, or if annexed, under the provisions of  
25 this act, be annexed in its entirety and as a whole. However,  
26 nothing herein contained shall be construed as affecting the  
27 validity or enforceability of any ordinance declaring an  
28 intention to annex land under the existing law that has been  
29 enacted by a municipality prior to July 1, 1975. The owner of  
30 such property may waive the requirements of this subsection if  
31 such owner does not desire all of the tract or parcel included

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1 in said annexation.

2 (4) Except as otherwise provided in this law, the  
3 annexation procedure as set forth in this section shall  
4 constitute a uniform method for the adoption of an ordinance  
5 of annexation by the governing body of any municipality in  
6 this state, and all existing provisions of special laws which  
7 establish municipal annexation procedures are repealed hereby;  
8 except that any provision or provisions of special law or laws  
9 which prohibit annexation of territory that is separated from  
10 the annexing municipality by a body of water or watercourse  
11 shall not be repealed.

12 (5) If more than 70 percent of the land in an area  
13 proposed to be annexed is owned by individuals, corporations,  
14 or legal entities which are not registered electors of such  
15 area, such area shall not be annexed unless the owners of more  
16 than 50 percent of the land in such area consent to such  
17 annexation. Such consent shall be obtained by the parties  
18 proposing the annexation prior to the referendum to be held on  
19 the annexation.

20 (6) Notwithstanding subsections (1) and (2), if the  
21 area proposed to be annexed does not have any registered  
22 electors on the date the ordinance is finally adopted, a vote  
23 of electors of the area proposed to be annexed is not  
24 required. In addition to the requirements of subsection (5),  
25 the area may not be annexed unless the owners of more than 50  
26 percent of the parcels of land in the area proposed to be  
27 annexed consent to the annexation. ~~If a referendum of the~~  
28 ~~annexing municipality is not required as well pursuant to~~  
29 ~~subsection (2), then~~ The property owner consents required  
30 pursuant to subsection (5) shall be obtained by the parties  
31 proposing the annexation prior to the final adoption of the

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1 ordinance, and the annexation ordinance shall be effective  
2 upon becoming a law or as otherwise provided in the ordinance.

3 Section 90. Efficiency and accountability in local  
4 government services.--

5 (1) The intent of this section is to provide and  
6 encourage a process that will:

7 (a) Allow municipalities and counties to resolve  
8 conflicts among local jurisdictions regarding the delivery and  
9 financing of local services.

10 (b) Increase local government efficiency and  
11 accountability.

12 (c) Provide greater flexibility in the use of local  
13 revenue sources for local governments involved in the process.

14 (2) Any county or combination of counties, and the  
15 municipalities therein, may use the procedures provided by  
16 this section to develop and adopt a plan to improve the  
17 efficiency, accountability, and coordination of the delivery  
18 of local government services. The development of such a plan  
19 may be initiated by a resolution adopted by a majority vote of  
20 the governing body of each of the counties involved, by  
21 resolutions adopted by a majority vote of the governing bodies  
22 of a majority of the municipalities within each county, or by  
23 resolutions adopted by a majority vote of the governing bodies  
24 of the municipality or combination of municipalities  
25 representing a majority of the municipal population of each  
26 county. The resolution shall specify the representatives of  
27 the county and municipal governments, of any affected special  
28 districts, and of any relevant local government agencies who  
29 will be responsible for developing the plan. The resolution  
30 shall include a proposed timetable for development of the plan  
31 and shall specify the local government support and personnel

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1 services which will be made available to the representatives  
2 developing the plan.

3 (3) Upon adoption of a resolution or resolutions as  
4 provided in subsection (2), the designated representatives  
5 shall develop a plan for delivery of local government  
6 services. The plan shall:

7 (a) Designate the areawide and local government  
8 services which are the subject of the plan.

9 (b) Describe the existing organization of such  
10 services and the means of financing the services, and create a  
11 reorganization of such services and the financing thereof that  
12 will meet the goals of this section.

