

1 A bill to be entitled
2 An act relating to economic development;
3 providing a short title; providing intent;
4 amending s. 163.3177, F.S.; providing
5 requirements for the future land use element of
6 a local government comprehensive plan with
7 respect to rural areas; amending s. 186.502,
8 F.S.; providing that a regional planning
9 council shall have a duty to assist local
10 governments with economic development; amending
11 s. 186.504, F.S.; providing that the ex
12 officio, nonvoting membership of each regional
13 planning council shall include a representative
14 nominated by Enterprise Florida, Inc., and the
15 Office of Tourism, Trade, and Economic
16 Development; amending s. 186.505, F.S.;
17 authorizing the use of regional planning
18 council personnel, consultants, or technical or
19 professional assistants to help local
20 governments with economic development
21 activities; amending s. 212.098, F.S.;
22 authorizing the Office of Tourism, Trade, and
23 Economic Development to recommend to the
24 Legislature additions to or deletions from the
25 list of standard industrial classifications
26 used to determine an eligible business for
27 purposes of the Rural Job Tax Credit Program;
28 amending s. 288.018, F.S.; authorizing the
29 Office of Tourism, Trade, and Economic
30 Development to approve regional rural
31 development grants on an annual basis;

1 increasing the maximum amount of each grant
2 award; increasing the total amount that may be
3 expended annually for such grants; amending s.
4 288.065, F.S.; revising the population criteria
5 for local government participation in the Rural
6 Community Development Revolving Loan Fund;
7 prescribing conditions under which repayments
8 of principal and interest under the Rural
9 Community Development Revolving Loan Fund may
10 be retained by a unit of local government;
11 creating s. 288.0655, F.S.; creating the Rural
12 Infrastructure Fund for infrastructure projects
13 in rural communities; providing for an annual
14 deposit in the Economic Development Trust Fund
15 in support of such infrastructure fund;
16 authorizing grants for infrastructure projects
17 and related studies; requiring the development
18 of guidelines; providing that funds
19 appropriated for such infrastructure fund shall
20 not be subject to reversion; amending s.
21 320.20, F.S.; requiring the deposit of a
22 certain amount of motor vehicle registration
23 funds in the Economic Development Trust Fund in
24 support of the Rural Infrastructure Fund;
25 prescribing the manner in which such funds may
26 be used in support of bonds or other debt
27 instruments; specifying that certain debts
28 related to the Rural Infrastructure Fund shall
29 not constitute a general obligation of the
30 state; prohibiting diversion of such funds;
31 amending s. 288.106, F.S., relating to the tax

1 refund program for qualified target industry
2 businesses; providing a definition; authorizing
3 the Office of Tourism, Trade, and Economic
4 Development to reduce certain employment
5 requirements for an expanding business in a
6 rural community or enterprise zone under
7 certain conditions; creating the Rural Economic
8 Development Initiative within the office and
9 providing its duties and responsibilities;
10 directing specified agencies to select a
11 representative to work with the initiative;
12 providing for the recommendation and
13 designation of rural areas of critical economic
14 concern; providing for the waiver of certain
15 criteria and rules with respect to such areas;
16 providing for the commitment of certain
17 services, resources, benefits, and staffing
18 with respect to such areas; requiring execution
19 of a memorandum of agreement as a condition to
20 designation as a rural area of critical
21 economic concern; providing for an annual
22 report; authorizing the Office of Tourism,
23 Trade, and Economic Development to accept and
24 administer moneys appropriated for grants to
25 assist rural communities to develop and
26 implement strategic economic development plans;
27 providing for review of grant applications;
28 authorizing the Department of Community Affairs
29 to establish a grant program to assist rural
30 counties in financing studies regarding the
31 establishment of municipal service taxing or

1 benefit units; providing for rules; providing
2 an appropriation; amending s. 236.081, F.S.;
3 providing an exclusion under the computation of
4 school district required local effort for
5 certain nonpayment of property taxes in a rural
6 area of critical economic concern; creating s.
7 311.20, F.S.; creating the Northwest Florida
8 Seaport Transportation and Economic Development
9 Council; providing for the membership of the
10 council; requiring the council to develop a
11 strategic regional development plan;
12 prescribing powers of the council; providing
13 for staffing of the council; amending s.
14 378.601, F.S.; exempting specified heavy mining
15 operations from requirements for
16 development-of-regional-impact review under
17 certain circumstances; directing the Florida
18 Fish and Wildlife Conservation Commission to
19 provide assistance related to promotion and
20 development of nature-based recreation;
21 specifying a minimum percentage of funds to be
22 allocated to economic development under the
23 Florida Small Cities Community Development
24 Block Grant Program; creating s. 230.23027,
25 F.S.; establishing the Small School District
26 Stabilization Program; providing for a best
27 financial management practices review of
28 certain small districts; providing an effective
29 date.

30
31 Be It Enacted by the Legislature of the State of Florida:

1 Section 1. Short title.--This act may be cited as the
2 "Rural Economic Development Enhancement Act" or the "Backyard
3 Florida Act of 1999."

4 Section 2. Legislative intent.--

5 (1) The Legislature finds and declares that because of
6 climate, tourism, industrialization, technological advances,
7 federal and state government policies, transportation, and
8 migration, Florida's urban communities have grown rapidly over
9 the past 40 years. This growth and prosperity, however, have
10 not been shared by Florida's rural communities, although they
11 are the stewards of the vast majority of the land and natural
12 resources. Without this land and these resources, the state's
13 growth and prosperity cannot continue. In short, successful
14 rural communities are essential to the overall success of the
15 state's economy.

