

By the Committee on Commerce and Economic Opportunities; and
Senator Kirkpatrick

310-1962A-00

1 A bill to be entitled
2 An act relating to economic development;
3 amending s. 14.2015, F.S.; eliminating
4 administrative responsibility of the Office of
5 Tourism, Trade, and Economic Development for
6 the sports franchise facility program, the
7 professional golf hall of fame facility
8 program, the Regional Rural Development Grants
9 Program, the Certified Capital Company Act, and
10 the Florida State Rural Development Council;
11 eliminating authority for the Office of
12 Tourism, Trade, and Economic Development to
13 enter into contracts in connection with duties
14 relating to the Florida First Business Bond
15 Pool, the Certified Capital Company Act, and
16 foreign offices; conforming terminology;
17 requiring a report on activities funded under
18 the Economic Development Incentives Account and
19 the Economic Development Transportation Trust
20 Fund; amending s. 159.8083, F.S.; providing for
21 Enterprise Florida, Inc., to recommend Florida
22 First Business projects to the Office of
23 Tourism, Trade, and Economic Development;
24 providing for consultation; amending ss.
25 212.097, 212.098, F.S.; expanding the
26 definition of the term "eligible business"
27 under the Urban High-Crime Area Job Tax Credit
28 Program and Rural Job Tax Credit Program to
29 include certain businesses involved in motion
30 picture production and allied services;
31 amending s. 218.075, F.S.; expanding conditions

1 under which the Department of Environmental
2 Protection and water management districts shall
3 reduce or waive certain fees for counties or
4 municipalities; conforming to the definition of
5 the term "rural community" used elsewhere in
6 the Florida Statutes; amending s. 220.191,
7 F.S.; redefining the term "qualifying project";
8 limiting the application of the capital
9 investment annual tax credit; revising
10 qualification standards for such credits;
11 revising certain application procedures;
12 establishing minimum standards for application
13 guidelines; amending s. 288.012, F.S.; revising
14 the authority of the Office of Tourism, Trade,
15 and Economic Development to establish foreign
16 offices; providing for the office to approve
17 the establishment and operation of such offices
18 by Enterprise Florida, Inc., and the Florida
19 Commission on Tourism; providing for foreign
20 offices to submit updated operating plans and
21 activity reports; amending s. 288.018, F.S.;
22 providing for Enterprise Florida, Inc., to
23 administer the Regional Rural Development
24 Grants Program and make recommendations for
25 approval by the Office of Tourism, Trade, and
26 Economic Development; creating s. 288.064,
27 F.S.; expressing the intent of the Legislature
28 to provide for efficient and effective delivery
29 of assistance to rural communities; amending s.
30 288.0656, F.S.; revising criteria for the Rural
31 Economic Development Initiative; requiring

1 certain communities to apply for rural
2 designation; amending s. 288.1088, F.S.;
3 revising criteria and procedures related to the
4 award of funds to certain target industries
5 from the Quick Action Closing Fund; amending s.
6 288.1162, F.S.; providing for a specified
7 direct-support organization to administer the
8 professional sports franchises and spring
9 training franchises facilities programs;
10 providing for final approval of decisions under
11 such programs by the Office of Tourism, Trade,
12 and Economic Development; amending s. 288.1168,
13 F.S.; deleting obsolete provisions relating to
14 certification of the professional golf hall of
15 fame; providing for a specified direct-support
16 organization to administer that program;
17 amending s. 288.1169, F.S.; providing for a
18 specified direct-support organization to
19 administer the certification program for the
20 International Game Fish Association World
21 Center facility; providing for annual
22 verification of attendance and sales tax
23 revenue projections; transferring, renumbering,
24 and amending s. 288.1185, F.S.; assigning
25 administrative responsibility for the Recycling
26 Markets Advisory Committee to the Department of
27 Environmental Protection; amending s. 288.1223,
28 F.S.; authorizing the Governor to designate a
29 person to serve on the Florida Commission on
30 Tourism and as the chair of the commission;
31 amending s. 288.1226, F.S.; providing for the

1 appointment of the president of the Florida
2 Tourism Industry Marketing Corporation and
3 specifying that the president serves at the
4 pleasure of the Governor; limiting certain
5 employee salaries unless such employees are
6 covered by a performance contract; amending s.
7 288.1229, F.S.; requiring an annual report on
8 the status of specified sports projects;
9 amending s. 288.1251, F.S.; renaming the Office
10 of the Film Commissioner the Governor's Office
11 of Film and Entertainment; renaming the Film
12 Commissioner as the Commissioner of Film and
13 Entertainment; authorizing receipt and
14 expenditure of certain grants and donations;
15 amending s. 288.1252, F.S.; renaming the
16 Florida Film Advisory Council the Florida Film
17 and Entertainment Advisory Council; amending s.
18 288.1253, F.S., relating to travel and
19 entertainment expenses; conforming terminology;
20 amending s. 288.901, F.S.; correcting a
21 cross-reference; providing that the Governor's
22 designee may serve as chairperson of the board
23 of directors of Enterprise Florida, Inc.;
24 specifying that at-large members of the board
25 of directors of Enterprise Florida, Inc., shall
26 not have voting authority; amending s.
27 288.9015, F.S.; requiring Enterprise Florida,
28 Inc., to use specified programs to facilitate
29 economic development; amending s. 288.980,
30 F.S.; providing for Enterprise Florida, Inc.,
31 to administer defense grant programs and make

1 recommendations to the Office of Tourism,
2 Trade, and Economic Development on approval of
3 grant awards; amending s. 288.99, F.S.;
4 assigning responsibility for ongoing
5 administration of the Certified Capital Company
6 Act to the Department of Banking and Finance;
7 amending s. 290.004, F.S.; repealing certain
8 definitions under the enterprise zone program;
9 defining the term "rural enterprise zone";
10 amending s. 290.0056, F.S.; providing for a
11 reporting requirement for enterprise zone
12 development agencies to Enterprise Florida,
13 Inc.; amending s. 290.0058, F.S.; conforming to
14 administration of the enterprise zone program
15 by Enterprise Florida, Inc.; amending s.
16 290.0065, F.S.; providing for Enterprise
17 Florida, Inc., to administer the enterprise
18 zone program and make recommendations to the
19 Office of Tourism, Trade, and Economic
20 Development; conforming references; amending s.
21 290.0066, F.S.; providing for Enterprise
22 Florida, Inc., to make recommendations to the
23 Office of Tourism, Trade, and Economic
24 Development regarding revocations of enterprise
25 zone designations; amending s. 290.00675, F.S.;
26 providing for Enterprise Florida, Inc., to make
27 recommendations to the Office of Tourism,
28 Trade, and Economic Development regarding
29 amendment of enterprise zone boundaries;
30 creating s. 290.00676, F.S.; authorizing the
31 Office of Tourism, Trade, and Economic

1 Development to amend the boundaries of a rural
2 enterprise zone and providing requirements with
3 respect thereto; creating s. 290.00677, F.S.;
4 modifying the employee residency requirements
5 for the enterprise zone job credit against the
6 sales tax and corporate income tax if the
7 business is located in a rural enterprise zone;
8 modifying the employee residency requirements
9 for maximum exemptions or credits with respect
10 to the sales tax credits for enterprise zone
11 job creation, for building materials used in
12 the rehabilitation of real property in an
13 enterprise zone, for business property used in
14 an enterprise zone, and for electrical energy
15 used in an enterprise zone, and the corporate
16 income tax enterprise zone job creation and
17 property tax credits if the business is located
18 in a rural enterprise zone; providing
19 application time limitations; providing an
20 extended application period for certain
21 businesses to claim tax incentives; amending s.
22 290.00689, F.S.; conforming a cross-reference;
23 revising the eligibility criteria for certain
24 tax credits to include a review and
25 recommendation by Enterprise Florida, Inc.;
26 creating s. 290.00694, F.S.; authorizing the
27 Office of Tourism, Trade, and Economic
28 Development to designate rural champion
29 communities as enterprise zones; providing
30 requirements with respect thereto; amending s.
31 290.009, F.S.; specifying that Enterprise

1 Florida, Inc., shall serve as staff to the
2 Enterprise Zone Interagency Coordinating
3 Council; amending s. 290.014, F.S.; conforming
4 cross-references; amending s. 290.046, F.S.;
5 eliminating a limitation on the number of
6 economic development grants that an eligible
7 local government may receive under the Florida
8 Small Cities Community Development Block Grant
9 Program; specifying that cumulative grant
10 awards may not exceed certain ceilings;
11 amending s. 373.4149, F.S.; removing the
12 director of the Office of Tourism, Trade, and
13 Economic Development from the membership of the
14 Miami-Dade County Lake Belt Plan Implementation
15 Committee; authorizing the Institute of Food
16 and Agricultural Sciences to contract and
17 receive money to support the Florida State
18 Rural Development Council; requiring the
19 Workforce Development Board of Enterprise
20 Florida, Inc., to develop a policy authorizing
21 placement of certain workforce-training clients
22 in self-employment as a means of job placement;
23 directing the Office of Tourism, Trade, and
24 Economic Development and Enterprise Florida,
25 Inc., to establish a unit responsible for
26 forecasting and responding to certain economic
27 development events; creating an Economic
28 Development Leadership Council to provide
29 leadership related to such events; requiring a
30 report and recommendations; providing
31 legislative intent; providing for creation and

1 purpose of the Toolkit for Economic
2 Development; defining the term "economically
3 distressed"; requiring the appointment of
4 liaisons from agencies and organizations;
5 providing for requirements and duties; creating
6 coordinating partners to serve as the program's
7 executive committee; providing for duties;
8 providing for waivers of permit processing fees
9 and state-required matching funds requirements;
10 requiring an inventory of programs that help
11 economically distressed communities; requiring
12 the inventory be categorized; creating the
13 Start-Up Initiative to promote the use of the
14 inventory; providing for identification of
15 communities; providing for solicitation of
16 proposals; providing for proposal content;
17 providing for review process and evaluation
18 criteria; providing for funding and budget
19 amendments; providing for the use of lifelines
20 by coordinating partners; providing an
21 appropriation to the coordinating partners;
22 providing for use of funds and certification;
23 providing for monitoring and reporting;
24 providing for expiration; amending s. 240.311,
25 F.S.; requiring the State Board of Community
26 Colleges to identify training programs for
27 broadband digital media specialists; requiring
28 that such programs be added to lists for demand
29 occupations under certain circumstances;
30 amending s. 240.3341, F.S.; encouraging
31 community colleges to establish incubator

1 facilities for digital media content and
2 technology development; creating s. 240.710,
3 F.S.; requiring the Board of Regents to create
4 a Digital Media Education Coordination Group;
5 providing membership; providing purposes;
6 requiring development of a plan; requiring
7 submission of plans to the Legislature;
8 requiring the Workforce Development Board to
9 reserve funds for digital media industry
10 training; providing direction on training;
11 requiring the Workforce Development Board to
12 develop a plan for the use of certain funds to
13 enhance workforce of digital media related
14 industries; providing direction on plan
15 development; creating the Digital Media
16 Education Infrastructure Fund within the Office
17 of Tourism, Trade, and Economic Development for
18 the purpose of upgrading quality of media labs;
19 providing an appropriation; providing
20 requirements for contracting and use of funds;
21 requiring Enterprise Florida, Inc., to convene
22 a broadband digital media industries group;
23 requiring identification, designation, and
24 priority of digital media sector in sector
25 strategy; requiring Enterprise Florida, Inc.,
26 to contract for establishment of digital media
27 incubator; providing contract requirements;
28 providing an appropriation; requiring industry
29 participation in funding; providing direction
30 for incubator location; requiring ITFlorida, in
31 cooperation with Enterprise Florida, Inc., to

1 prepare a marketing plan promoting the state to
2 digital media industries; providing that
3 certain provisions relating to digital media
4 are subject to legislative appropriation;
5 repealing s. 288.039, F.S., relating to the
6 Employing and Training our Youths (ENTRY)
7 program; repealing s. 288.095(3)(c), F.S.,
8 relating to a required report on activities
9 under the Economic Development Incentives
10 Account of the Economic Development Trust Fund;
11 providing an effective date.

12

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

14

15 Section 1. Subsection (2) of section 14.2015, Florida
16 Statutes, is amended to read:

17 14.2015 Office of Tourism, Trade, and Economic
18 Development; creation; powers and duties.--

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

27 (a) Contract, notwithstanding the provisions of part I
28 of chapter 287, with the direct-support organization created
29 under s. 288.1229 to guide, stimulate, and promote the sports
30 industry in the state, to promote the participation of
31 Florida's citizens in amateur athletic competition, and to

1 promote Florida as a host for national and international
2 amateur athletic competitions.