13 (c) Designate the local agency that should be  
14 responsible for the delivery of each service.

15 (d) Designate those services that should be delivered  
16 regionally or countywide. No provision of the plan shall  
17 operate to restrict the power of a municipality to finance and  
18 deliver services in addition to, or at a higher level than,  
19 the services designated for regional or countywide delivery  
20 under this paragraph.

21 (e) Provide means to reduce the cost of providing  
22 local services and enhance the accountability of service  
23 providers.

24 (f) Include a multiyear capital outlay plan for  
25 infrastructure.

26 (g) Specifically describe any expansion of municipal  
27 boundaries that would further the goals of this section. Any  
28 area proposed to be annexed must meet the standards for  
29 annexation provided in chapter 171, Florida Statutes. The plan  
30 shall not contain any provision for contraction of municipal  
31 boundaries or elimination of any municipality.

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1           (h) Provide specific procedures for modification or  
2 termination of the plan.

3           (i) Specify the effective date of the plan.

4           (4)(a) A plan developed pursuant to this section must  
5 conform to all comprehensive plans that have been found to be  
6 in compliance under part II of chapter 163, Florida Statutes,  
7 for the local governments participating in the plan.

8           (b) No provision of a plan developed pursuant to this  
9 section shall restrict the authority of any state or regional  
10 governmental agency to perform any duty required to be  
11 performed by that agency by law.

12           (5)(a) A plan developed pursuant to this section must  
13 be approved by a majority vote of the governing body of each  
14 county involved in the plan, and by a majority vote of the  
15 governing bodies of a majority of municipalities in each  
16 county, and by a majority vote of the governing bodies of the  
17 municipality or municipalities that represent a majority of  
18 the municipal population of each county.

19           (b) After approval by the county and municipal  
20 governing bodies as required by paragraph (a), the plan shall  
21 be submitted for referendum approval in a countywide election  
22 in each county involved. The plan shall not take effect unless  
23 approved by a majority of the electors of each county who vote  
24 in the referendum, and also by a majority of the electors of  
25 the municipalities that represent a majority of the municipal  
26 population of each county who vote in the referendum. If  
27 approved by the electors as required by this paragraph, the  
28 plan shall take effect on the date specified in the plan.

29           (6) If a plan developed pursuant to this section  
30 includes areas proposed for municipal annexation that meet the  
31 standards for annexation provided in chapter 171, Florida

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1 Statutes, such annexation shall take effect upon approval of  
2 the plan as provided in this section, notwithstanding the  
3 procedures for approval of municipal annexation specified in  
4 chapter 171, Florida Statutes.

5 Section 91. Section 166.251, Florida Statutes, is  
6 amended to read:

7 166.251 Service fee for dishonored check.--The  
8 governing body of a municipality may adopt a service fee not  
9 to exceed the service fees authorized under s. 832.08(5) of  
10 ~~\$20~~ or 5 percent of the face amount of the check, draft, or  
11 order, whichever is greater, for the collection of a  
12 dishonored check, draft, or other order for the payment of  
13 money to a municipal official or agency. The service fee  
14 shall be in addition to all other penalties imposed by law.  
15 Proceeds from this fee, if imposed, shall be retained by the  
16 collector of the fee.

17  
18 (Redesignate subsequent sections.)

19  
20

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

22 And the title is amended as follows:

23 On page 1, line 9, after the semicolon

24

25 and insert:

26 relating to economic development; amending s.  
27 14.2015, F.S.; revising the reporting  
28 requirements of the Office of Tourism, Trade,  
29 and Economic Development relating to permits  
30 and rules; authorizing the Office of Tourism,  
31 Trade, and Economic Development to coordinate