16 (2) The Legislature further finds and declares that
17 many rural areas of the state are experiencing not only a lack
18 of growth, but severe and sustained economic distress. Median
19 household incomes are significantly less than the state's
20 median household income level. Job creation rates trail those
21 in more urbanized areas. In many cases, rural counties have
22 lost jobs, which handicaps local economies and drains wealth
23 from these communities. These and other factors, including
24 government policies, amplify and compound social, health, and
25 community problems, making job creation and economic
26 development even more difficult. Moreover, the Legislature
27 finds that traditional program and service delivery is often
28 hampered by the necessarily rigid structure of the programs
29 themselves and the lack of local resources.

30 (3) It is the intent of the Legislature to provide for
31 the most efficient and effective delivery of programs of

1 assistance and support to rural communities, including the
2 use, where appropriate, of regulatory flexibility through
3 multiagency coordination and adequate funding. Therefore, the
4 Legislature determines and declares that the provisions of
5 this act fulfill an important state interest.

6 Section 3. Paragraph (a) of subsection (6) of section
7 163.3177, Florida Statutes, 1998 Supplement, is amended to
8 read:

9 163.3177 Required and optional elements of
10 comprehensive plan; studies and surveys.--

11 (6) In addition to the requirements of subsections
12 (1)-(5), the comprehensive plan shall include the following
13 elements:

14 (a) A future land use plan element designating
15 proposed future general distribution, location, and extent of
16 the uses of land for residential uses, commercial uses,
17 industry, agriculture, recreation, conservation, education,
18 public buildings and grounds, other public facilities, and
19 other categories of the public and private uses of land. The
20 future land use plan shall include standards to be followed in
21 the control and distribution of population densities and
22 building and structure intensities. The proposed
23 distribution, location, and extent of the various categories
24 of land use shall be shown on a land use map or map series
25 which shall be supplemented by goals, policies, and measurable
26 objectives. Each land use category shall be defined in terms
27 of the types of uses included and specific standards for the
28 density or intensity of use. The future land use plan shall
29 be based upon surveys, studies, and data regarding the area,
30 including the amount of land required to accommodate
31 anticipated growth; the projected population of the area; the

1 character of undeveloped land; the availability of public
2 services; ~~and~~ the need for redevelopment, including the
3 renewal of blighted areas and the elimination of nonconforming
4 uses which are inconsistent with the character of the
5 community; and, in rural communities, the need for job
6 creation, capital investment, and economic development that
7 will strengthen and diversify the community's economy. The
8 future land use plan may designate areas for future planned
9 development use involving combinations of types of uses for
10 which special regulations may be necessary to ensure
11 development in accord with the principles and standards of the
12 comprehensive plan and this act. In addition, for rural
13 communities, the amount of land designated for future planned
14 industrial use shall be based upon surveys and studies that
15 reflect the need for job creation, capital investment, and the
16 necessity to strengthen and diversify the local economies, and
17 shall not be limited solely by the projected population of the
18 rural community.The future land use plan of a county may also
19 designate areas for possible future municipal incorporation.
20 The land use maps or map series shall generally identify and
21 depict historic district boundaries and shall designate
22 historically significant properties meriting protection. The
23 future land use element must clearly identify the land use
24 categories in which public schools are an allowable use. When
25 delineating the land use categories in which public schools
26 are an allowable use, a local government shall include in the
27 categories sufficient land proximate to residential
28 development to meet the projected needs for schools in
29 coordination with public school boards and may establish
30 differing criteria for schools of different type or size.
31 Each local government shall include lands contiguous to

1 existing school sites, to the maximum extent possible, within
2 the land use categories in which public schools are an
3 allowable use. All comprehensive plans must comply with this
4 paragraph no later than October 1, 1999, or the deadline for
5 the local government evaluation and appraisal report,
6 whichever occurs first. The failure by a local government to
7 comply with this requirement will result in the prohibition of
8 the local government's ability to amend the local
9 comprehensive plan as provided by s. 163.3187(6). An amendment
10 proposed by a local government for purposes of identifying the
11 land use categories in which public schools are an allowable
12 use is exempt from the limitation on the frequency of plan
13 amendments contained in s. 163.3187. The future land use
14 element shall include criteria which encourage the location of
15 schools proximate to urban residential areas to the extent
16 possible and shall require that the local government seek to
17 collocate public facilities, such as parks, libraries, and
18 community centers, with schools to the extent possible.

19 Section 4. Subsection (5) is added to section 186.502,
20 Florida Statutes, to read:

21 186.502 Legislative findings; public purpose.--

22 (5) The regional planning council shall have a duty to
23 assist local governments with activities designed to promote
24 and facilitate economic development in the geographic area
25 covered by the council.

26 Section 5. Subsection (4) of section 186.504, Florida
27 Statutes, is amended to read:

28 186.504 Regional planning councils; creation;
29 membership.--

30 (4) In addition to voting members appointed pursuant
31 to paragraph (2)(c), the Governor shall appoint the following

1 ex officio nonvoting members to each regional planning
2 council:

3 (a) A representative of the Department of
4 Transportation.

5 (b) A representative of the Department of
6 Environmental Protection.

7 (c) A representative nominated by Enterprise Florida,
8 Inc., and the Office of Tourism, Trade, and Economic
9 Development of the Department of Commerce.

10 (d) A representative of the appropriate water
11 management district or districts.

12

13 The Governor may also appoint ex officio nonvoting members
14 representing appropriate metropolitan planning organizations
15 and regional water supply authorities.

16 Section 6. Subsection (25) is added to section
17 186.505, Florida Statutes, to read:

18 186.505 Regional planning councils; powers and
19 duties.--Any regional planning council created hereunder shall
20 have the following powers:

21 (25) To use personnel, consultants, or technical or
22 professional assistants of the council to help local
23 governments within the geographic area covered by the council
24 conduct economic development activities.