3 (b) Monitor the activities of public-private
4 partnerships and state agencies in order to avoid duplication
5 and promote coordinated and consistent implementation of
6 programs in areas including, but not limited to, tourism;
7 international trade and investment; business recruitment,
8 creation, retention, and expansion; minority and small
9 business development; and rural community development.

10 (c) Facilitate the direct involvement of the Governor
11 and the Lieutenant Governor in economic development projects
12 designed to create, expand, and retain Florida businesses and
13 to recruit worldwide business, as well as in other
14 job-creating efforts.

15 (d) Assist the Governor, in cooperation with
16 Enterprise Florida, Inc., and the Florida Commission on
17 Tourism, in preparing an annual report to the Legislature on
18 the state of the business climate in Florida and on the state
19 of economic development in Florida which will include the
20 identification of problems and the recommendation of
21 solutions. This report shall be submitted to the President of
22 the Senate, the Speaker of the House of Representatives, the
23 Senate Minority Leader, and the House Minority Leader by
24 January 1 of each year, and it shall be in addition to the
25 Governor's message to the Legislature under the State
26 Constitution and any other economic reports required by law.

27 (e) Plan and conduct at least one meeting per calendar
28 year of leaders in business, government, and economic
29 development called by the Governor to address the business
30 climate in the state, develop a common vision for the economic
31

1 future of the state, and identify economic development efforts
2 to fulfill that vision.

3 (f)1. Administer the Florida Enterprise Zone Act under
4 ss. 290.001-290.016, the community contribution tax credit
5 program under ss. 220.183 and 624.5105, the tax refund program
6 for qualified target industry businesses under s. 288.106, the
7 tax-refund program for qualified defense contractors under s.
8 288.1045, contracts for transportation projects under s.
9 288.063, ~~the sports franchise facility program under s.~~
10 ~~288.1162, the professional golf hall of fame facility program~~
11 ~~under s. 288.1168,~~the expedited permitting process under s.
12 403.973, the Rural Community Development Revolving Loan Fund
13 under s. 288.065, ~~the Regional Rural Development Grants~~
14 ~~Program under s. 288.018, the Certified Capital Company Act~~
15 ~~under s. 288.99, the Florida State Rural Development Council,~~
16 the Rural Economic Development Initiative, and other programs
17 that are specifically assigned to the office by law, by the
18 appropriations process, or by the Governor. Notwithstanding
19 any other provisions of law, the office may expend interest
20 earned from the investment of program funds deposited in the
21 Economic Development Trust Fund, the Grants and Donations
22 Trust Fund, the Brownfield Property Ownership Clearance
23 Assistance Revolving Loan Trust Fund, and the Economic
24 Development Transportation Trust Fund to contract for the
25 administration of the programs, or portions of the programs,
26 enumerated in this paragraph or assigned to the office by law,
27 by the appropriations process, or by the Governor. Such
28 expenditures shall be subject to review under chapter 216.

29 2. The office may enter into contracts in connection
30 with the fulfillment of its duties concerning ~~the Florida~~
31 ~~First Business Bond Pool under chapter 159,~~tax incentives

1 under chapters 212 and 220, ~~tax incentives under the Certified~~
2 ~~Capital Company Act in chapter 288, foreign offices under~~
3 ~~chapter 288,~~ the Enterprise Zone program under chapter 290,
4 the Seaport Employment Training program under chapter 311, the
5 Florida Professional Sports Team License Plates under chapter
6 320, Spaceport Florida under chapter 331, Expedited Permitting
7 under chapter 403, and in carrying out other functions that
8 are specifically assigned to the office by law, by the
9 appropriations process, or by the Governor.

10 (g) Serve as contract administrator for the state with
11 respect to contracts with Enterprise Florida, Inc., the
12 Florida Commission on Tourism, and all direct-support
13 organizations under this act, excluding those relating to
14 tourism. To accomplish the provisions of this act and
15 applicable provisions of chapter 288, and notwithstanding the
16 provisions of part I of chapter 287, the office shall enter
17 into specific contracts with Enterprise Florida, Inc., the
18 Florida Commission on Tourism, and other appropriate
19 direct-support organizations. Such contracts may be multiyear
20 and shall include specific performance measures for each year.

21 (h) Provide administrative oversight for the
22 Governor's Office of the Film and Entertainment Commissioner,
23 created under s. 288.1251, to develop, promote, and provide
24 services to the state's entertainment industry and to
25 administratively house the Florida Film and Entertainment
26 Advisory Council created under s. 288.1252.

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

1 organization, the Florida Black Business Investment Board, the
2 Governor's Office of the Film and Entertainment Commissioner,
3 and the direct-support organization created to promote the
4 sports industry.

5 (j) Adopt rules, as necessary, to carry out its
6 functions in connection with the administration of the
7 Qualified Target Industry program, the Qualified Defense
8 Contractor program, the Certified Capital Company Act, the
9 Enterprise Zone program, and the Florida First Business Bond
10 pool.

11 (k) By January 15 of each year, the Office of Tourism,
12 Trade, and Economic Development shall submit to the Governor,
13 the President of the Senate, and the Speaker of the House of
14 Representatives a complete and detailed report of all
15 applications received and recommendations made or actions
16 taken during the previous fiscal year under all programs
17 funded out of the Economic Development Incentives Account or
18 the Economic Development Transportation Trust Fund. The Office
19 of Tourism, Trade, and Economic Development, with the
20 cooperation of Enterprise Florida, Inc., shall also include in
21 the report a detailed analysis of all final decisions issued;
22 agreements or other contracts executed; and tax refunds paid
23 or other payments made under all programs funded from the
24 above named sources, including analysis of benefits and costs,
25 types of projects supported, and employment and investment
26 created. The report shall also include a separate analysis of
27 the impact of such tax refunds and other payments approved for
28 rural cities or communities as defined in s. 288.106(2)(s) and
29 state enterprise zones designated pursuant to s. 290.0065.

30 Section 2. Section 159.8083, Florida Statutes, is
31 amended to read:

1 159.8083 Florida First Business allocation pool.--The
2 Florida First Business allocation pool is hereby established.
3 The Florida First Business allocation pool shall be available
4 solely to provide written confirmation for private activity
5 bonds to finance Florida First Business projects recommended
6 by Enterprise Florida, Inc., and certified by the Office of
7 Tourism, Trade, and Economic Development as eligible to
8 receive a written confirmation. Allocations from such pool
9 shall be awarded statewide pursuant to procedures specified in
10 s. 159.805, except that the provisions of s. 159.805(2), (3),
11 and (6) do not apply. Florida First Business projects that are
12 eligible for a carryforward shall not lose their allocation on
13 November 16 if they have applied and have been granted a
14 carryforward. In issuing written confirmations of allocations
15 for Florida First Business projects, the division shall use
16 the Florida First Business allocation pool. If allocation is
17 not available from the Florida First Business allocation pool,
18 the division shall issue written confirmations of allocations
19 for Florida First Business projects pursuant to s. 159.806 or
20 s. 159.807, in such order. For the purpose of determining
21 priority within a regional allocation pool or the state
22 allocation pool, notices of intent to issue bonds for Florida
23 First Business projects to be issued from a regional
24 allocation pool or the state allocation pool shall be
25 considered to have been received by the division at the time
26 it is determined by the division that the Florida First
27 Business allocation pool is unavailable to issue confirmation
28 for such Florida First Business project. If the total amount
29 requested in notices of intent to issue private activity bonds
30 for Florida First Business projects exceeds the total amount
31 of the Florida First Business allocation pool, the director

1 shall forward all timely notices of intent to issue, which are
2 received by the division for such projects, to the Office of
3 Tourism, Trade, and Economic Development which shall render a
4 decision as to which notices of intent to issue are to receive
5 written confirmations. The Office of Tourism, Trade, and
6 Economic Development, in consultation with the division and
7 Enterprise Florida, Inc., shall develop rules to ensure that
8 the allocation provided in such pool is available solely to
9 provide written confirmations for private activity bonds to
10 finance Florida First Business projects and that such projects
11 are feasible and financially solvent.

12 Section 3. Subsection (2) of section 212.097, Florida
13 Statutes, is amended to read:

14 212.097 Urban High-Crime Area Job Tax Credit
15 Program.--

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

17 (a) "Eligible business" means any sole proprietorship,
18 firm, partnership, or corporation that is located in a
19 qualified county and is predominantly engaged in, or is
20 headquarters for a business predominantly engaged in,
21 activities usually provided for consideration by firms
22 classified within the following standard industrial
23 classifications: SIC 01 through SIC 09 (agriculture,
24 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);
25 SIC 52 through SIC 57 and SIC 59 (retail); SIC 422 (public
26 warehousing and storage); SIC 70 (hotels and other lodging
27 places); SIC 7391 (research and development); SIC 781 (motion
28 picture production and allied services); SIC 7992 (public golf
29 courses); and SIC 7996 (amusement parks). A call center or
30 similar customer service operation that services a multistate
31 market or international market is also an eligible business.

1 In addition, the Office of Tourism, Trade, and Economic
2 Development may, as part of its final budget request submitted
3 pursuant to s. 216.023, recommend additions to or deletions
4 from the list of standard industrial classifications used to
5 determine an eligible business, and the Legislature may
6 implement such recommendations. Excluded from eligible
7 receipts are receipts from retail sales, except such receipts
8 for SIC 52 through SIC 57 and SIC 59 (retail) hotels and other
9 lodging places classified in SIC 70, public golf courses in
10 SIC 7992, and amusement parks in SIC 7996. For purposes of
11 this paragraph, the term "predominantly" means that more than
12 50 percent of the business's gross receipts from all sources
13 is generated by those activities usually provided for
14 consideration by firms in the specified standard industrial
15 classification. The determination of whether the business is
16 located in a qualified high-crime area and the tier ranking of
17 that area must be based on the date of application for the
18 credit under this section. Commonly owned and controlled
19 entities are to be considered a single business entity.

20 (b) "Qualified employee" means any employee of an
21 eligible business who performs duties in connection with the
22 operations of the business on a regular, full-time basis for
23 an average of at least 36 hours per week for at least 3 months
24 within the qualified high-crime area in which the eligible
25 business is located. An owner or partner of the eligible
26 business is not a qualified employee. The term also includes
27 an employee leased from an employee leasing company licensed
28 under chapter 468, if such employee has been continuously
29 leased to the employer for an average of at least 36 hours per
30 week for more than 6 months.

31

1 (c) "New business" means any eligible business first
2 beginning operation on a site in a qualified high-crime area
3 and clearly separate from any other commercial or business
4 operation of the business entity within a qualified high-crime
5 area. A business entity that operated an eligible business
6 within a qualified high-crime area within the 48 months before
7 the period provided for application by subsection (3) is not
8 considered a new business.

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

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

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

19 2. Highest reported crime volume and rate of specific
20 property crimes such as business and residential burglary,
21 motor vehicle theft, and vandalism;

22 3. Highest percentage of reported index crimes that
23 are violent in nature;

24 4. Highest overall index crime volume for the area;
25 and

26 5. Highest overall index crime rate for the geographic
27 area.

28
29 Tier-one areas are ranked 1 through 5 and represent the
30 highest crime areas according to this ranking. Tier-two areas
31 are ranked 6 through 10 according to this ranking. Tier-three

1 areas are ranked 11 through 15. Notwithstanding this
2 definition, "qualified high-crime area" also means an area
3 that has been designated as a federal Empowerment Zone
4 pursuant to the Taxpayer Relief Act of 1997. Such a designated
5 area is ranked in tier three until the areas are reevaluated
6 by the Office of Tourism, Trade, and Economic Development.

7 Section 4. Subsection (2) of section 212.098, Florida
8 Statutes, is amended to read:

9 212.098 Rural Job Tax Credit Program.--

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

11 (a) "Eligible business" means any sole proprietorship,
12 firm, partnership, or corporation that is located in a
13 qualified county and is predominantly engaged in, or is
14 headquarters for a business predominantly engaged in,
15 activities usually provided for consideration by firms
16 classified within the following standard industrial
17 classifications: SIC 01 through SIC 09 (agriculture,
18 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);
19 SIC 422 (public warehousing and storage); SIC 70 (hotels and
20 other lodging places); SIC 7391 (research and development);
21 SIC 781 (motion picture production and allied services);SIC
22 7992 (public golf courses); and SIC 7996 (amusement parks). A
23 call center or similar customer service operation that
24 services a multistate market or an international market is
25 also an eligible business. In addition, the Office of Tourism,
26 Trade, and Economic Development may, as part of its final
27 budget request submitted pursuant to s. 216.023, recommend
28 additions to or deletions from the list of standard industrial
29 classifications used to determine an eligible business, and
30 the Legislature may implement such recommendations. Excluded
31 from eligible receipts are receipts from retail sales, except

1 such receipts for hotels and other lodging places classified
2 in SIC 70, public golf courses in SIC 7992, and amusement
3 parks in SIC 7996. For purposes of this paragraph, the term
4 "predominantly" means that more than 50 percent of the
5 business's gross receipts from all sources is generated by
6 those activities usually provided for consideration by firms
7 in the specified standard industrial classification. The
8 determination of whether the business is located in a
9 qualified county and the tier ranking of that county must be
10 based on the date of application for the credit under this
11 section. Commonly owned and controlled entities are to be
12 considered a single business entity.