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1 establishment of a one-stop permit registry;  
2 amending s. 212.08, F.S.; exempting certain  
3 property based in enterprise zones from the  
4 sales tax under certain circumstances; amending  
5 ss. 212.097 and 212.098, F.S.; clarifying the  
6 definition of a "new business" under the Urban  
7 High-Crime Area Job Tax Credit Program and the  
8 Rural Job Tax Credit Program; providing that  
9 certain call centers or similar customer  
10 service operations are eligible businesses  
11 under these programs; providing that certain  
12 retail businesses are eligible businesses under  
13 the Urban High-Crime Area Job Tax Credit  
14 Program; amending s. 288.075, F.S.; replacing a  
15 reference to the Department of Commerce with a  
16 reference to the Office of Tourism, Trade, and  
17 Economic Development in the definition of  
18 "economic development agency" under a provision  
19 relating to the confidentiality of certain  
20 economic development information; specifying  
21 that the prohibition against contracting with  
22 entities that have requested confidentiality  
23 concerning certain economic development  
24 information does not apply to a public officer  
25 or employee or an economic development agency  
26 employee acting in his or her official  
27 capacity; amending s. 288.095, F.S.;  
28 establishing a cap on the total amount of the  
29 state share of tax refunds which may be  
30 approved for a single fiscal year under the tax  
31 refund programs for qualified defense



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1 contractors, qualified target industry  
2 businesses, and brownfield redevelopment;  
3 amending s. 288.1045, F.S.; conforming the  
4 limitation on the amount of tax refunds  
5 approved for payment under the qualified  
6 defense contractor tax refund program to the  
7 amount appropriated by the Legislature for such  
8 refunds; correcting references relating to  
9 program administration; amending s. 288.106,  
10 F.S.; authorizing a reduced employment  
11 threshold for expanding businesses in certain  
12 rural areas or enterprise zones under the tax  
13 refund program for qualified target industry  
14 businesses; amending s. 288.1221, F.S.;  
15 conforming legislative intent on the time  
16 period covered by a tourism promotion marketing  
17 plan to the time period covered by the  
18 marketing plan prepared by the Florida  
19 Commission on Tourism under s. 288.1224, F.S.;  
20 amending s. 288.1222, F.S.; revising the  
21 definition of "tourist" to clarify that the  
22 term applies to a person participating in trade  
23 or recreation activities outside the county of  
24 permanent residence; amending s. 288.1223,  
25 F.S.; providing that the commission shall elect  
26 a vice chairman annually; providing legislative  
27 findings and intent on the potential economic  
28 development benefits of ecotourism; authorizing  
29 the Division of Recreation and Parks of the  
30 Department of Environmental Protection, subject  
31 to legislative appropriation, to establish an

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1 ecotourism promotion program; providing for  
2 eligible uses of funds under such program;  
3 authorizing funds to be used to award  
4 ecotourism promotion grants; prescribing grant  
5 application procedures and eligible uses of  
6 grant awards; amending s. 288.90151, F.S.;  
7 revising the matching private funding  
8 requirements for Enterprise Florida, Inc.;  
9 providing for partial release of funds placed  
10 in reserve under specified circumstances;  
11 amending s. 288.9618, F.S.; limiting the amount  
12 of appropriations for the microenterprise  
13 program that may be used for administrative  
14 expenses; creating s. 288.9958, F.S.;  
15 establishing the PRIDE Job Placement Incentive  
16 Program; providing for designation of an  
17 enterprise zone that encompasses a brownfield  
18 project under certain circumstances; amending  
19 s. 370.28, F.S.; providing that a business  
20 located in an enterprise zone in a community  
21 impacted by net limitations is eligible for the  
22 maximum sales tax exemption for building  
23 materials used in the rehabilitation of real  
24 property in an enterprise zone, for business  
25 property used in an enterprise zone, and for  
26 electrical energy used in an enterprise zone,  
27 and the maximum enterprise zone property tax  
28 credit against the corporate income tax, if a  
29 specified percentage of its employees are  
30 residents of the jurisdiction of the county,  
31 rather than of the enterprise zone; requiring