25 Section 7. Paragraph (a) of subsection (2) of section
26 212.098, Florida Statutes, 1998 Supplement, is amended to
27 read:

28 212.098 Rural Job Tax Credit 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

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 422 (public warehousing and storage); SIC 70 (hotels and
8 other lodging places); SIC 7391 (research and development);
9 SIC 7992 (public golf courses); and SIC 7996 (amusement
10 parks). Excluded from eligible receipts are receipts from
11 retail sales, except such receipts for hotels and other
12 lodging places classified in SIC 70, public golf courses in
13 SIC 7992, and amusement parks in SIC 7996. In addition, the
14 Office of Tourism, Trade, and Economic Development may, as
15 part of its final budget request submitted pursuant to s.
16 216.023, recommend additions to or deletions from the list of
17 standard industrial classifications used to determine an
18 eligible business, and the Legislature may implement such
19 recommendations. For purposes of this paragraph, the term
20 "predominantly" means that more than 50 percent of the
21 business's gross receipts from all sources is generated by
22 those activities usually provided for consideration by firms
23 in the specified standard industrial classification. The
24 determination of whether the business is located in a
25 qualified county and the tier ranking of that county must be
26 based on the date of application for the credit under this
27 section. Commonly owned and controlled entities are to be
28 considered a single business entity.

29 Section 8. Subsections (1) and (3) of section 288.018,
30 Florida Statutes, are amended to read:

31 288.018 Regional Rural Development Grants Program.--

1 (1) The Office of Tourism, Trade, and Economic
2 Development shall establish a matching grant program to
3 provide funding to regionally based economic development
4 organizations representing rural counties and communities for
5 the purpose of building the professional capacity of their
6 organizations. The Office of Tourism, Trade, and Economic
7 Development is authorized to approve, on an annual basis,
8 grants to such regionally based economic development
9 organizations. The maximum amount an organization may receive
10 in any year will be \$35,000, or \$100,000 in a rural area of
11 critical economic concern recommended by the Rural Economic
12 Development Initiative and designated by the Governor, ~~\$20,000~~
13 and must be matched each year by an equivalent amount of
14 nonstate resources.

15 (3) The Office of Tourism, Trade, and Economic
16 Development may expend up to \$600,000 ~~\$100,000~~ each fiscal
17 year from funds appropriated to the Rural Community
18 Development Revolving Loan Fund for the purposes outlined in
19 this section.

20 Section 9. Subsection (2) of section 288.065, Florida
21 Statutes, is amended to read:

22 288.065 Rural Community Development Revolving Loan
23 Fund.--

24 (2) The program shall provide for long-term loans,
25 loan guarantees, and loan loss reserves to units of local
26 governments within counties with populations of 75,000 or less
27 ~~than 50,000~~, or any county that has a population of 100,000 or
28 less and is contiguous to a county with a population of 75,000
29 or less than 50,000, as determined by the most recent official
30 estimate pursuant to s. 186.901, residing in incorporated and
31 unincorporated areas of the county. Requests for loans shall

1 be made by application to the Office of Tourism, Trade, and
2 Economic Development. Loans shall be made pursuant to
3 agreements specifying the terms and conditions agreed to
4 between the local government and the Office of Tourism, Trade,
5 and Economic Development. The loans shall be the legal
6 obligations of the local government. All repayments of
7 principal and interest shall be returned to the loan fund and
8 made available for loans to other applicants. However, in a
9 rural area of critical economic concern designated by the
10 Governor, and upon approval by the Office of Tourism, Trade,
11 and Economic Development, repayments of principal and interest
12 may be retained by a unit of local government if such
13 repayments are dedicated and matched to fund regionally based
14 economic development organizations representing the rural area
15 of critical economic concern.

16 Section 10. Section 288.0655, Florida Statutes, is
17 created to read:

18 288.0655 Rural Infrastructure Fund.--

19 (1) There is created within the Office of Tourism,
20 Trade, and Economic Development the Rural Infrastructure Fund
21 to facilitate the planning, preparing, and financing of
22 infrastructure projects in rural communities which will
23 encourage job creation, capital investment, and the
24 strengthening and diversification of rural economies by
25 promoting tourism, trade, and economic development.

26 (2) On July 1, 1999, and annually thereafter, \$8
27 million shall be deposited in the Economic Development Trust
28 Fund, as provided in s. 320.20(5), solely for the purpose of
29 funding the Rural Infrastructure Fund.

30 (3)(a) Funds under this section shall be distributed
31 by the office through a grant program that maximizes the use

1 of federal, local, and private resources, including, but not
2 limited to, those available under the Small Cities Community
3 Development Block Grant Program.

4 (b) To facilitate access of rural communities and
5 rural areas of critical economic concern as defined by the
6 Rural Economic Development Initiative to infrastructure
7 funding programs of the Federal Government, such as those
8 offered by the U.S. Department of Agriculture and the U.S.
9 Department of Commerce, the office may award grants to
10 applicants for such federal programs for up to 30 percent of
11 the total infrastructure project cost. Eligible projects must
12 be related to specific job-creating opportunities. Eligible
13 uses of funds shall include improvements to public
14 infrastructure for industrial or commercial sites and upgrades
15 to or development of public tourism infrastructure. Authorized
16 infrastructure may include the following public or
17 public-private partnership facilities: storm water systems;
18 telecommunications facilities; roads or other remedies to
19 transportation impediments; nature-based tourism facilities;
20 or other physical requirements necessary to facilitate
21 tourism, trade, and economic development activities in the
22 community. Authorized infrastructure may also include
23 publicly-owned self-powered nature-based tourism facilities
24 and additions to the distribution facilities of the existing
25 natural gas utility as defined in s. 366.04(3)(c), the
26 existing electric utility as defined in s. 366.02, or the
27 existing water or wastewater utility as defined in s.
28 367.021(12), or any other existing water or wastewater
29 utility, which owns a gas or electric distribution system or a
30 water or wastewater system in this state where:

31

1 1. A contribution-in-aid of construction is required
2 to serve public or public-private partnership facilities under
3 the tariffs of any natural gas, electric, water or wastewater
4 utility as defined herein; and

5 2. Such utilities as defined herein are willing and
6 able to provide such service.