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

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

- 27 1. Highest unemployment rate for the most recent
28 36-month period.
- 29 2. Lowest per capita income for the most recent
30 36-month period.

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1 3. Highest percentage of residents whose incomes are
2 below the poverty level, based upon the most recent data
3 available.

4 4. Average weekly manufacturing wage, based upon the
5 most recent data available.

6
7 Tier-one qualified counties are those ranked 1 through 5 and
8 represent the state's least-developed counties according to
9 this ranking. Tier-two qualified counties are those ranked 6
10 through 10, and tier-three counties are those ranked 11
11 through 17. Notwithstanding this definition, "qualified
12 county" also means a county that contains an area that has
13 been designated as a federal Enterprise Community pursuant to
14 the 1999 Agricultural Appropriations Act. Such a designated
15 area shall be ranked in tier three until the areas are
16 reevaluated by the Office of Tourism, Trade, and Economic
17 Development.

18 (d) "New business" means any eligible business first
19 beginning operation on a site in a qualified county and
20 clearly separate from any other commercial or business
21 operation of the business entity within a qualified county. A
22 business entity that operated an eligible business within a
23 qualified county within the 48 months before the period
24 provided for application by subsection (3) is not considered a
25 new business.

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

28 Section 5. Section 218.075, Florida Statutes, is
29 amended to read:

30 218.075 Reduction or waiver of permit processing
31 fees.--Notwithstanding any other provision of law, the

1 Department of Environmental Protection and the water
2 management districts shall reduce or waive permit processing
3 fees for a county ~~counties~~ with a population of 75,000 ~~50,000~~
4 or less, or a county with a population of 100,000 or less
5 which is contiguous to a county with a population of 75,000 or
6 less, based upon the most current census data, ~~on April 1,~~
7 ~~1994, until such counties exceed a population of 75,000 and a~~
8 municipality ~~municipalities~~ with a population of 25,000 or
9 less, or any county or municipality not included within a
10 metropolitan statistical area. Fee reductions or waivers shall
11 be approved on the basis of fiscal hardship or environmental
12 need for a particular project or activity. The governing body
13 must certify that the cost of the permit processing fee is a
14 fiscal hardship due to one of the following factors:

- 15 (1) Per capita taxable value is less than the
16 statewide average for the current fiscal year;
17 (2) Percentage of assessed property value that is
18 exempt from ad valorem taxation is higher than the statewide
19 average for the current fiscal year;
20 (3) Any condition specified in s. 218.503, that
21 determines a state of financial emergency;
22 (4) Ad valorem operating millage rate for the current
23 fiscal year is greater than 8 mills; or
24 (5) A financial condition that is documented in annual
25 financial statements at the end of the current fiscal year and
26 indicates an inability to pay the permit processing fee during
27 that fiscal year.

28
29 The permit applicant must be the governing body of a county or
30 municipality or a third party under contract with a county or
31 municipality and the project for which the fee reduction or

1 waiver is sought must serve a public purpose. If a permit
2 processing fee is reduced, the total fee shall not exceed
3 \$100.

4 Section 6. Paragraph (h) of subsection (1) and
5 subsections (2), (3), (4), and (5) of section 220.191, Florida
6 Statutes, are amended to read:

7 220.191 Capital investment tax credit.--

8 (1) DEFINITIONS.--For purposes of this section:

9 (h) "Qualifying project" means a new or expanding
10 facility in this state which creates at least 100 new jobs in
11 this state and is in one of the target-industry ~~high-impact~~
12 sectors identified by Enterprise Florida, Inc., and certified
13 by the office pursuant to s. 288.106(2)(o)~~s. 288.108(6)~~,
14 including, but not limited to, aviation, aerospace,
15 automotive, and silicon technology industries.

16 (2) An annual credit against the tax imposed by this
17 chapter shall be granted to any qualifying business in an
18 amount equal to 5 percent of the eligible capital costs
19 generated by a qualifying project, for a period not to exceed
20 20 years beginning with the commencement of operations of the
21 project. The tax credit shall be granted against only the
22 corporate income tax liability or the premium tax liability
23 generated by or arising out of the qualifying project, and the
24 sum of all tax credits provided pursuant to this section shall
25 not exceed 100 percent of the eligible capital costs of the
26 project. In no event may any credit granted under this section
27 be carried forward or backward by any qualifying business with
28 respect to a subsequent or prior year. The annual tax credit
29 granted under this section shall not exceed the following
30 percentages of the annual corporate income tax liability or
31

1 the premium tax liability generated by or arising out of a
2 qualifying project:

3 (a) Fifty ~~One hundred~~ percent for a qualifying project
4 which results in a cumulative capital investment of at least
5 \$100 million.

6 (b) Twenty-five ~~Seventy-five~~ percent for a qualifying
7 project which results in a cumulative capital investment of at
8 least \$50 million but less than \$100 million.

9 ~~(c) Fifty percent for a qualifying project which~~
10 ~~results in a cumulative capital investment of at least \$25~~
11 ~~million but less than \$50 million.~~

12
13 A qualifying project that ~~which~~ results in a cumulative
14 capital investment of less than ~~\$50~~\$25 million is not
15 eligible to be considered for the capital investment tax
16 credit. An insurance company claiming a credit against premium
17 tax liability under this program shall not be required to pay
18 any additional retaliatory tax levied pursuant to s. 624.5091
19 as a result of claiming such credit. Because credits under
20 this section are available to an insurance company, s.
21 624.5091 does not limit such credit in any manner.

22 (3) Prior to receiving tax credits for which it has
23 been certified pursuant to this section, a qualifying business
24 must achieve and maintain the employment target specified in
25 its application for certification, but not less than 100
26 additional employees, ~~minimum employment goals~~ beginning with
27 the commencement of operations at a qualifying project and
28 continuing each year thereafter during which tax credits are
29 available pursuant to this section.

30 (4) The office, upon application by the business and
31 evaluation and recommendation ~~a recommendation~~ by Enterprise

1 Florida, Inc., may ~~shall first~~ certify a business as eligible
2 to receive tax credits pursuant to this section prior to the
3 business's final decision on and beginning investment in
4 ~~commencement of operations~~ of a qualifying project, and such
5 certification shall be transmitted to the Department of
6 Revenue. Upon receipt of the certification, the Department of
7 Revenue shall enter into a written agreement with the
8 qualifying business specifying, at a minimum, the method by
9 which income generated by or arising out of the qualifying
10 project will be determined.

11 (5) The office, in consultation with Enterprise
12 Florida, Inc., is authorized to develop the necessary
13 guidelines and application materials for the certification
14 process described in subsection (4). The guidelines at a
15 minimum shall consider the number of jobs the project will
16 create, the wages paid by those jobs, the location of the
17 project and conditions in the area, the anticipated benefits
18 of the project, and the role the credit is expected to play in
19 the business's investment decision.

20 Section 7. Section 288.012, Florida Statutes, is
21 amended 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

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

4 (1)(a) The Office of Tourism, Trade, and Economic
5 Development is authorized to+

6 (a) approve the establishment and operation by
7 Enterprise Florida, Inc., and the Florida Commission on
8 Tourism of ~~Establish and operate~~ offices in foreign countries
9 for the purpose of promoting the trade and economic
10 development of the state, and promoting the gathering of trade
11 data information and research on trade opportunities in
12 specific countries.

13 (b) Enterprise Florida, Inc., and the Florida
14 Commission on Tourism, as agents for the Office of Tourism,
15 Trade, and Economic Development, may enter into agreements
16 with governmental and private sector entities to establish and
17 operate offices in foreign countries containing provisions
18 which may be in conflict with general laws of the state
19 pertaining to the purchase of office space, employment of
20 personnel, and contracts for services. When agreements
21 pursuant to this section are made which set compensation in
22 foreign currency, such agreements shall be subject to the
23 requirements of s. 215.425, ~~but the purchase of foreign~~
24 ~~currency by the Office of Tourism, Trade, and Economic~~
25 ~~Development to meet such obligations shall be subject only to~~
26 ~~s. 216.311.~~

27 (c) By September 1, 1997, the Office of Tourism,
28 Trade, and Economic Development shall develop a plan for the
29 disposition of the current foreign offices and the development
30 and location of additional foreign offices. The plan shall
31 include, but is not limited to, a determination of the level

1 of funding needed to operate the current offices and any
2 additional offices and whether any of the current offices need
3 to be closed or relocated. Enterprise Florida, Inc., the
4 Florida Tourism Commission, the Florida Ports Council, the
5 Department of State, the Department of Citrus, and the
6 Department of Agriculture shall assist the Office of Tourism,
7 Trade, and Economic Development in the preparation of the
8 plan. All parties shall cooperate on the disposition or
9 establishment of the offices and ensure that needed space,
10 technical assistance, and support services are provided to
11 such entities at such foreign offices.

12 (2) By June 30, 1998, each foreign office shall have
13 in place an operational plan approved by the participating
14 boards or other governing authority, a copy of which shall be
15 provided to the Office of Tourism, Trade, and Economic
16 Development. These operating plans shall be reviewed and
17 updated each fiscal year and submitted annually thereafter to
18 Enterprise Florida, Inc., or the Florida Commission on Tourism
19 for review and approval. The plans shall include, at a
20 minimum, the following:

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

23 (b) A comprehensive, commercial strategic plan
24 identifying marketing opportunities and industry sector
25 priorities for the foreign country or area in which a foreign
26 office is located.

27 (c) Provisions for access to information for Florida
28 businesses through the Florida Trade Data Center. Each
29 foreign office shall obtain and forward trade leads and
30 inquiries to the center on a regular basis as called for in
31 the plan pursuant to paragraph (1)(c).

1 (d) Identification of new and emerging market
2 opportunities for Florida businesses. Each foreign office
3 shall provide the Florida Trade Data Center with a compilation
4 of foreign buyers and importers in industry sector priority
5 areas annually ~~on an annual basis~~. In return, the Florida
6 Trade Data Center shall make available to each foreign office,
7 and to the entities identified in paragraph (1)(c), trade
8 industry, commodity, and opportunity information as specified
9 in the plan required in that paragraph. This information
10 shall be provided to the offices and the entities identified
11 in paragraph (1)(c) either free of charge or on a fee basis
12 with fees set only to recover the costs of providing the
13 information.

14 (e) Provision of access for Florida businesses to the
15 services of the Florida Trade Data Center, international trade
16 assistance services provided by state and local entities,
17 seaport and airport information, and other services identified
18 in the plan pursuant to paragraph (1)(c).

19 (f) Qualitative and quantitative performance measures
20 for each office including, but not limited to, the number of
21 businesses assisted, the number of trade leads and inquiries
22 generated, the number of foreign buyers and importers
23 contacted, and the amount and type of marketing conducted.

24 (3) By October 1 of each year, each foreign office
25 shall submit to Enterprise Florida, Inc., or the Florida
26 Commission on Tourism ~~the Office of Tourism, Trade, and~~
27 ~~Economic Development~~ a complete and detailed report on its
28 activities and accomplishments during the preceding fiscal
29 year. In a format provided by Enterprise Florida, Inc., the
30 report must set forth information on:

31 (a) The number of Florida companies assisted.

- 1 (b) The number of inquiries received about investment
2 opportunities in this state.
- 3 (c) The number of trade leads generated.
- 4 (d) The number of investment projects announced.
- 5 (e) The estimated U.S. dollar value of sales
6 confirmations.
- 7 (f) The number of representation agreements.
- 8 (g) The number of company consultations.
- 9 (h) Barriers or other issues affecting the effective
10 operation of the office.
- 11 (i) Changes in office operations which are planned for
12 the current fiscal year.
- 13 (j) Marketing activities conducted.
- 14 (k) Strategic alliances formed with organizations in
15 the country in which the office is located.
- 16 (l) Activities conducted with other Florida foreign
17 offices.
- 18 (m) Any other information that the office believes
19 would contribute to an understanding of its activities.
- 20 (4) The Office of Tourism, Trade, and Economic
21 Development, in connection with the establishment, operation,
22 and management of any of the ~~its~~ offices located in a foreign
23 country, is exempt from the provisions of ss. 255.21, 255.25,
24 and 255.254 relating to leasing of buildings; ss. 283.33 and
25 283.35 relating to bids for printing; ss. 287.001-287.20
26 relating to purchasing and motor vehicles; and ss.
27 282.003-282.111 relating to communications, and from all
28 statutory provisions relating to state employment.
- 29 (a) Such exemptions ~~The Office of Tourism, Trade, and~~
30 ~~Economic Development may be exercised~~ exercise such exemptions
31 only upon prior approval of the Governor.