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1 businesses eligible to receive certain tax  
2 credits to apply for such credits by a time  
3 certain; amending s. 479.261, F.S.; directing  
4 the Department of Transportation, subject to  
5 federal approval, to establish a highway sign  
6 program to recognize certain heritage,  
7 historic, or scenic trails; requiring  
8 Enterprise Florida, Inc., to develop a  
9 strategic plan designed to help Florida  
10 capitalize on economic opportunities with the  
11 Caribbean and South Africa; requiring  
12 Enterprise Florida, Inc., to develop a  
13 strategic plan that will allow Florida to  
14 capitalize on the economic opportunities  
15 associated with a post-embargo Cuba; amending  
16 s. 15.18, F.S.; providing for coordination of  
17 international activities of the Department of  
18 State; requiring the Secretary of State to  
19 maintain lists relating to foreign money  
20 judgments; amending s. 55.605, F.S.; requiring  
21 the Secretary of State to create and maintain a  
22 specified list relative to foreign money  
23 judgments; amending s. 257.35, F.S.; creating  
24 the Florida State International Archive;  
25 providing requirements for the archive;  
26 providing for access to the archive; amending  
27 s. 288.012, F.S., relating to State of Florida  
28 foreign offices; directing each office to  
29 report annually to the Office of Tourism,  
30 Trade, and Economic Development on activities  
31 and accomplishments; prescribing the contents

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1 of such reports; amending s. 288.8175, F.S.;  
2 authorizing linkage institutes to competitively  
3 apply for Targeted Market Pilot Projects  
4 Grants; creating s. 288.9530, F.S.; providing  
5 for the creation of the Florida Business  
6 Expansion Corporation to provide business  
7 expansion assistance to businesses in the state  
8 having job growth or emerging technology  
9 potential; creating s. 288.9531, F.S.;  
10 providing for powers and duties of the  
11 corporation; creating s. 288.9532, F.S., and s.  
12 288.9533, F.S.; creating the corporation board  
13 of directors and providing for their powers and  
14 duties; creating s. 288.9534, F.S.; providing  
15 that the corporation contracts with an  
16 experienced management company to administer  
17 and perform the duties of the corporation;  
18 creating s. 288.9535, F.S.; creating the  
19 Florida Business Expansion Account to receive  
20 state, federal, and private financial resources  
21 for the purpose of funding the objectives of  
22 the corporation; creating s. 288.9536, F.S.;  
23 providing for the reporting and review  
24 requirements of the corporation; authorizing  
25 the Office of Tourism, Trade, and Economic  
26 Development to contract with Enterprise  
27 Florida, Inc., for the award of Inner City  
28 Redevelopment Assistance Grants; amending s.  
29 118.10, F.S.; revising definitions; clarifying  
30 eligibility and authority for certain civil law  
31 notaries; amending s. 163.3178, F.S.; requiring

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1 certain ports to identify certain spoil  
2 disposal sites; requiring such ports to prepare  
3 comprehensive master plans; amending s.  
4 163.3187, F.S.; exempting comprehensive plan  
5 amendments for port transportation facilities  
6 and projects from a time limitation; amending  
7 s. 288.8155, F.S.; authorizing the  
8 International Trade Data Resource and Research  
9 Center to create an Internet-based information  
10 system; amending s. 288.9607, F.S.; extending  
11 the expiration date on the use of certain State  
12 Transportation Trust Fund investment earnings;  
13 amending s. 288.9614, F.S.; providing that  
14 state appropriated funds may not be expended by  
15 Enterprise Florida, Inc., or its affiliates on  
16 certain venture capital funds; amending s.  
17 253.77, F.S.; exempting certain port projects  
18 from payments of fees for activities involving  
19 the use of sovereign lands; amending s. 311.07,  
20 F.S.; providing that projects eligible for  
21 funding under the Florida Seaport  
22 Transportation and Economic Development Program  
23 must be consistent with port master plans;  
24 exempting certain port transportation  
25 facilities and projects from review as  
26 developments of regional impact; amending s.  
27 311.09, F.S.; declaring that projects eligible  
28 for funding under the Florida Seaport  
29 Transportation and Economic Development Program  
30 are presumed to be in the public interest;  
31 requesting designation of part XI of chapter