7 (c) To facilitate timely response and induce the
8 location or expansion of specific job creating opportunities,
9 the office may award grants for infrastructure feasibility
10 studies, design and engineering activities, or other
11 infrastructure planning and preparation activities. Authorized
12 grants shall be up to \$50,000 for an employment project with a
13 business committed to create at least 100 jobs, up to \$150,000
14 for an employment project with a business committed to create
15 at least 300 jobs, and up to \$300,000 for a project in a rural
16 area of critical economic concern. Grants awarded under this
17 paragraph may be used in conjunction with grants awarded under
18 paragraph (b), provided that the total amount of both grants
19 does not exceed 30 percent of the total project cost. In
20 evaluating applications under this paragraph, the office shall
21 consider the extent to which the application seeks to minimize
22 administrative and consultant expenses.

23 (d) By September 1, 1999, the office shall pursue
24 execution of a memorandum of agreement with the U.S.
25 Department of Agriculture under which state funds available
26 through the Rural Infrastructure Fund may be advanced, in
27 excess of the prescribed state share, for a project that has
28 received from the department a preliminary determination of
29 eligibility for federal financial support. State funds in
30 excess of the prescribed state share which are advanced
31 pursuant to this paragraph and the memorandum of agreement

1 shall be reimbursed when funds are awarded under an
2 application for federal funding.

3 (e) To enable local governments to access the
4 resources available pursuant to s. 403.973(16), the office may
5 award grants for surveys, feasibility studies, and other
6 activities related to the identification and preclearance
7 review of land which is suitable for preclearance review.
8 Authorized grants under this paragraph shall not exceed
9 \$75,000 each, except in the case of a project in a rural area
10 of critical economic concern, in which case the grant shall
11 not exceed \$300,000. Any funds awarded under this paragraph
12 must be matched at a level of 50 percent with local funds,
13 except that any funds awarded for a project in a rural area of
14 critical economic concern must be matched at a level of 33
15 percent with local funds. In evaluating applications under
16 this paragraph, the office shall consider the extent to which
17 the application seeks to minimize administrative and
18 consultant expenses.

19 (4) The office, in consultation with Enterprise
20 Florida, Inc., VISIT Florida, the Department of Environmental
21 Protection, and the Florida Fish and Wildlife Conservation
22 Commission, as appropriate, shall review applications and
23 evaluate the economic benefit of the projects and their
24 long-term viability. The office shall have final approval for
25 any grant under this section and must make a grant decision
26 within 30 days of receiving a completed application.

27 (5) By September 1, 1999, the office shall, in
28 consultation with the organizations listed in subsection (4),
29 and other organizations, develop guidelines and criteria
30 governing submission of applications for funding, review and
31 evaluation of such applications, and approval of funding under

1 this section. The office shall consider factors including, but
2 not limited to, the project's potential for enhanced job
3 creation or increased capital investment, the demonstration of
4 local public and private commitment, the location of the
5 project in an enterprise zone, the location of the project in
6 a community development corporation service area as defined in
7 s. 290.035(2), the location of the project in a county
8 designated under s. 212.097, the unemployment rate of the
9 surrounding area, and the poverty rate of the community.

10 (6) Notwithstanding the provisions of s. 216.301,
11 funds appropriated for the purposes of this section shall not
12 be subject to reversion.

13 Section 11. Present subsection (5) of section 320.20,
14 Florida Statutes, is redesignated as subsection (6) and a new
15 subsection (5) is added to that section to read:

16 320.20 Disposition of license tax moneys.--The revenue
17 derived from the registration of motor vehicles, including any
18 delinquent fees and excluding those revenues collected and
19 distributed under the provisions of s. 320.081, must be
20 distributed monthly, as collected, as follows:

21 (5) Notwithstanding any other provision of law except
22 subsections (1), (2), (3), and (4), on July 1, 1999, and
23 annually thereafter, \$8 million shall be deposited in the
24 Economic Development Trust Fund under s. 288.095, solely for
25 the purposes of funding the Rural Infrastructure Fund under s.
26 288.0655. Such revenues may be assigned, pledged, or set aside
27 as a trust for the payment of principal or interest on bonds,
28 grant anticipation notes, variable rate demand obligations,
29 including, but not limited to, tax exempt commercial paper and
30 derivative instruments, or any other form of indebtedness, or
31 used to purchase credit support to permit such borrowings,

1 issued by a governing body under s. 163.01(7)(d), or
2 appropriate local government having jurisdiction thereof, or
3 collectively by interlocal agreement among any applicable
4 government; however, such debt shall not constitute a general
5 obligation of the State of Florida. The state does hereby
6 covenant with holders of such revenue bonds or other
7 instruments of indebtedness issued hereunder that it will not
8 repeal or impair or amend in any manner that will materially
9 and adversely affect the rights of such holders so long as
10 bonds authorized by this subsection are outstanding. Any
11 revenues which are not pledged to the repayment of bonds as
12 authorized by this subsection may be utilized for purposes
13 authorized under the Rural Infrastructure Fund. The Office of
14 Tourism, Trade, and Economic Development shall approve
15 distribution of funds for rural infrastructure related to
16 tourism, trade, and economic development. The office and the
17 Department of Transportation are authorized to perform such
18 acts as are required to facilitate and implement the
19 provisions of this subsection. To better enable the counties
20 and the Office of Tourism, Trade, and Economic Development to
21 cooperate to their mutual advantage, the governing body of
22 each government may exercise powers provided to municipalities
23 or counties in s. 163.01(7)(d). The use of funds provided
24 under this subsection is limited to eligible projects listed
25 in s. 288.0655. Unexpended proceeds derived from a project
26 completed with the use of program funds, beyond operating
27 costs and debt service, shall be restricted to further capital
28 improvements consistent with tourism, trade, and economic
29 development infrastructure purposes and for no other purpose.
30 Use of such unexpended proceeds for purposes other than
31 tourism, trade, and economic development infrastructure is

1 prohibited. Any funds deposited in the Economic Development
2 Trust Fund for the purposes of the Rural Infrastructure Fund
3 under s. 288.0655 shall not be diverted to any other purpose.
4 Any such diversion shall trigger immediate repayment to the
5 Economic Development Trust Fund from the Working Capital Trust
6 Fund.