1 (b) If approval for an exemption under this section is
2 granted as an integral part of a plan of operation for a
3 specified foreign office, such action shall constitute
4 continuing authority for the ~~Office of Tourism, Trade, and~~
5 ~~Economic Development~~ to exercise of the exemption, but only in
6 the context and upon the terms originally granted. Any
7 modification of the approved plan of operation with respect to
8 an exemption contained therein must be resubmitted to the
9 Governor for his or her approval. An approval granted to
10 exercise an exemption in any other context shall be restricted
11 to the specific instance for which the exemption is to be
12 exercised.

13 (c) As used in this subsection, the term "plan of
14 operation" means the plan developed pursuant to subsection
15 (2).

16 (d) Upon final action by the Governor with respect to
17 a request to exercise the exemption authorized in this
18 subsection, the Office of Tourism, Trade, and Economic
19 Development shall report such action, along with the original
20 request and any modifications thereto, to the President of the
21 Senate and the Speaker of the House of Representatives within
22 30 days.

23 (5) Where feasible and appropriate, and subject to s.
24 288.1224(10), foreign offices established and operated under
25 this section may provide one-stop access to the economic
26 development, trade, and tourism information, services, and
27 programs of the state. Where feasible and appropriate, and
28 subject to s. 288.1224(10), such offices may also be
29 collocated with other foreign offices of the state.

30 (6) The Office of Tourism, Trade, and Economic
31 Development is authorized to make and to enter into contracts

1 with Enterprise Florida, Inc., and the Florida Commission on
2 Tourism to carry out the provisions of this section. The
3 authority, duties, and exemptions provided in this section
4 apply to Enterprise Florida, Inc., and the Florida Commission
5 on Tourism ~~to the same degree and subject to the same~~
6 ~~conditions as applied to the Office of Tourism, Trade, and~~
7 ~~Economic Development~~. To the greatest extent possible, such
8 contracts shall include provisions for cooperative agreements
9 or strategic alliances between state entities, foreign
10 entities, local entities, and private businesses to operate
11 foreign offices.

12 Section 8. Section 288.018, Florida Statutes, is
13 amended to read:

14 288.018 Regional Rural Development Grants Program.--

15 (1) Enterprise Florida, Inc., shall administer ~~The~~
16 ~~Office of Tourism, Trade, and Economic Development shall~~
17 ~~establish~~ a matching grant program to provide funding to
18 regionally based economic development organizations
19 representing rural counties and communities for the purpose of
20 building the professional capacity of their organizations.
21 Upon recommendation by Enterprise Florida, Inc., the Office of
22 Tourism, Trade, and Economic Development is authorized to
23 approve, on an annual basis, grants to such regionally based
24 economic development organizations. The maximum amount an
25 organization may receive in any year will be \$35,000, or
26 \$100,000 in a rural area of critical economic concern
27 recommended by the Rural Economic Development Initiative and
28 designated by the Governor, and must be matched each year by
29 an equivalent amount of nonstate resources.

30 (2) In recommending the awards for funding, Enterprise
31 Florida, Inc., ~~approving the participants, the Office of~~

1 ~~Tourism, Trade, and Economic Development~~ shall consider the
2 demonstrated need of the applicant for assistance and require
3 the following:

4 (a) Documentation of official commitments of support
5 from each of the units of local government represented by the
6 regional organization.

7 (b) Demonstration that each unit of local government
8 has made a financial or in-kind commitment to the regional
9 organization.

10 (c) Demonstration that the private sector has made
11 financial or in-kind commitments to the regional organization.

12 (d) Demonstration that the organization is in
13 existence and actively involved in economic development
14 activities serving the region.

15 (e) Demonstration of the manner in which the
16 organization is or will coordinate its efforts with those of
17 other local and state organizations.

18 (3) The Office of Tourism, Trade, and Economic
19 Development may approve awards ~~expend~~ up to a total of
20 \$600,000 each fiscal year from funds appropriated to the Rural
21 Community Development Revolving Loan Fund for the purposes
22 outlined in this section.

23 Section 9. Section 288.064, Florida Statutes, is
24 created to read:

25 288.064 Legislative intent on rural economic
26 development.--

27 (1) The Legislature finds and declares that, because
28 of climate, tourism, industrialization, technological
29 advances, federal and state government policies,
30 transportation, and migration, Florida's urban communities
31 have grown rapidly over the past 40 years. This growth and

1 prosperity, however, have not been shared by Florida's rural
2 communities, although these communities are the stewards of
3 the vast majority of the land and natural resources. Without
4 this land and these resources, the state's growth and
5 prosperity cannot continue. In short, successful rural
6 communities are essential to the overall success of the
7 state's economy.

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

22 (3) It is the intent of the Legislature to provide for
23 the most efficient and effective delivery of programs of
24 assistance and support to rural communities, including the
25 use, where appropriate, of regulatory flexibility through
26 multiagency coordination and adequate funding. The Legislature
27 determines and declares that the provision of such assistance
28 and support in this manner fulfills an important state
29 interest.

1 Section 10. Subsection (2) of section 288.0656,
2 Florida Statutes, is amended and subsection (9) is added to
3 that section to read:

4 288.0656 Rural Economic Development Initiative.--

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

6 (a) "Economic distress" means conditions affecting the
7 fiscal and economic viability of a rural community, including
8 such factors as low per capita income, low per capita taxable
9 values, high unemployment, high underemployment, low weekly
10 earned wages compared to the state average, low housing values
11 compared to the state average, high percentages of the
12 population receiving public assistance, high poverty levels
13 compared to the state average, and a lack of year-round stable
14 employment opportunities.

15 (b) "Rural community" means:

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

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

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

21 4. An unincorporated federal enterprise community or
22 an incorporated rural city with a population of 25,000 or less
23 and an employment base focused on traditional agricultural or
24 resource-based industries, located in a county not described
25 in subparagraph 1. or subparagraph 2. which meets the criteria
26 established in subsection (9).~~defined as rural, which has at~~
27 ~~least three or more of the economic distress factors~~
28 ~~identified in paragraph (a) and verified by the Office of~~
29 ~~Tourism, Trade, and Economic Development.~~

1 For purposes of this paragraph, population shall be determined
2 in accordance with the most recent official estimate pursuant
3 to s. 186.901.

4 (9)(a) An unincorporated federal enterprise community
5 or an incorporated rural city as described in subparagraph
6 (2)(b)4. must apply to REDI for designation as rural by
7 resolution of the municipal governing body and demonstrate
8 that three or more of the factors of economic distress as
9 provided in paragraph (2)(a) exist within the community. REDI
10 shall verify such factors prior to approving the designation.

11 (b) Upon receiving such designation, an unincorporated
12 federal enterprise community or an incorporated rural city in
13 a nonrural county shall be eligible to apply for any program
14 specifically identified in statute as a rural program,
15 provided that it demonstrates that the county of jurisdiction
16 for such unincorporated federal enterprise community or rural
17 city is also providing support for each program application.
18 REDI may recommend criteria for the evaluation of such county
19 support to the administrative agency of each program. Such
20 communities shall also be eligible for any preferential
21 criteria or waivers of any program requirements specifically
22 identified in statute as available for rural counties, cities,
23 or communities when necessary to encourage and facilitate
24 long-term private capital investment and job creation.

25 Section 11. Section 288.1088, Florida Statutes, is
26 amended to read:

27 288.1088 Quick Action Closing Fund.--

28 (1)(a) The Legislature finds that attracting,
29 retaining, and providing favorable conditions for the growth
30 of certain target industries provides high-quality employment
31 opportunities for residents of this state and enhances the

1 economic foundations of the state ~~high-impact business~~
2 ~~facilities provides widespread economic benefits to the public~~
3 ~~through high-quality employment opportunities in such~~
4 ~~facilities and in related facilities attracted to the state,~~
5 ~~through the increased tax base provided by the high-impact~~
6 ~~facility and businesses in related sectors, through an~~
7 ~~enhanced entrepreneurial climate in the state and the~~
8 ~~resulting business and employment opportunities, and through~~
9 ~~the stimulation and enhancement of the state's universities~~
10 ~~and community colleges. In the global economy, there exists~~
11 ~~serious and fierce international competition for these~~
12 ~~facilities, and in most instances, when all available~~
13 ~~resources for economic development have been used, the state~~
14 ~~continues to encounter severe competitive disadvantages in~~
15 ~~vying for these high-impact business facilities.~~

16 (b) The Legislature therefore declares that sufficient
17 resources shall be available to respond to extraordinary
18 economic opportunities, and to compete effectively for these
19 high-value-added employment opportunities, and to enhance the
20 state's economic base by providing incentives to qualifying
21 businesses that require inducement beyond that available
22 through other sources to invest, grow, and create new
23 high-wage employment opportunities in this state and its
24 communities ~~high-impact business facilities.~~

25 (2) There is created within the Office of Tourism,
26 Trade, and Economic Development the Quick Action Closing Fund,
27 also known as the 21st Century Fund.

28 (3)(a) Enterprise Florida, Inc., shall evaluate
29 individual proposals for target-industry businesses
30 ~~high-impact business facilities~~ and forward recommendations
31 regarding the use of moneys in the fund for such projects

1 ~~facilities~~ to the director of the Office of Tourism, Trade,
2 and Economic Development. Such evaluation and recommendation
3 must include, but need not be limited to:

4 1. A description of the type of facility, its business
5 operation, and the product or service associated with the
6 project facility.

7 2. The number of full-time-equivalent jobs that will
8 be created by the project facility and the total estimated
9 average annual wages of those jobs.

10 3. The cumulative amount of investment to be dedicated
11 to the project facility within a specified period.

12 4. A statement of any special impacts the project
13 facility is expected to stimulate in a particular business
14 sector in the state or regional economy, or in the state's
15 universities and community colleges, or in a distressed
16 Florida community.

17 5. A statement of the role the incentive is expected
18 to play in the decision of the applicant business to locate or
19 expand in this state, an analysis of all other state and local
20 incentives that have been offered in this state, and an
21 analysis of the conditions and incentives offered by other
22 states and their communities.

23 (b) Upon receipt of the evaluation and recommendation
24 from Enterprise Florida, Inc., the director shall recommend
25 approval or disapproval of a project for receipt of funds from
26 the Quick Action Closing Fund to the Governor. In recommending
27 a target-industry business for this incentive ~~high-impact~~
28 ~~business facility~~, the director shall include proposed
29 performance conditions that the business facility must meet to
30 obtain incentive funds. The Governor shall consult with the
31 President of the Senate and the Speaker of the House of

1 Representatives before giving final approval for a project.
2 The Executive Office of the Governor shall recommend approval
3 of a project and release of funds pursuant to the legislative
4 consultation and review requirements set forth in s. 216.177.
5 The recommendation must include proposed performance
6 conditions the project must meet to obtain funds.

7 (c) If a project is approved for the receipt of funds
8 ~~Upon the approval of the Governor~~, the director of the Office
9 of Tourism, Trade, and Economic Development and the
10 ~~high-impact~~ business shall enter into a contract that sets
11 forth the conditions for payment of moneys from the fund. The
12 contract must include the total amount of funds awarded; the
13 performance conditions that must be met to obtain the award,
14 including, but not limited to, net new employment in the
15 state, average salary, and total capital investment; the
16 methodology for validating performance; the schedule of
17 payments from the fund; and sanctions for failure to meet
18 performance conditions.

19 (d) Enterprise Florida, Inc., shall validate
20 contractor performance. Such validation shall be reported
21 within 6 months after completion of the contract to the
22 Governor, President of the Senate, and the Speaker of the
23 House of Representatives.

24 Section 12. Subsections (1), (2), (4), (6), (8), and
25 (10) of section 288.1162, Florida Statutes, are amended to
26 read:

27 288.1162 Professional sports franchises; spring
28 training franchises; duties.--

29 (1) The direct-support organization authorized under
30 s. 288.1229 ~~Office of Tourism, Trade, and Economic Development~~
31 shall serve as the ~~state~~ agency for screening applicants and

1 shall make recommendations to the Office of Tourism, Trade,
2 and Economic Development for state funding pursuant to s.
3 212.20 and for certifying an applicant as a "facility for a
4 new professional sports franchise," a "facility for a retained
5 professional sports franchise," or a "new spring training
6 franchise facility." The Office of Tourism, Trade, and
7 Economic Development shall have the final approval for any
8 decision under this section.

9 (2) The direct-support organization authorized under
10 s. 288.1229 ~~Office of Tourism, Trade, and Economic Development~~
11 shall develop guidelines ~~rules~~ for the receipt and processing
12 of applications for funding pursuant to s. 212.20.