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1           288 as the workforce development board;  
2           transferring and amending s. 288.9620, F.S.;  
3           providing legislative findings; creating the  
4           Workforce Development Board within Enterprise  
5           Florida, Inc.; providing for a board of  
6           directors and for officers and employees;  
7           providing duties of the board and of its board  
8           of directors; providing for reports and audits;  
9           requiring measures and standards of workforce  
10          development strategy; transferring and amending  
11          ss. 446.601, 446.602, 446.603, 446.604,  
12          446.605, 446.606, 446.607, F.S.; conforming  
13          terminology and cross-references; amending s.  
14          288.902, F.S.; deleting an obsolete  
15          cross-reference; creating s. 288.125, F.S.;  
16          providing a short title for the Florida  
17          Entertainment Industry Growth Act; creating s.  
18          288.1251, F.S.; providing definitions; creating  
19          s. 288.1252, F.S.; creating the Entertainment  
20          Florida Council within the Office of Tourism,  
21          Trade, and Economic Development of the  
22          Executive Office of the Governor; providing  
23          purpose, membership, terms, organization,  
24          powers, and duties of the council; renumbering  
25          and amending s. 288.12285, F.S.; changing a  
26          reference; conforming application of a  
27          provision granting confidentiality to the  
28          identities of certain donors or prospective  
29          donors to a direct-support organization;  
30          creating s. 288.1254, F.S.; creating the  
31          position of Entertainment Industry

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1 Commissioner; providing procedure for  
2 appointment of the Entertainment Industry  
3 Commissioner; providing powers and duties of  
4 the commissioner; creating s. 288.1255, F.S.;  
5 requiring the Office of Tourism, Trade, and  
6 Economic Development to adopt rules by which it  
7 may make specified expenditures for expenses  
8 incurred in connection with the performance of  
9 the duties of the Entertainment Florida  
10 Council; requiring approval of such rules by  
11 the Comptroller; requiring an annual report;  
12 providing certain requirements with respect to  
13 claims for expenses; providing a penalty for  
14 false or fraudulent claims; providing for civil  
15 liability; creating the Florida Entertainment  
16 Industry Model Permitting Task Force; providing  
17 purpose of the task force; providing for  
18 appointment of members to the task force;  
19 amending s. 14.2015, revising purposes of the  
20 Office of Tourism, Trade, and Economic  
21 Development of the Executive Office of the  
22 Governor; amending ss. 288.108 and 288.90152,  
23 F.S.; conforming cross-references; repealing s.  
24 288.051, F.S., which provides a short title;  
25 repealing s. 288.052, F.S., relating to  
26 legislative findings and intent with respect to  
27 the "Florida Film and Television Investment  
28 Act"; repealing s. 288.053, F.S., relating to  
29 the Florida Film and Television Investment  
30 Board; repealing s. 288.054, F.S., relating to  
31 the administration and powers of the Florida

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1 Film and Television Investment Board; repealing  
2 s. 288.055, F.S., relating to the Florida Film  
3 and Television Investment Trust Fund; repealing  
4 s. 288.056, F.S., relating to conditions for  
5 film and television investment by the board;  
6 repealing s. 288.057, F.S., which requires an  
7 annual report by the board; repealing s.  
8 288.1228, F.S., relating to the direct-support  
9 organization authorized by the Office of  
10 Tourism, Trade, and Economic Development to  
11 assist in the promotion and development of the  
12 entertainment industry; providing  
13 appropriations; amending s. 290.0301, F.S.;