7 Section 12. Paragraph (t) is added to subsection (2)
8 of section 288.106, Florida Statutes, 1998 Supplement, and
9 paragraph (b) of subsection (4) of that section is amended, to
10 read:

11 288.106 Tax refund program for qualified target
12 industry businesses.--

13 (2) DEFINITIONS.--As used in this section:

14 (t) "Rural community" means:

15 1. A county with a population of 75,000 or less.

16 2. A county with a population of 100,000 or less that
17 is contiguous to a county with a population of 75,000 or less.

18 3. A municipality within a county described in
19 subparagraph 1. or subparagraph 2.

20
21 For purposes of this paragraph, population shall be determined
22 in accordance with the most recent official estimate pursuant
23 to s. 186.901.

24 (4) APPLICATION AND APPROVAL PROCESS.--

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

28 1. The jobs proposed to be provided under the
29 application, pursuant to subparagraph (a)4., must pay an
30 estimated annual average wage equaling at least 115 percent of
31 the average private sector wage in the area where the business

1 is to be located or the statewide private sector average wage.
2 The office may waive this average wage requirement at the
3 request of the local governing body recommending the project
4 and Enterprise Florida, Inc. The wage requirement may only be
5 waived for a project located in a brownfield area designated
6 under s. 376.80 or in a rural city or county or in an
7 enterprise zone and only when the merits of the individual
8 project or the specific circumstances in the community in
9 relationship to the project warrant such action. If the local
10 governing body and Enterprise Florida, Inc., make such a
11 recommendation, it must be transmitted in writing and the
12 specific justification for the waiver recommendation must be
13 explained. If the director elects to waive the wage
14 requirement, the waiver must be stated in writing and the
15 reasons for granting the waiver must be explained.

16 2. The target industry business's project must result
17 in the creation of at least 10 jobs at such project and, if an
18 expansion of an existing business, must result in a net
19 increase in employment of not less than 10 percent at such
20 business. However, at the request of the local governing body
21 recommending the project and Enterprise Florida, Inc., the
22 office may approve an expansion of an existing business under
23 this section in a rural community or an enterprise zone that
24 results in a net increase in employment of less than 10
25 percent if the merits of the individual project or the
26 specific circumstances in the community in relation to the
27 project warrant this action. If the local governing body and
28 Enterprise Florida, Inc., make such a recommendation, it must
29 be transmitted in writing and the specific justification for
30 the request must be explained. If the director elects to

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1 accept such request, this decision must be stated in writing
2 and the reasons for granting the request must be explained.

3 3. The business activity or product for the
4 applicant's project is within an industry or industries that
5 have been identified by the office to be high-value-added
6 industries that contribute to the area and to the economic
7 growth of the state and that produce a higher standard of
8 living for citizens of this state in the new global economy or
9 that can be shown to make an equivalent contribution to the
10 area and state's economic progress. The director must approve
11 requests to waive the wage requirement for brownfield areas
12 designated under s. 376.80 unless it is demonstrated that such
13 action is not in the public interest.

14 Section 13. Rural Economic Development Initiative.--

15 (1) The Rural Economic Development Initiative, known
16 as "REDI," is created within the Office of Tourism, Trade, and
17 Economic Development, and the participation of state and
18 regional agencies in this initiative is authorized.

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

20 (a) "Economic distress" means conditions affecting the
21 fiscal and economic viability of a rural community, including
22 such factors as low per capita income, low per capita taxable
23 values, high unemployment, high underemployment, low weekly
24 earned wages compared to the state average, low housing values
25 compared to the state average, high percentages of the
26 population receiving public assistance, high poverty levels
27 compared to the state average, and a lack of year-round stable
28 employment opportunities.

29 (b) "Rural community" means:

30 1. A county with a population of 75,000 or less.

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1 2. A county with a population of 100,000 or less that
2 is contiguous to a county with a population of 75,000 or less.

3 3. A municipality within a county described in
4 subparagraph 1. or subparagraph 2.

5 4. An unincorporated federal enterprise community or
6 an incorporated rural city with a population of 25,000 or less
7 and an employment base focused on traditional agricultural or
8 resource-based industries, located in a county not defined as
9 rural, which has at least three or more of the economic
10 distress factors identified in paragraph (2)(a) and verified
11 by the Office of Tourism, Trade, and Economic Development.

12
13 For purposes of this paragraph, population shall be determined
14 in accordance with the most recent official estimate pursuant
15 to section 186.901, Florida Statutes.

16 (3) REDI shall be responsible for coordinating and
17 focusing the efforts and resources of state and regional
18 agencies on the problems which affect the fiscal, economic,
19 and community viability of Florida's economically distressed
20 rural communities, working with local governments,
21 community-based organizations, and private organizations that
22 have an interest in the growth and development of these
23 communities to find ways to balance environmental and growth
24 management issues with local needs.

25 (4) REDI shall review and evaluate the impact of
26 statutes and rules on rural communities and shall work to
27 minimize any adverse impact.

28 (5) REDI shall facilitate better access to state
29 resources by promoting direct access and referrals to
30 appropriate state and regional agencies and statewide
31 organizations. REDI may undertake outreach, capacity-building,

1 and other advocacy efforts to improve conditions in rural
2 communities. These activities may include sponsorship of
3 conferences and achievement awards.