13 (4) Prior to certifying an applicant as a "facility
14 for a new professional sports franchise" or a "facility for a
15 retained professional sports franchise," the direct-support
16 organization authorized under s. 288.1229 ~~Office of Tourism,~~
17 ~~Trade, and Economic Development~~ must determine that:

18 (a) A "unit of local government" as defined in s.
19 218.369 is responsible for the construction, management, or
20 operation of the professional sports franchise facility or
21 holds title to the property on which the professional sports
22 franchise facility is located.

23 (b) The applicant has a verified copy of a signed
24 agreement with a new professional sports franchise for the use
25 of the facility for a term of at least 10 years, or in the
26 case of a retained professional sports franchise, an agreement
27 for use of the facility for a term of at least 20 years.

28 (c) The applicant has a verified copy of the approval
29 from the governing authority of the league in which the new
30 professional sports franchise exists authorizing the location
31 of the professional sports franchise in this state after April

1 1, 1987, or in the case of a retained professional sports
2 franchise, verified evidence that it has had a
3 league-authorized location in this state on or before December
4 31, 1976. The term "league" means the National League or the
5 American League of Major League Baseball, the National
6 Basketball Association, the National Football League, or the
7 National Hockey League.

8 (d) The applicant has projections, verified by the
9 direct-support organization ~~Office of Tourism, Trade, and~~
10 ~~Economic Development~~, which demonstrate that the new or
11 retained professional sports franchise will attract a paid
12 attendance of more than 300,000 annually.

13 (e) The applicant has an independent analysis or
14 study, verified by the direct-support organization ~~Office of~~
15 ~~Tourism, Trade, and Economic Development~~, which demonstrates
16 that the amount of the revenues generated by the taxes imposed
17 under chapter 212 with respect to the use and operation of the
18 professional sports franchise facility will equal or exceed \$2
19 million annually.

20 (f) The municipality in which the facility for a new
21 or retained professional sports franchise is located, or the
22 county if the facility for a new or retained professional
23 sports franchise is located in an unincorporated area, has
24 certified by resolution after a public hearing that the
25 application serves a public purpose.

26 (g) The applicant has demonstrated that it has
27 provided, is capable of providing, or has financial or other
28 commitments to provide more than one-half of the costs
29 incurred or related to the improvement and development of the
30 facility.

31

1 (h) No applicant previously certified under any
2 provision of this section who has received funding under such
3 certification shall be eligible for an additional
4 certification.

5 (6) Prior to certifying an applicant as a "new spring
6 training franchise facility," the direct-support organization
7 authorized under s. 288.1229 ~~Office of Tourism, Trade, and~~
8 ~~Economic Development~~ must determine that:

9 (a) A "unit of local government" as defined in s.
10 218.369 is responsible for the construction, management, or
11 operation of the new spring training franchise facility or
12 holds title to the property on which the new spring training
13 franchise facility is located.

14 (b) The applicant has a verified copy of a signed
15 agreement with a new spring training franchise for the use of
16 the facility for a term of at least 15 years.

17 (c) The applicant has a financial commitment to
18 provide 50 percent or more of the funds required by an
19 agreement for the use of the facility by the new spring
20 training franchise.

21 (d) The proposed facility for the new spring training
22 franchise is located within 20 miles of an interstate or other
23 limited-access highway system.

24 (e) The applicant has projections, verified by the
25 direct-support organization ~~Office of Tourism, Trade, and~~
26 ~~Economic Development~~, which demonstrate that the new spring
27 training franchise facility will attract a paid attendance of
28 at least 50,000 annually.

29 (f) The new spring training franchise facility is
30 located in a county that is levying a tourist development tax
31 pursuant to s. 125.0104(3)(b), (c), (d), and (l), at the rate

1 of 4 percent by March 1, 1992, and, 87.5 percent of the
2 proceeds from such tax are dedicated for the construction of a
3 spring training complex.

4 (8) The direct-support organization authorized under
5 s. 288.1229 ~~Office of Tourism, Trade, and Economic Development~~
6 shall notify the Department of Revenue of any facility
7 certified as a facility for a new professional sports
8 franchise or a facility for a retained professional sports
9 franchise or as a new spring training franchise facility. The
10 direct-support organization ~~Office of Tourism, Trade, and~~
11 ~~Economic Development~~ may certify no more than eight facilities
12 as facilities for a new professional sports franchise, as
13 facilities for a retained professional sports franchise, or as
14 new spring training franchise facilities, including in such
15 total any facilities certified by the Department of Commerce
16 before July 1, 1996, and by the Office of Tourism, Trade, and
17 Economic Development before July 1, 2000. ~~The office may make~~
18 No more than one certification may be made for any facility.

19 (10) An applicant shall not be qualified for
20 certification under this section if the franchise formed the
21 basis for a previous certification, unless the previous
22 certification was withdrawn by the facility or invalidated by
23 the direct-support organization authorized under s. 288.1229,
24 the Office of Tourism, Trade, and Economic Development, or the
25 Department of Commerce before any funds were distributed
26 pursuant to s. 212.20. This subsection does not disqualify an
27 applicant if the previous certification occurred between May
28 23, 1993, and May 25, 1993; however, any funds to be
29 distributed pursuant to s. 212.20 for the second certification
30 shall be offset by the amount distributed to the previous
31 certified facility. Distribution of funds for the second

1 certification shall not be made until all amounts payable for
2 the first certification have been distributed.

3 Section 13. Section 288.1168, Florida Statutes, is
4 amended to read:

5 288.1168 Professional golf hall of fame facility;
6 duties.--

7 ~~(1) The Department of Commerce shall serve as the~~
8 ~~state agency for screening applicants for state funding~~
9 ~~pursuant to s. 212.20 and for certifying one applicant as the~~
10 ~~professional golf hall of fame facility in the state.~~

11 ~~(2) Prior to certifying the professional golf hall of~~
12 ~~fame facility, the Department of Commerce must determine that:~~

13 ~~(a) The professional golf hall of fame facility is the~~
14 ~~only professional golf hall of fame in the United States~~
15 ~~recognized by the PGA Tour, Inc.~~

16 ~~(b) The applicant is a unit of local government as~~
17 ~~defined in s. 218.369 or a private sector group that has~~
18 ~~contracted to construct or operate the professional golf hall~~
19 ~~of fame facility on land owned by a unit of local government.~~

20 ~~(c) The municipality in which the professional golf~~
21 ~~hall of fame facility is located, or the county if the~~
22 ~~facility is located in an unincorporated area, has certified~~
23 ~~by resolution after a public hearing that the application~~
24 ~~serves a public purpose.~~

25 ~~(d) There are existing projections that the~~
26 ~~professional golf hall of fame facility will attract a paid~~
27 ~~attendance of more than 300,000 annually.~~

28 ~~(e) There is an independent analysis or study, using~~
29 ~~methodology approved by the department, which demonstrates~~
30 ~~that the amount of the revenues generated by the taxes imposed~~
31 ~~under chapter 212 with respect to the use and operation of the~~

1 ~~professional golf hall of fame facility will equal or exceed~~
2 ~~\$2 million annually.~~

3 (1)(f) Prior to certification, the applicant for the
4 certified professional golf hall of fame facility must submit
5 ~~The applicant has submitted an agreement to provide \$2 million~~
6 ~~annually in national and international media promotion of the~~
7 ~~professional golf hall of fame facility, Florida, and Florida~~
8 ~~tourism, through the PGA Tour, Inc., or its affiliates, at the~~
9 ~~then-current commercial rate, during the period of time that~~
10 ~~the facility receives funds pursuant to s. 212.20. The~~
11 direct-support organization authorized under s. 288.1229
12 ~~Office of Tourism, Trade, and Economic Development and the PGA~~
13 ~~Tour, Inc., or its affiliates, must agree annually on a~~
14 ~~reasonable percentage of advertising specifically allocated~~
15 ~~for generic Florida advertising. The direct-support~~
16 organization authorized under s. 288.1229 ~~Office of Tourism,~~
17 ~~Trade, and Economic Development shall have final approval of~~
18 ~~all generic advertising. Failure on the part of the PGA Tour,~~
19 ~~Inc., or its affiliates to annually provide the advertising as~~
20 ~~provided in this subsection paragraph or subsection(4)(6)~~
21 ~~shall result in the termination of funding as provided in s.~~
22 ~~212.20.~~

23 ~~(g) Documentation exists that demonstrates that the~~
24 ~~applicant has provided, is capable of providing, or has~~
25 ~~financial or other commitments to provide more than one-half~~
26 ~~of the costs incurred or related to the improvement and~~
27 ~~development of the facility.~~

28 ~~(h) The application is signed by an official senior~~
29 ~~executive of the applicant and is notarized according to~~
30 ~~Florida law providing for penalties for falsification.~~

31

1 (2)(3) The certified professional golf hall of fame
2 facility applicant may use funds provided pursuant to s.
3 212.20 for the public purpose of paying for the construction,
4 reconstruction, renovation, or operation of the professional
5 golf hall of fame facility, or to pay or pledge for payment of
6 debt service on, or to fund debt service reserve funds,
7 arbitrage rebate obligations, or other amounts payable with
8 respect to, bonds issued for the construction, reconstruction,
9 or renovation of the facility or for the reimbursement of such
10 costs or the refinancing of bonds issued for such purpose.

11 ~~(4) Upon determining that an applicant is or is not~~
12 ~~certifiable, the Secretary of Commerce shall notify the~~
13 ~~applicant of his or her status by means of an official letter.~~
14 ~~If certifiable, the secretary shall notify the executive~~
15 ~~director of the Department of Revenue and the applicant of~~
16 ~~such certification by means of an official letter granting~~
17 ~~certification. From the date of such certification, the~~
18 ~~applicant shall have 5 years to open the professional golf~~
19 ~~hall of fame facility to the public and notify the Office of~~
20 ~~Tourism, Trade, and Economic Development of such opening. The~~
21 ~~Department of Revenue shall not begin distributing funds until~~
22 ~~30 days following notice by the Office of Tourism, Trade, and~~
23 ~~Economic Development that the professional golf hall of fame~~
24 ~~facility is open to the public.~~

25 (3)(5) The Department of Revenue may audit as provided
26 in s. 213.34 to verify that the distributions under this
27 section have been expended as required by this section.

28 (4)(6) The direct-support organization authorized
29 under s. 288.1229 ~~Office of Tourism, Trade, and Economic~~
30 ~~Development~~ must recertify every 10 years that the facility is
31 open, continues to be the only professional golf hall of fame

1 in the United States recognized by the PGA Tour, Inc., and is
2 meeting the minimum projections for attendance or sales tax
3 revenue as required at the time of original certification. If
4 the facility is not certified as meeting the minimum
5 projections, the PGA Tour, Inc., shall increase its required
6 advertising contribution of \$2 million annually to \$2.5
7 million annually in lieu of reduction of any funds as provided
8 by s. 212.20. The additional \$500,000 must be allocated in its
9 entirety for the use and promotion of generic Florida
10 advertising as determined by the direct-support organization
11 authorized under s. 288.1229 ~~Office of Tourism, Trade, and~~
12 ~~Economic Development~~. If the facility is not open to the
13 public or is no longer in use as the only professional golf
14 hall of fame in the United States recognized by the PGA Tour,
15 Inc., the entire \$2.5 million for advertising must be used for
16 generic Florida advertising as determined by the
17 direct-support organization authorized under s. 288.1229
18 ~~Office of Tourism, Trade, and Economic Development~~.

19 Section 14. Section 288.1169, Florida Statutes, is
20 amended to read:

21 288.1169 International Game Fish Association World
22 Center facility; ~~department~~ duties.--

23 (1) The direct-support organization authorized under
24 s. 288.1229 ~~Department of Commerce~~ shall serve as the ~~state~~
25 agency approving applicants for funding pursuant to s. 212.20
26 and for certifying the applicant as the International Game
27 Fish Association World Center facility. For purposes of this
28 section, "facility" means the International Game Fish
29 Association World Center, and "project" means the
30 International Game Fish Association World Center and new
31 colocated improvements by private sector concerns who have

1 made cash or in-kind contributions to the facility of \$1
2 million or more.

3 (2) Prior to certifying this facility, the
4 direct-support organization authorized under s. 288.1229
5 ~~department~~ must determine that:

6 (a) The International Game Fish Association World
7 Center is the only fishing museum, Hall of Fame, and
8 international administrative headquarters in the United States
9 recognized by the International Game Fish Association, and
10 that one or more private sector concerns have committed to
11 donate to the International Game Fish Association land upon
12 which the International Game Fish Association World Center
13 will operate.

14 (b) International Game Fish Association is a
15 not-for-profit Florida corporation that has contracted to
16 construct and operate the facility.

17 (c) The municipality in which the facility is located,
18 or the county if the facility is located in an unincorporated
19 area, has certified by resolution after a public hearing that
20 the facility serves a public purpose.

21 (d) There are existing projections that the
22 International Game Fish Association World Center facility and
23 the colocated facilities of private sector concerns will
24 attract an attendance of more than 1.8 million annually.