14 changing the title of the "Community  
15 Development Corporation Support and Assistance  
16 Program Act" to the "Invest in Neighborhood  
17 Vitality and Economies Act"; advancing the date  
18 of the repeal of the act to June 30, 2007;  
19 amending s. 290.0311, F.S.; revising language  
20 with respect to legislative findings; providing  
21 reference to community-based development  
22 organizations; amending s. 290.032, F.S.;

23 revising language with respect to policy and  
24 purpose; amending s. 290.033, F.S.; providing  
25 definitions; amending s. 290.035, F.S.;

26 revising language with respect to eligibility  
27 for assistance; amending s. 290.036, F.S.;

28 providing for the community-based development  
29 organization support program; providing for  
30 core and project administrative grants and  
31 procedures; amending s. 290.0365, F.S.;



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1 providing for a community-based development  
2 training and technical assistance program;  
3 amending s. 290.037, F.S.; providing for a  
4 community development project implementation  
5 loan program; amending s. 290.038, F.S.;

6 revising language with respect to the authority  
7 and duties of the Department of Community  
8 Affairs; amending s. 290.039, F.S.; revising  
9 language with respect to reporting  
10 requirements; amending s. 290.0395, F.S.;

11 providing for program performance review and  
12 evaluation; repealing s. 290.034, F.S.,  
13 relating to funding and use of the Operating  
14 Trust Fund; amending ss. 189.427, 252.82, and  
15 943.25 to conform to this act; creating s.  
16 420.0007, F.S.; providing an exemption from  
17 property taxation for charitable non-profit low  
18 income housing properties; relating to local  
19 government; creating ss. 163.2511, 163.2514,  
20 163.2517, 163.2520, 163.2523, and 163.2526,  
21 F.S., the Urban Infill and Redevelopment Act;  
22 providing legislative findings; providing  
23 definitions; authorizing counties and  
24 municipalities to designate urban infill and  
25 redevelopment areas based on specified  
26 criteria; requiring preparation of a plan or  
27 designation of an existing plan and providing  
28 requirements with respect thereto; requiring a  
29 public hearing; providing for amendment of the  
30 local comprehensive plan; requiring a report by  
31 certain state agencies; providing a program for

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1 grants to counties and municipalities with  
2 urban infill and redevelopment areas; providing  
3 for review and evaluation of the act and  
4 requiring a report; amending s. 163.3180, F.S.;  
5 authorizing exemptions from the transportation  
6 facilities concurrency requirement for  
7 developments located in an urban infill and  
8 redevelopment area; amending s. 163.3187, F.S.;  
9 providing that comprehensive plan amendments to  
10 designate such areas are not subject to  
11 statutory limits on the frequency of plan  
12 amendments; including such areas within certain  
13 limitations relating to small scale development  
14 amendments; amending s. 187.201, F.S.;  
15 including policies relating to urban policy in  
16 the State Comprehensive Plan; amending s.  
17 380.06, F.S., relating to developments of  
18 regional impact; increasing certain numerical  
19 standards for determining a substantial  
20 deviation for projects located in certain urban  
21 infill and redevelopment areas; amending s.  
22 163.375, F.S.; authorizing acquisition by  
23 eminent domain of property in unincorporated  
24 enclaves surrounded by a community  
25 redevelopment area when necessary to accomplish  
26 a community development plan; amending s.  
27 171.0413, F.S., relating to municipal  
28 annexation procedures; deleting a requirement  
29 that a separate referendum be held in the  
30 annexing municipality when the annexation  
31 exceeds a certain size; providing procedures by

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1           which a county or combination of counties and  
2           the municipalities therein may develop and  
3           adopt a plan to improve the efficiency,  
4           accountability, and coordination of the  
5           delivery of local government services;  
6           providing for initiation of the process by  
7           resolution; providing requirements for the  
8           plan; requiring approval by the local  
9           governments' governing bodies and by  
10          referendum; authorizing municipal annexation  
11          through such plan; amending s. 166.251, F.S.;  
12          revising provisions with respect to service  
13          fees for dishonored checks;  
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