4 (6)(a) No later than August 1, 1999, the head of each
5 of the following agencies and organizations shall designate a
6 high-level staff person from within the agency or organization
7 to serve as the REDI representative for the agency or
8 organization:

- 9 1. The Department of Community Affairs.
- 10 2. The Department of Transportation.
- 11 3. The Department of Environmental Protection.
- 12 4. The Department of Agriculture and Consumer
13 Services.
- 14 5. The Department of State.
- 15 6. The Department of Health.
- 16 7. The Department of Children and Family Services.
- 17 8. The Department of Corrections.
- 18 9. The Department of Labor and Employment Security.
- 19 10. The Department of Education.
- 20 11. The Fish and Wildlife Conservation Commission.
- 21 12. Each water management district.
- 22 13. Enterprise Florida, Inc.
- 23 14. The Florida Commission on Tourism or VISIT
24 Florida.
- 25 15. The Florida Regional Planning Council Association.
- 26 16. The Florida State Rural Development Council.
- 27 17. The Institute of Food and Agricultural Sciences
28 (IFAS).

29
30 An alternate for each designee shall also be chosen, and the
31 names of the designees and alternates shall be sent to the

1 director of the Office of Tourism, Trade, and Economic
2 Development.

3 (b) Each REDI representative must have comprehensive
4 knowledge of his or her agency's functions, both regulatory
5 and service in nature, and of the state's economic goals,
6 policies, and programs. This person shall be the primary point
7 of contact for his or her agency with REDI on issues and
8 projects relating to economically distressed rural communities
9 and with regard to expediting project review, shall ensure a
10 prompt effective response to problems arising with regard to
11 rural issues, and shall work closely with the other REDI
12 representatives in the identification of opportunities for
13 preferential awards of program funds and allowances and waiver
14 of program requirements when necessary to encourage and
15 facilitate long-term private capital investment and job
16 creation.

17 (c) The REDI representatives shall work with REDI in
18 the review and evaluation of statutes and rules for adverse
19 impact on rural communities and the development of alternative
20 proposals to mitigate that impact.

21 (d) Each REDI representative shall be responsible for
22 ensuring that each district office or facility of his or her
23 agency is informed about the Rural Economic Development
24 Initiative and for providing assistance throughout the agency
25 in the implementation of REDI activities.

26 (7) REDI may recommend to the Governor up to three
27 rural areas of critical economic concern. A rural area of
28 critical economic concern must be a rural community, or a
29 region composed of such, that has been adversely affected by
30 an extraordinary economic event or a natural disaster or that
31 presents a unique economic development opportunity of regional

1 impact that will create more than 1,000 jobs over a 5-year
2 period. The Governor may by executive order designate up to
3 three rural areas of critical economic concern which will
4 establish these areas as priority assignments for REDI as well
5 as to allow the Governor, acting through REDI, to:

6 (a) Waive criteria, requirements, or similar
7 provisions of any economic development incentive. Such
8 incentives shall include, but not be limited to: the Qualified
9 Target Industry Tax Refund Program under section 288.106,
10 Florida Statutes, the Quick Response Training Program under
11 section 288.047, Florida Statutes, the WAGES Quick Response
12 Training Program under section 288.047(10), Florida Statutes,
13 transportation projects under section 288.063, Florida
14 Statutes, the brownfield redevelopment bonus refund under
15 section 288.107, Florida Statutes, and the rural job tax
16 credit program under sections 212.098 and 220.1895, Florida
17 Statutes.

18 (b) Waive agency rules to empower the agency to commit
19 and coordinate their resources, staff, or assistance to these
20 rural communities, as well as to suspend procedural
21 requirements of law that do not compromise the public's
22 health, safety, or welfare.

23 (c) Provide rapid response assistance, training
24 services, and educational opportunities for employees; develop
25 training programs; and pay tuition or training expenses for
26 employees from resources coordinated by the Workforce
27 Development Board.

28 (d) Commit the resources or benefits of the Rural
29 Community Development Revolving Loan Fund under section
30 288.065, Florida Statutes, the Regional Rural Grants Program
31 under section 288.018, Florida Statutes, the rural job tax

1 credit program under sections 212.098 and 220.1895, Florida
2 Statutes, and the federal Community Development Block Grant
3 Program.

4 (e) Direct the assignment of staffing and resources
5 from Enterprise Florida, Inc.

6
7 Designation as a rural area of critical economic concern under
8 this subsection shall be contingent upon the execution of a
9 memorandum of agreement among the Office of Tourism, Trade,
10 and Economic Development, the governing body of the county,
11 and the governing bodies of any municipalities to be included
12 within a rural area of critical economic concern. Such
13 agreement shall specify the terms and conditions of the
14 designation, including, but not limited to, the duties and
15 responsibilities of the county and any participating
16 municipalities to take actions designed to facilitate the
17 retention and expansion of existing businesses in the area, as
18 well as the recruitment of new businesses to the area.

19 (8) REDI shall submit a report to the Governor, the
20 President of the Senate, and the Speaker of the House of
21 Representatives each year on or before February 1 on all REDI
22 activities. This report shall include a status report on all
23 projects currently being coordinated through REDI, the number
24 of preferential awards and allowances made pursuant to this
25 section, the dollar amount of such awards, and the names of
26 the recipients. The report shall also include a description of
27 all waivers of program requirements granted. The report shall
28 also include information as to the economic impact of the
29 projects coordinated by REDI.

30 Section 14. Florida rural economic development
31 strategy grants.--

1 (1) As used in this section, the term "rural
2 community" means:

3 (a) A county with a population of 75,000 or less.

4 (b) A county with a population of 100,000 or less that
5 is contiguous to a county with a population of 75,000 or less.

6 (c) A municipality within a county described in
7 paragraph (a) or paragraph (b).

8
9 For purposes of this subsection, population shall be
10 determined in accordance with the most recent official
11 estimate pursuant to section 186.901, Florida Statutes.