25 (e) There is an independent analysis or study, using
26 methodology approved by the direct-support organization
27 ~~department~~, which demonstrates that the amount of the revenues
28 generated by the taxes imposed under chapter 212 with respect
29 to the use and operation of the project will exceed \$1 million
30 annually.

31

1 (f) There are existing projections that the project
2 will attract more than 300,000 persons annually who are not
3 residents of the state.

4 (g) The applicant has submitted an agreement to
5 provide \$500,000 annually in national and international media
6 promotion of the facility, at the then-current commercial
7 rates, during the period of time that the facility receives
8 funds pursuant to s. 212.20. Failure on the part of the
9 applicant to annually provide the advertising as provided in
10 this paragraph shall result in the termination of the funding
11 as provided in s. 212.20. The applicant can discharge its
12 obligation under this paragraph by contracting with other
13 persons, including private sector concerns who participate in
14 the project.

15 (h) Documentation exists that demonstrates that the
16 applicant has provided, and is capable of providing, or has
17 financial or other commitments to provide, more than one-half
18 of the cost incurred or related to the improvements and the
19 development of the facility.

20 (i) The application is signed by senior officials of
21 the International Game Fish Association and is notarized
22 according to Florida law providing for penalties for
23 falsification.

24 (3) The applicant may use funds provided pursuant to
25 s. 212.20 for the purpose of paying for the construction,
26 reconstruction, renovation, promotion, or operation of the
27 facility, or to pay or pledge for payment of debt service on,
28 or to fund debt service reserve funds, arbitrage rebate
29 obligations, or other amounts payable with respect to, bonds
30 issued for the construction, reconstruction, or renovation of
31

1 the facility or for the reimbursement of such costs or by
2 refinancing of bonds issued for such purposes.

3 (4) Upon determining that an applicant is or is not
4 certifiable, the direct-support organization authorized under
5 s. 288.1229 ~~Department of Commerce~~ shall notify the applicant
6 of its status by means of an official letter. If certifiable,
7 the direct-support organization ~~Department of Commerce~~ shall
8 notify the executive director of the Department of Revenue and
9 the applicant of such certification by means of an official
10 letter granting certification. From the date of such
11 certification, the applicant shall have 5 years to open the
12 facility to the public and notify the direct-support
13 organization ~~Department of Commerce~~ of such opening. The
14 Department of Revenue shall not begin distributing funds until
15 30 days following notice by the direct-support organization
16 ~~Department of Commerce~~ that the facility is open to the
17 public.

18 (5) The Department of Revenue may audit as provided in
19 s. 213.34 to verify that the contributions pursuant to this
20 section have been expended as required by this section.

21 (6) The direct-support organization authorized under
22 s. 288.1229 ~~Department of Commerce~~ must recertify every 10
23 years that the facility is open, that the International Game
24 Fish Association World Center continues to be the only
25 international administrative headquarters, fishing museum, and
26 Hall of Fame in the United States recognized by the
27 International Game Fish Association, and must verify annually
28 that the project is meeting the minimum projections for
29 attendance or sales tax revenues as required at the time of
30 original certification. If the facility is not recertified
31 during this 10-year review as meeting the minimum projections,

1 then funding will be abated until certification criteria are
2 met. If the project fails to generate \$1 million of annual
3 revenues pursuant to paragraph (2)(e), the distribution of
4 revenues pursuant to s. 212.20(6)(f)5.c. shall be reduced to
5 an amount equal to \$83,333 multiplied by a fraction, the
6 numerator of which is the actual revenues generated and the
7 denominator of which is \$1 million. Such reduction shall
8 remain in effect until revenues generated by the project in a
9 12-month period equal or exceed \$1 million.

10 Section 15. Section 288.1185, Florida Statutes, is
11 transferred, renumbered as section 403.7155, Florida Statutes,
12 and amended to read:

13 403.7155 ~~288.1185~~ Recycling Markets Advisory
14 Committee.--

15 (1) There is created the Recycling Markets Advisory
16 Committee, hereinafter referred to as the "committee," to be
17 administratively housed in the Department of Environmental
18 Protection ~~Office of Tourism, Trade, and Economic Development~~.
19 The purpose of the committee shall be to serve as the
20 mechanism for coordination among state agencies and the
21 private sector to coordinate policy and overall strategic
22 planning for developing new markets and expanding and
23 enhancing existing markets for recovered materials. The
24 committee may not duplicate or replace agency programs, but
25 shall enhance, coordinate, and recommend priorities for those
26 programs.

27 (2)(a) The committee shall consist of 12 members, 10
28 of whom shall be appointed by the Governor, each of whom is or
29 has been actively engaged in the recycling industry or a
30 related business area, including the use of product packaging
31 materials, or is a local government official with a

1 demonstrated knowledge of recycling; a member of the House of
2 Representatives to be appointed by the Speaker of the House of
3 Representatives, who shall serve without voting rights as an
4 ex officio member of the committee; and a member of the Senate
5 to be appointed by the President of the Senate, who shall
6 serve without voting rights as an ex officio member of the
7 committee.

8 (b) Members of the committee shall be appointed within
9 60 days after this section takes effect.

10 (c) A chairperson shall be appointed by the Governor
11 from among the members of the committee.

12 (d) The committee shall meet at the call of its
13 chairperson or at the request of a majority of its membership,
14 but at least biannually. A majority of the members shall
15 constitute a quorum, and the affirmative vote of a majority of
16 a quorum is necessary to take official action.

17 (e) Members of the committee shall serve without
18 compensation but are entitled to receive reimbursement for per
19 diem and travel expenses as provided in s. 112.061.

20 (f) The committee may appoint ad hoc committees, which
21 may include persons who are not members of the committee, to
22 study recycled materials market development problems and
23 issues and advise the committee on these subjects. Ad hoc
24 committee members may be reimbursed for per diem and travel
25 expenses as provided in s. 112.061.

26 (g) The Department of Environmental Protection ~~Office~~
27 ~~of Tourism, Trade, and Economic Development~~ shall coordinate
28 with agencies listed in paragraph (3)(a) to provide support as
29 necessary to enable the committee to adequately carry out its
30 functions.

31

1 (3)(a) The heads of the Department of Transportation,
2 the Department of Environmental Protection, the Department of
3 Management Services, the Department of Agriculture and
4 Consumer Services, the Florida Energy Office, and the Governor
5 shall each designate a staff member from within the agency to
6 serve as the recycling market development liaison for the
7 agency. This person shall have knowledge of recycling and the
8 issues and problems related to recycling and recycled
9 materials market development. This person shall be the primary
10 point of contact for the agency on issues related to recycled
11 materials market development. These liaisons shall be
12 available for committee meetings and shall work closely with
13 the committee and other recycling market development liaisons
14 to further the goals of the committee, as appropriate.

15 (b) Whenever it is necessary to change the designee,
16 the head of each agency shall notify the Governor in writing
17 of the person designated as the recycling market development
18 liaison for such agency.

19 (4)(a) By October 1, 1993, the committee shall develop
20 a plan to set goals and provide direction for developing new
21 markets and expanding and enhancing existing markets for
22 recovered materials.

23 (b) In developing the plan and any needed legislation,
24 the committee shall consider:

25 1. Developing new markets and expanding and enhancing
26 existing markets for recovered materials.

27 2. Pursuing expanded end uses for recycled materials.

28 3. Targeting materials for concentrated market
29 development efforts.

30 4. Developing proposals for new incentives for market
31 development, particularly focusing on targeted materials.

1 5. Providing guidance on issues such as permitting,
2 finance options for recycling market development, site
3 location, research and development, grant program criteria for
4 recycled materials markets, recycling markets education and
5 information, and minimum content.

6 6. Coordinating the efforts of various government
7 entities with market development responsibilities.

8 7. Evaluating the need for competitively solicited,
9 cooperative ventures in rural areas for collecting,
10 processing, marketing, and procuring collected materials.

11 8. Evaluating source-reduced products as they relate
12 to state procurement policy. The evaluation shall include,
13 but is not limited to, the environmental and economic impact
14 of source-reduced product purchases on the state. For the
15 purposes of this section, "source-reduced" means any method,
16 process, product, or technology which significantly or
17 substantially reduces the volume or weight of a product while
18 providing, at a minimum, equivalent or generally similar
19 performance and service to and for the users of such
20 materials.

21 (5) By November 1 of each year, beginning in 1994, the
22 committee shall submit to the Governor, the President of the
23 Senate, and the Speaker of the House of Representatives a
24 complete and detailed report setting forth in appropriate
25 detail the operations and accomplishments of the committee and
26 the activities of existing agencies and programs in support of
27 the goals established by the committee, including any
28 recommendations for statutory changes.

29 (6) In order to support the functions of the
30 committee, the Department of Environmental Protection ~~Office~~
31 ~~of Tourism, Trade, and Economic Development~~ may hire staff or

1 contract with other agencies for staff support and enter into
2 contracts for support, research, planning, evaluation, and
3 communication and promotion services.

4 Section 16. Paragraphs (a) and (g) of subsection (2)
5 of section 288.1223, Florida Statutes, are amended to read:

6 288.1223 Florida Commission on Tourism; creation;
7 purpose; membership.--

8 (2)(a) The commission shall consist of the Governor or
9 the Governor's designee, who must be from the public sector,
10 and 17 general tourism-industry-related members appointed by
11 the Governor, subject to confirmation by the Senate, and 11
12 additional tourism-industry-related members, appointed by the
13 Governor no later than July 31, 1996, including 3
14 representatives from the statewide rental car industry, 3
15 representatives from tourist-related statewide associations,
16 including those that represent hotels, campgrounds, and
17 attractions, 3 representatives from county destination
18 marketing organizations, 1 representative from the cruise
19 industry, and 1 representative from the airline industry, who
20 will each serve for a term of 2 years, ~~the Governor,~~ and 2
21 additional ex officio members, who will serve for a term of 2
22 years, appointed no later than July 31, 1996, including a
23 member of the Senate appointed by the President of the Senate
24 and a member of the House of Representatives appointed by the
25 Speaker of the House of Representatives.

26 (g) The Governor or the Governor's designee, who must
27 be from the public sector, shall serve as chair of the
28 commission. The commission shall annually elect one of its
29 tourism-industry-related members as vice chair, who shall
30 preside in the absence of the chair.

31

1 Section 17. Paragraph (f) of subsection (5) of section
2 288.1226, Florida Statutes, is amended to read:

3 288.1226 Florida Tourism Industry Marketing
4 Corporation; use of property; board of directors; duties;
5 audit.--

6 (5) POWERS AND DUTIES.--The corporation, in the
7 performance of its duties:

8 (f) Shall appoint the president of the Florida Tourism
9 Industry Marketing Corporation, who shall serve at the
10 pleasure of the Governor. The president is the chief executive
11 officer of the board of directors and of the corporation and
12 shall direct and supervise the affairs of the corporation. The
13 corporation shall elect or appoint such other officers and
14 agents as its affairs shall require and allow them reasonable
15 compensation. No employee of the Florida Tourism Industry
16 Marketing Corporation may receive compensation for employment
17 which exceeds the salary paid to the Governor, unless the
18 board of directors and the employee have executed a contract
19 that prescribes specific, measurable performance outcomes for
20 the employee, the satisfaction of which provides the basis for
21 the award of incentive payments that increase the employee's
22 total compensation to a level above the salary paid to the
23 Governor.

24 Section 18. Subsection (10) is added to section
25 288.1229, Florida Statutes, to read:

26 288.1229 Promotion and development of sports-related
27 industries and amateur athletics; direct-support organization;
28 powers and duties.--

29 (10) The direct-support organization authorized under
30 this section shall provide an annual report to the Office of
31 Tourism, Trade, and Economic Development on the status of the

1 professional golf hall of fame facility certified under s.
2 288.1168 and the level of attendance and sales tax revenue
3 associated with the facility as compared to the minimum
4 projections established at the time the facility was
5 certified. This report is due within 30 days after the annual
6 agreement required under s. 288.1168(1). The direct-support
7 organization also shall provide by October 1 of each year a
8 report to the Office of Tourism, Trade, and Economic
9 Development on the status of the International Game Fish
10 Association World Center facility certified under s. 288.1169.

11 Section 19. Section 288.1251, Florida Statutes, is
12 amended to read:

13 288.1251 Promotion and development of entertainment
14 industry; Governor's Office of the Film and Entertainment
15 Commissioner; creation; purpose; powers and duties.--

16 (1) CREATION.--

17 (a) There is hereby created within the Office of
18 Tourism, Trade, and Economic Development the Governor's Office
19 of the Film and Entertainment Commissioner for the purpose of
20 developing, marketing, promoting, and providing services to
21 the state's entertainment industry.