12 (2) The Office of Tourism, Trade, and Economic
13 Development may accept and administer moneys appropriated to
14 the office for providing grants to assist rural communities to
15 develop and implement strategic economic development plans.

16 (3) A rural community, an economic development
17 organization in a rural area, or a regional organization
18 representing at least one rural community or such economic
19 development organizations may apply for such grants.

20 (4) Enterprise Florida, Inc., and VISIT Florida, shall
21 establish criteria for reviewing grant applications. These
22 criteria shall include, but are not limited to, the degree of
23 participation and commitment by the local community and the
24 application's consistency with local comprehensive plans or
25 the application's proposal to ensure such consistency. The
26 International Trade and Economic Development Board of
27 Enterprise Florida, Inc., and VISIT Florida, shall review each
28 application for a grant and shall submit annually to the
29 office for approval a list of all applications that are
30 recommended by the board and VISIT Florida, arranged in order
31 of priority. The office may approve grants only to the extent

1 that funds are appropriated for such grants by the
2 Legislature.

3 Section 15. Establishment of municipal service taxing
4 or benefit units; grants to rural counties.--

5 (1) As used in this section, the term "rural county"
6 means a county with a population of 75,000 or fewer persons,
7 determined pursuant to section 186.901, Florida Statutes.

8 (2) Subject to legislative appropriation, the
9 Department of Community Affairs shall establish a grant
10 program to assist any rural county in making a determination
11 whether to establish a municipal service taxing or benefit
12 unit as authorized by section 125.01, Florida Statutes. Under
13 this program, any rural county that is considering the
14 establishment of a municipal service taxing or benefit unit
15 and that wishes to conduct a study to determine the necessity
16 for and advisability of establishing such a unit may apply to
17 the department for a grant to assist in financing the study.
18 If the application is approved by the department, the
19 department may award a grant to the county in an amount equal
20 to 75 percent of the cost of the study, if the county agrees
21 to finance 25 percent of the cost of the study itself. A copy
22 of the study shall be submitted to the department within 30
23 days after it is completed.

24 (3) The department shall establish an application form
25 and application procedures and requirements by rule pursuant
26 to chapter 120, Florida Statutes.

27 Section 16. There is appropriated from the General
28 Revenue Fund to the Department of Community Affairs for Fiscal
29 Year 1999-2000 the sum of \$1 million to carry out the purposes
30 of a grant program for rural county municipal service taxing
31 or benefit unit feasibility studies.

1 Section 17. Paragraph (d) of subsection (4) of section
2 236.081, Florida Statutes, 1998 Supplement, is amended to
3 read:

4 236.081 Funds for operation of schools.--If the annual
5 allocation from the Florida Education Finance Program to each
6 district for operation of schools is not determined in the
7 annual appropriations act or the substantive bill implementing
8 the annual appropriations act, it shall be determined as
9 follows:

10 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL
11 EFFORT.--The Legislature shall prescribe the aggregate
12 required local effort for all school districts collectively as
13 an item in the General Appropriations Act for each fiscal
14 year. The amount that each district shall provide annually
15 toward the cost of the Florida Education Finance Program for
16 kindergarten through grade 12 programs shall be calculated as
17 follows:

18 (d) Exclusions ~~Exclusion~~.--

19 1. In those instances in which:

20 a.1. There is litigation either attacking the
21 authority of the property appraiser to include certain
22 property on the tax assessment roll as taxable property or
23 contesting the assessed value of certain property on the tax
24 assessment roll, and

25 b.2. The assessed value of the property in contest
26 involves more than 6 percent of the total nonexempt assessment
27 roll,

28
29 the assessed value of the property in contest shall be
30 excluded from the taxable value for school purposes for
31 purposes of computing the district required local effort.

1 2. In those instances in which there is a nonpayment
2 of property taxes in a community designated as a rural area of
3 critical economic concern that exceeds 6 percent of the total
4 nonexempt assessment roll, the assessed value of the property
5 that is the subject of the nonpayment shall be excluded from
6 the taxable value for school purposes for purposes of
7 computing the district required local effort.

8 Section 18. Section 311.20, Florida Statutes, is
9 created to read:

10 311.20 Northwest Florida Seaport Transportation and
11 Economic Development Council.--

12 (1) There is created the Northwest Florida Seaport
13 Transportation and Economic Development Council as a
14 corporation not for profit to be incorporated under the
15 provisions of chapter 617. The purpose of the council is to
16 enhance economic development in the northwest Florida region
17 by creating jobs and increasing cargo flow and port revenues
18 at the three ports located in the region and the regional
19 communities.

20 (2)(a) The council shall consist of the following
21 members: the port director or designee of the port of Panama
22 City; the port director or designee of the port of Pensacola;
23 the port director or designee of the port of Port St. Joe; the
24 director or designee of the Office of Tourism, Trade, and
25 Economic Development; and a representative from Enterprise
26 Florida, Inc. In addition, the members of the council may
27 appoint up to four ex officio nonvoting members to the
28 council.

29 (b) Members of the council shall serve without
30 compensation but are entitled to receive reimbursement for per
31 diem and travel expenses as provided in s. 112.061.

1 (3) The council shall develop a comprehensive
2 strategic regional development plan that includes, but is not
3 limited to, the following:

4 (a) A marketing strategy for development at the three
5 ports and their respective communities;

6 (b) A review of multi-modal transportation
7 requirements for the region; and

8 (c) An identification of specific transportation and
9 economic development projects that create jobs and increase
10 cargo flow and port revenues at the three ports and the
11 regional communities. Subject to specific appropriation by the
12 Legislature, the council may grant funds for the development
13 of such projects.

14 (4) The council shall have all the powers necessary
15 and convenient to carry out and effectuate the purposes and
16 provisions of this section, including, but not limited to, the
17 power to:

18 (a) Solicit, receive, hold, invest, and administer any
19 grant, payment, or gift of funds or property.