22 (b) The Office of Tourism, Trade, and Economic
23 Development shall conduct a national search for a qualified
24 person to fill the position of ~~Film~~ Commissioner of Film and
25 Entertainment, and the Executive Director of the Office of
26 Tourism, Trade, and Economic Development shall hire the ~~Film~~
27 commissioner. Guidelines for selection of the ~~Film~~
28 commissioner shall include, but not be limited to, the ~~Film~~
29 commissioner having the following:

30
31

1 1. A working knowledge of the equipment, personnel,
2 financial, and day-to-day production operations of the
3 industries to be served by the office;

4 2. Marketing and promotion experience related to the
5 industries to be served by the office;

6 3. Experience working with a variety of individuals
7 representing large and small entertainment-related businesses,
8 industry associations, local community entertainment industry
9 liaisons, and labor organizations; and

10 4. Experience working with a variety of state and
11 local governmental agencies.

12 (2) POWERS AND DUTIES.--

13 (a) The Governor's Office of ~~the~~ Film and
14 Entertainment ~~Commissioner~~, in performance of its duties,
15 shall:

16 1. In consultation with the Florida Film and
17 Entertainment Advisory Council, develop and implement a 5-year
18 strategic plan to guide the activities of the Governor's
19 Office of ~~the~~ Film and Entertainment ~~Commissioner~~ in the areas
20 of entertainment industry development, marketing, promotion,
21 liaison services, field office administration, and
22 information. The plan, to be developed by no later than June
23 30, 2000, shall:

24 a. Be annual in construction and ongoing in nature.

25 b. Include recommendations relating to the
26 organizational structure of the office.

27 c. Include an annual budget projection for the office
28 for each year of the plan.

29 d. Include an operational model for the office to use
30 in implementing programs for rural and urban areas designed
31 to:

1 (I) Develop and promote the state's entertainment
2 industry.

3 (II) Have the office serve as a liaison between the
4 entertainment industry and other state and local governmental
5 agencies, local film commissions, and labor organizations.

6 (III) Gather statistical information related to the
7 state's entertainment industry.

8 (IV) Provide information and service to businesses,
9 communities, organizations, and individuals engaged in
10 entertainment industry activities.

11 (V) Administer field offices outside the state and
12 coordinate with regional offices maintained by counties and
13 regions of the state, as described in sub-sub-subparagraph
14 (II), as necessary.

15 e. Include performance standards and measurable
16 outcomes for the programs to be implemented by the office.

17 f. Include an assessment of, and make recommendations
18 on, the feasibility of creating an alternative public-private
19 partnership for the purpose of contracting with such a
20 partnership for the administration of the state's
21 entertainment industry promotion, development, marketing, and
22 service programs.

23 2. Develop, market, and facilitate a smooth working
24 relationship between state agencies and local governments in
25 cooperation with local film commission offices for
26 out-of-state and indigenous entertainment industry production
27 entities.

28 3. Implement a structured methodology prescribed for
29 coordinating activities of local offices with each other and
30 the commissioner's office.

31

1 4. Represent the state's indigenous entertainment
2 industry to key decisionmakers within the national and
3 international entertainment industry, and to state and local
4 officials.

5 5. Prepare an inventory and analysis of the state's
6 entertainment industry, including, but not limited to,
7 information on crew, related businesses, support services, job
8 creation, talent, and economic impact and coordinate with
9 local offices to develop an information tool for common use.

10 6. Represent key decisionmakers within the national
11 and international entertainment industry to the indigenous
12 entertainment industry and to state and local officials.

13 7. Serve as liaison between entertainment industry
14 producers and labor organizations.

15 8. Identify, solicit, and recruit entertainment
16 production opportunities for the state.

17 9. Assist rural communities and other small
18 communities in the state in developing the expertise and
19 capacity necessary for such communities to develop, market,
20 promote, and provide services to the state's entertainment
21 industry.

22 (b) The Governor's Office of ~~the~~ Film and
23 Entertainment ~~Commissioner~~, in the performance of its duties,
24 may:

25 1. Conduct or contract for specific promotion and
26 marketing functions, including, but not limited to, production
27 of a statewide directory, production and maintenance of an
28 Internet web site, establishment and maintenance of a
29 toll-free number, organization of trade show participation,
30 and appropriate cooperative marketing opportunities.

31

1 2. Conduct its affairs, carry on its operations,
2 establish offices, and exercise the powers granted by this act
3 in any state, territory, district, or possession of the United
4 States.

5 3. Carry out any program of information, special
6 events, or publicity designed to attract entertainment
7 industry to Florida.

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

18 5. Provide and arrange for reasonable and necessary
19 promotional items and services for such persons as the office
20 deems proper in connection with the performance of the
21 promotional and other duties of the office.

22 6. Prepare an annual economic impact analysis on
23 entertainment industry-related activities in the state.

24 7. Request or accept any grant or gift of funds or
25 property made by this state or by the United States, or any
26 department or agency thereof, or by any individual, firm,
27 corporation, municipality, county, or organization for any or
28 all of the purposes of the Governor's Office of Film and
29 Entertainment which are consistent with this or any other
30 provision of law. The office may expend such funds in
31 accordance with the terms and conditions of any such grant or

1 gift, in the pursuit of its administration, or in support of
2 the programs it administers.

3 Section 20. Section 288.1252, Florida Statutes, is
4 amended to read:

5 288.1252 Florida Film and Entertainment Advisory
6 Council; creation; purpose; membership; powers and duties.--

7 (1) CREATION.--There is ~~hereby~~ created within the
8 Office of Tourism, Trade, and Economic Development of the
9 Executive Office of the Governor, for administrative purposes
10 only, the Florida Film and Entertainment Advisory Council.

11 (2) PURPOSE.--The purpose of the council shall be to
12 serve as an advisory body to the Office of Tourism, Trade, and
13 Economic Development and to the Governor's Office of ~~the~~ Film
14 and Entertainment ~~Commissioner~~ to provide these offices with
15 industry insight and expertise related to developing,
16 marketing, promoting, and providing service to the state's
17 entertainment industry.

18 (3) MEMBERSHIP.--

19 (a) The council shall consist of 17 members, seven to
20 be appointed by the Governor, five to be appointed by the
21 President of the Senate, and five to be appointed by the
22 Speaker of the House of Representatives, with the initial
23 appointments being made no later than August 1, 1999.

24 (b) When making appointments to the council, the
25 Governor, the President of the Senate, and the Speaker of the
26 House of Representatives shall appoint persons who are
27 residents of the state and who are highly knowledgeable of,
28 active in, and recognized leaders in Florida's motion picture,
29 television, video, sound recording, or other entertainment
30 industries. These persons shall include, but not be limited
31 to, representatives of local film commissions, representatives

1 of entertainment associations, a representative of the
2 broadcast industry, representatives of labor organizations in
3 the entertainment industry, and board chairs, presidents,
4 chief executive officers, chief operating officers, or persons
5 of comparable executive position or stature of leading or
6 otherwise important entertainment industry businesses and
7 offices. Council members shall be appointed in such a manner
8 as to equitably represent the broadest spectrum of the
9 entertainment industry and geographic areas of the state.

10 (c) Council members shall serve for 4-year terms,
11 except that the initial terms shall be staggered:

12 1. The Governor shall appoint one member for a 1-year
13 term, two members for 2-year terms, two members for 3-year
14 terms, and two members for 4-year terms.

15 2. The President of the Senate shall appoint one
16 member for a 1-year term, one member for a 2-year term, two
17 members for 3-year terms, and one member for a 4-year term.

18 3. The Speaker of the House of Representatives shall
19 appoint one member for a 1-year term, one member for a 2-year
20 term, two members for 3-year terms, and one member for a
21 4-year term.

22 (d) Subsequent appointments shall be made by the
23 official who appointed the council member whose expired term
24 is to be filled.

25 (e) The ~~Film~~ Commissioner of Film and Entertainment, a
26 representative of Enterprise Florida, Inc., and a
27 representative of the Florida Tourism Industry Marketing
28 Corporation shall serve as ex officio, nonvoting members of
29 the council, and shall be in addition to the 17 appointed
30 members of the council.

31

1 (f) Absence from three consecutive meetings shall
2 result in automatic removal from the council.

3 (g) A vacancy on the council shall be filled for the
4 remainder of the unexpired term by the official who appointed
5 the vacating member.

6 (h) No more than one member of the council may be an
7 employee of any one company, organization, or association.

8 (i) Any member shall be eligible for reappointment but
9 may not serve more than two consecutive terms.

10 (4) MEETINGS; ORGANIZATION.--

11 (a) The council shall meet no less frequently than
12 once each quarter of the calendar year, but may meet more
13 often as set by the council.

14 (b) The council shall annually elect one member to
15 serve as chair of the council and one member to serve as vice
16 chair. The Governor's Office of the Film and Entertainment
17 ~~Commissioner~~ shall provide staff assistance to the council,
18 which shall include, but not be limited to, keeping records of
19 the proceedings of the council, and serving as custodian of
20 all books, documents, and papers filed with the council.

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

23 (d) 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 (5) POWERS AND DUTIES.--The Florida Film and
28 Entertainment Advisory Council shall have all the powers
29 necessary or convenient to carry out and effectuate the
30 purposes and provisions of this act, including, but not
31 limited to, the power to:

1 (a) Adopt bylaws for the governance of its affairs and
2 the conduct of its business.

3 (b) Advise and consult with the Governor's Office of
4 ~~the Film and Entertainment Commissioner~~ on the content,
5 development, and implementation of the 5-year strategic plan
6 to guide the activities of the office.

7 (c) Review the ~~Film Commissioner's~~ administration by
8 the Commissioner of Film and Entertainment of the programs
9 related to the strategic plan, and advise the commissioner on
10 the programs and any changes that might be made to better meet
11 the strategic plan.

12 (d) Consider and study the needs of the entertainment
13 industry for the purpose of advising the commissioner and the
14 Office of Tourism, Trade, and Economic Development.

15 (e) Identify and make recommendations on state agency
16 and local government actions that may have an impact on the
17 entertainment industry or that may appear to industry
18 representatives as an official state or local action affecting
19 production in the state.

20 (f) Consider all matters submitted to it by the
21 commissioner and the Office of Tourism, Trade, and Economic
22 Development.

23 (g) Advise and consult with the commissioner and the
24 Office of Tourism, Trade, and Economic Development, at their
25 request or upon its own initiative, regarding the
26 promulgation, administration, and enforcement of all laws and
27 rules relating to the entertainment industry.

28 (h) Suggest policies and practices for the conduct of
29 business by the Governor's Office of the Film and
30 Entertainment Commissioner or by the Office of Tourism, Trade,
31 and Economic Development that will improve internal operations

1 affecting the entertainment industry and will enhance the
2 economic development initiatives of the state for the
3 industry.

4 (i) Appear on its own behalf before boards,
5 commissions, departments, or other agencies of municipal,
6 county, or state government, or the Federal Government.

7 Section 21. Section 288.1253, Florida Statutes, is
8 amended to read:

9 288.1253 Travel and entertainment expenses.--

10 (1) As used in this section:

11 (a) "Business client" means any person, other than a
12 state official or state employee, who receives the services of
13 representatives of the Governor's Office of the Film and
14 Entertainment Commissioner in connection with the performance
15 of its statutory duties, including persons or representatives
16 of entertainment industry companies considering location,
17 relocation, or expansion of an entertainment industry business
18 within the state.

19 (b) "Entertainment expenses" means the actual,
20 necessary, and reasonable costs of providing hospitality for
21 business clients or guests, which costs are defined and
22 prescribed by rules adopted by the Office of Tourism, Trade,
23 and Economic Development, subject to approval by the
24 Comptroller.

25 (c) "Guest" means a person, other than a state
26 official or state employee, authorized by the Office of
27 Tourism, Trade, and Economic Development to receive the
28 hospitality of the Governor's Office of the Film and
29 Entertainment Commissioner in connection with the performance
30 of its statutory duties.

31

1 (d) "Travel expenses" means the actual, necessary, and
2 reasonable costs of transportation, meals, lodging, and
3 incidental expenses normally incurred by a traveler, which
4 costs are defined and prescribed by rules adopted by the
5 Office of Tourism, Trade, and Economic Development, subject to
6 approval by the Comptroller.

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

11 (a) The Governor, the Lieutenant Governor, security
12 staff of the Governor or Lieutenant Governor, the ~~Film~~
13 Commissioner of Film and Entertainment, or staff of the
14 Governor's Office of the Film and Entertainment Commissioner
15 for travel expenses or entertainment expenses incurred by such
16 individuals solely and exclusively in connection with the
17 performance of the statutory duties of the Governor's Office
18 of ~~the Film and Entertainment Commissioner~~.