20 (b) Purchase, receive, hold, lease, or otherwise
21 acquire, and to sell, convey, transfer, lease, or otherwise
22 dispose of, real property and personal property together with
23 such rights and privileges as may be incidental and
24 appurtenant thereto and the use thereof.

25 (c) Make and enter into contracts and other
26 instruments with public or private sector entities for the
27 purpose of exercising or performing its powers and functions.

28 (5) The council may appoint an executive director, and
29 the executive director may employ such staff as may be
30 authorized by the council. The compensation of the executive
31 director and staff shall be set by the council.

1 Section 19. Subsection (5) of section 378.601, Florida
2 Statutes, is amended to read:

3 378.601 Heavy minerals.--

4 (5) Any heavy mineral mining operation which annually
5 mines less than 500 acres and whose proposed consumption of
6 water is 3 million gallons per day or less shall not be
7 required to undergo development of regional impact review
8 pursuant to s. 380.06, provided permits and plan approvals
9 pursuant to either this section and part IV of chapter 373, or
10 s. 378.901, are issued. This subsection applies only in the
11 following circumstances:

12 (a) Mining is conducted in counties where the operator
13 has conducted heavy mineral mining activities prior to March
14 1, 1997; and

15 (b) The operator of the heavy mineral mining operation
16 has executed a developer agreement pursuant to s. 380.032 or
17 has received a development order under s. 380.06(15) as of
18 March 1, 1997. Lands mined pursuant to this section need not
19 be the subject of the developer agreement or development
20 order.

21 Section 20. The Florida Fish and Wildlife Conservation
22 Commission is directed to assist the Florida Commission on
23 Tourism; the Florida Tourism Industry Marketing Corporation,
24 doing business as VISIT Florida; convention and visitor
25 bureaus; tourist development councils; economic development
26 organizations; and local governments through the provision of
27 marketing advice, technical expertise, promotional support,
28 and product development related to nature-based recreation and
29 sustainable use of natural resources. In carrying out this
30 responsibility, the Florida Fish and Wildlife Conservation
31 Commission shall focus its efforts on fostering nature-based

1 recreation in rural communities and regions encompassing rural
2 communities. As used in this section, the term "nature-based
3 recreation" means leisure activities related to the state's
4 lands, waters, and fish and wildlife resources, including, but
5 not limited to, wildlife viewing, fishing, hiking, canoeing,
6 kayaking, camping, hunting, backpacking, and nature
7 photography.

8 Section 21. Notwithstanding the provisions of section
9 290.044(4), Florida Statutes, regarding the distribution of
10 funds to categories under the Florida Small Cities Community
11 Development Block Grant Program, in no case shall the
12 percentage of funds for the economic development category be
13 less than 40 percent.

14 Section 22. Section 230.23027, Florida Statutes, is
15 created to read:

16 230.23027 Small School District Stabilization
17 Program.--

18 (1) There is created the Small School District
19 Stabilization Program to assist school districts in rural
20 communities that document economic conditions or other
21 significant community influences that negatively impact the
22 school district. The purpose of the program is to provide
23 technical assistance and financial support to maintain the
24 stability of the educational program in the school district. A
25 rural community means a county with a population of 75,000 or
26 less; or a county with a population of 100,000 or less that is
27 contiguous to a county with a population of 75,000 or less.

28 (2) In order to participate in this program, a school
29 district must be located in a rural area of critical economic
30 concern designated by the Executive Office of the Governor,
31 and the school board must submit a resolution to the Office of

1 Tourism, Trade, and Economic Development requesting
2 participation in the program. A rural area of critical
3 economic concern must be a rural community, or a region
4 composed of such, that has been adversely affected by an
5 extraordinary economic event or a natural disaster or that
6 presents a unique economic development concern or opportunity
7 of regional impact. The resolution must be accompanied with
8 documentation of the economic conditions in the community,
9 provide information indicating the negative impact of these
10 conditions on the school district's financial stability, and
11 the school district must participate in a best financial
12 management practices review to determine potential
13 efficiencies that could be implemented to reduce program costs
14 in the district.

15 (3) The Office of Tourism, Trade, and Economic
16 Development, in consultation with the Department of Education,
17 shall review the resolution and other information required by
18 subsection (2) and determine whether the school district is
19 eligible to participate in the program. Factors influencing
20 the office's determination may include, but are not limited
21 to, reductions in the county tax roll resulting from business
22 closures or other causes, or a reduction in student enrollment
23 due to business closures or impacts in the local economy.

24 (4) Effective July 1, 2000, and thereafter, when the
25 Office of Tourism, Trade, and Economic Development authorizes
26 a school district to participate in the program, the
27 Legislature may give priority to that district for a best
28 financial management practices review in the school district,
29 as authorized in s. 11.515, to the extent that funding is
30 provided annually for such purpose in the General
31

1 Appropriations Act. The scope of the review shall be as set
2 forth in s. 11.515.

3 (5) Effective July 1, 2000, and thereafter, the
4 Department of Education may award the school district a
5 stabilization grant intended to protect the district from
6 continued financial reductions. The amount of the grant will
7 be determined by the Department of Education and may be
8 equivalent to the amount of the decline in revenues projected
9 for the next fiscal year. In addition, the Office of Tourism,
10 Trade, and Economic Development may implement a rural economic
11 development initiative to identify the economic factors that
12 are negatively impacting the community and may consult with
13 Enterprise Florida, Inc., in developing a plan to assist the
14 county with its economic transition. The grant will be
15 available to the school district for a period of up to 5 years
16 to the extent that funding is provided for such purpose in the
17 General Appropriations Act.

18 (6) Based on the availability of funds the Office of
19 Tourism, Trade, and Economic Development or the Department of
20 Education may enter into contracts or issue grants necessary
21 to implement the program.

22 Section 23. This act shall take effect July 1, 1999.
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