19 (b) The Governor, the Lieutenant Governor, security
20 staff of the Governor or Lieutenant Governor, the ~~Film~~
21 Commissioner of Film and Entertainment, or staff of the
22 Governor's Office of the Film and Entertainment Commissioner
23 for travel expenses or entertainment expenses incurred by such
24 individuals on behalf of guests, business clients, or
25 authorized persons as defined in s. 112.061(2)(e) solely and
26 exclusively in connection with the performance of the
27 statutory duties of the Governor's Office of the Film and
28 Entertainment Commissioner.

29 (c) Third-party vendors for the travel or
30 entertainment expenses of guests, business clients, or
31 authorized persons as defined in s. 112.061(2)(e) incurred

1 solely and exclusively while such persons are participating in
2 activities or events carried out by the Governor's Office of
3 ~~the Film and Entertainment Commissioner~~ in connection with
4 that office's statutory duties.

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

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

1 entertainment, and incidental expenses incurred outside the
2 United States, as well as a summary of all successful projects
3 that developed from such travel.

4 (4) The Governor's Office of the Film and
5 Entertainment Commissioner and its employees and
6 representatives, when authorized, may accept and use
7 complimentary travel, accommodations, meeting space, meals,
8 equipment, transportation, and any other goods or services
9 necessary for or beneficial to the performance of the office's
10 duties and purposes, so long as such acceptance or use is not
11 in conflict with part III of chapter 112. The Office of
12 Tourism, Trade, and Economic Development shall, by rule,
13 develop internal controls to ensure that such goods or
14 services accepted or used pursuant to this subsection are
15 limited to those that will assist solely and exclusively in
16 the furtherance of the office's goals and are in compliance
17 with part III of chapter 112.

18 (5) Any claim submitted under this section shall not
19 be required to be sworn to before a notary public or other
20 officer authorized to administer oaths, but any claim
21 authorized or required to be made under any provision of this
22 section shall contain a statement that the expenses were
23 actually incurred as necessary travel or entertainment
24 expenses in the performance of official duties of the
25 Governor's Office of the Film and Entertainment Commissioner
26 and shall be verified by written declaration that it is true
27 and correct as to every material matter. Any person who
28 willfully makes and subscribes to any claim which he or she
29 does not believe to be true and correct as to every material
30 matter or who willfully aids or assists in, procures, or
31 counsels or advises with respect to, the preparation or

1 presentation of a claim pursuant to this section that is
2 fraudulent or false as to any material matter, whether or not
3 such falsity or fraud is with the knowledge or consent of the
4 person authorized or required to present the claim, commits a
5 misdemeanor of the second degree, punishable as provided in s.
6 775.082 or s. 775.083. Whoever receives an advancement or
7 reimbursement by means of a false claim is civilly liable, in
8 the amount of the overpayment, for the reimbursement of the
9 public fund from which the claim was paid.

10 Section 22. Subsections (2), (7), and (11) of section
11 288.901, Florida Statutes, are amended to read:

12 288.901 Enterprise Florida, Inc.; creation;
13 membership; organization; meetings; disclosure.--

14 (2) Enterprise Florida, Inc., shall establish one or
15 more corporate offices, at least one of which shall be located
16 in Leon County. The Department of Management Services may
17 establish a lease agreement program under which Enterprise
18 Florida, Inc., may hire any individual who, as of June 30,
19 1996, is employed by the Department of Commerce or who, as of
20 January 1, 1997, is employed by the Executive Office of the
21 Governor and has responsibilities specifically in support of
22 the Workforce Development Board established under s. 288.9952
23 ~~s. 288.9620~~. Under such agreement, the employee shall retain
24 his or her status as a state employee but shall work under the
25 direct supervision of Enterprise Florida, Inc. Retention of
26 state employee status shall include the right to participate
27 in the Florida Retirement System. The Department of Management
28 Services shall establish the terms and conditions of such
29 lease agreements.

30 (7) The Governor or the Governor's designee, who must
31 be from the public sector, shall serve as chairperson of the

1 board of directors. The board of directors shall biennially
2 elect one of its appointive members as vice chairperson. The
3 president shall keep a record of the proceedings of the board
4 of directors and is the custodian of all books, documents, and
5 papers filed with the board of directors, the minutes of the
6 board of directors, and the official seal of Enterprise
7 Florida, Inc.

8 (11) Notwithstanding the provisions of subsection (3),
9 the board of directors may by resolution appoint at-large
10 members to the board from the private sector, each of whom may
11 serve a 1-year term. At-large members shall not have voting
12 authority, nor may they have the powers and duties of other
13 members of the board, except that they may not serve on an
14 executive committee. An at-large member is eligible for
15 reappointment ~~but may not vote on his or her own~~
16 ~~reappointment~~. An at-large member shall be eligible to fill
17 vacancies occurring among private-sector appointees under
18 subsection (3).

19 Section 23. Subsection (2) of section 288.9015,
20 Florida Statutes, is amended to read:

21 288.9015 Enterprise Florida, Inc.; purpose; duties.--

22 (2) It shall be the responsibility of Enterprise
23 Florida, Inc., to aggressively market Florida's rural
24 communities and distressed urban communities as locations for
25 potential new investment, to aggressively assist in the
26 retention and expansion of existing businesses in these
27 communities, and to aggressively assist these communities in
28 the identification and development of new economic development
29 opportunities for job creation. Enterprise Florida, Inc.,
30 shall use and promote existing state programs to facilitate
31 the location of new investment, the retention and expansion of

1 existing businesses, and the identification and development of
2 new economic development opportunities for job creation. Such
3 programs include, but are not limited to: the Community
4 Contribution Tax Credit Program, as provided in ss. 220.183
5 and 624.5105; the Urban High-Crime Area Job Tax Credit Program
6 as provided in ss. 212.097 and 220.1895; the Rural Job Tax
7 Credit Program as provided in ss. 212.098 and 220.1895; and
8 the state incentives available in enterprise zones as provided
9 in s. 290.007.

10 Section 24. Section 288.980, Florida Statutes, is
11 amended to read:

12 288.980 Military base retention; legislative intent;
13 grants program.--

14 (1)(a) It is the intent of this state to provide the
15 necessary means to assist communities with military
16 installations that would be adversely affected by federal base
17 realignment or closure actions. It is further the intent to
18 encourage communities to initiate a coordinated program of
19 response and plan of action in advance of future actions of
20 the federal Base Realignment and Closure Commission. It is
21 critical that closure-vulnerable communities develop such a
22 program to preserve affected military installations. The
23 Legislature hereby recognizes that the state needs to
24 coordinate all efforts that can facilitate the retention of
25 all remaining military installations in the state. The
26 Legislature, therefore, declares that providing such
27 assistance to support the defense-related initiatives within
28 this section is a public purpose for which public money may be
29 used.

30 (b) The Florida Defense Alliance, an organization
31 within Enterprise Florida, is designated as the organization

1 to ensure that Florida, its resident military bases and
2 missions, and its military host communities are in competitive
3 positions as the United States continues its defense
4 realignment and downsizing. The defense alliance shall serve
5 as an overall advisory body for Enterprise Florida
6 defense-related activity. The Florida Defense Alliance may
7 receive funding from appropriations made for that purpose to
8 ~~administered by~~ the Office of Tourism, Trade, and Economic
9 Development and administered by Enterprise Florida, Inc.

10 (2)(a) The Office of Tourism, Trade, and Economic
11 Development is authorized to award grants based upon the
12 recommendation of Enterprise Florida, Inc., and for
13 administration by Enterprise Florida, Inc., from any funds
14 available to it to support activities related to the retention
15 of military installations potentially affected by federal base
16 closure or realignment.

17 (b) The term "activities" as used in this section
18 means studies, presentations, analyses, plans, and modeling.
19 Staff salaries are not considered an "activity" for which
20 grant funds may be awarded. Travel costs and costs incidental
21 thereto incurred by a grant recipient shall be considered an
22 "activity" for which grant funds may be awarded.

23 (c) Except for grants issued pursuant to the Florida
24 Military Installation Reuse Planning and Marketing Grant
25 Program as described in paragraph (3)(c), the amount of any
26 grant provided to an applicant may not exceed \$250,000. In
27 making recommendations to the Office of Tourism, Trade, and
28 Economic Development, Enterprise Florida, Inc., shall require
29 that an applicant:

30
31

1 1. Represent a local government with a military
2 installation or military installations that could be adversely
3 affected by federal base realignment or closure.

4 2. Agree to match at least 30 percent of any grant
5 awarded.

6 3. Prepare a coordinated program or plan of action
7 delineating how the eligible project will be administered and
8 accomplished.

9 4. Provide documentation describing the potential for
10 realignment or closure of a military installation located in
11 the applicant's community and the adverse impacts such
12 realignment or closure will have on the applicant's community.

13 (d) In making recommendations for grant awards,
14 Enterprise Florida, Inc.,~~the office~~ shall consider, at a
15 minimum, the following factors:

16 1. The relative value of the particular military
17 installation in terms of its importance to the local and state
18 economy relative to other military installations vulnerable to
19 closure.

20 2. The potential job displacement within the local
21 community should the military installation be closed.

22 3. The potential adverse impact on industries and
23 technologies which service the military installation.

24 (3) The Florida Economic Reinvestment Initiative is
25 established to respond to the need for this state and
26 defense-dependent communities in this state to develop
27 alternative economic diversification strategies to lessen
28 reliance on national defense dollars in the wake of base
29 closures and reduced federal defense expenditures and the need
30 to formulate specific base reuse plans and identify any
31 specific infrastructure needed to facilitate reuse. The

1 initiative shall consist of the following three distinct grant
2 programs to be administered by Enterprise Florida, Inc.~~the~~
3 ~~Office of Tourism, Trade, and Economic Development:~~

4 (a) The Florida Defense Planning Grant Program,
5 through which funds shall be used to analyze the extent to
6 which the state is dependent on defense dollars and defense
7 infrastructure and prepare alternative economic development
8 strategies. The state shall work in conjunction with
9 defense-dependent communities in developing strategies and
10 approaches that will help communities make the transition from
11 a defense economy to a nondefense economy. Grant awards may
12 not exceed \$250,000 per applicant and shall be available on a
13 competitive basis.

14 (b) The Florida Defense Implementation Grant Program,
15 through which funds shall be made available to
16 defense-dependent communities to implement the diversification
17 strategies developed pursuant to paragraph (a). Eligible
18 applicants include defense-dependent counties and cities, and
19 local economic development councils located within such
20 communities. Grant awards may not exceed \$100,000 per
21 applicant and shall be available on a competitive basis.
22 Awards shall be matched on a one-to-one basis.

23 (c) The Florida Military Installation Reuse Planning
24 and Marketing Grant Program, through which funds shall be used
25 to help counties, cities, and local economic development
26 councils develop and implement plans for the reuse of closed
27 or realigned military installations, including any necessary
28 infrastructure improvements needed to facilitate reuse and
29 related marketing activities.

30
31

1 Applications for grants under this subsection must include a
2 coordinated program of work or plan of action delineating how
3 the eligible project will be administered and accomplished,
4 which must include a plan for ensuring close cooperation
5 between civilian and military authorities in the conduct of
6 the funded activities and a plan for public involvement. The
7 director of the Office of Tourism, Trade, and Economic
8 Development shall make the final decision on all grant awards.

9 (4)(a) The Defense-Related Business Adjustment Program
10 is ~~hereby~~ created. Enterprise Florida, Inc., ~~The Director of~~
11 ~~the Office of Tourism, Trade, and Economic Development~~ shall
12 coordinate the development of the Defense-Related Business
13 Adjustment Program. Funds shall be available to assist
14 defense-related companies in the creation of increased
15 commercial technology development through investments in
16 technology. Such technology must have a direct impact on
17 critical state needs for the purpose of generating
18 investment-grade technologies and encouraging the partnership
19 of the private sector and government defense-related business
20 adjustment. The following areas shall receive precedence in
21 consideration for funding commercial technology development:
22 law enforcement or corrections, environmental protection,
23 transportation, education, and health care. Travel and costs
24 incidental thereto, and staff salaries, are not considered an
25 "activity" for which grant funds may be awarded.

26 (b) In making recommendations to the Office of
27 Tourism, Trade, and Economic Development for grant awards,
28 Enterprise Florida, Inc., ~~The office~~ shall require that an
29 applicant:
30
31

1 1. Be a defense-related business that could be
2 adversely affected by federal base realignment or closure or
3 reduced defense expenditures.

4 2. Agree to match at least 50 percent of any funds
5 awarded by the department in cash or in-kind services. Such
6 match shall be directly related to activities for which the
7 funds are being sought.

8 3. Prepare a coordinated program or plan delineating
9 how the funds will be administered.

10 4. Provide documentation describing how
11 defense-related realignment or closure will adversely impact
12 defense-related companies.

13 (5) The Retention of Military Installations Program is
14 created. The Director of the Office of Tourism, Trade, and
15 Economic Development shall coordinate and implement this
16 program. The sum of \$1.2 million is appropriated from the
17 General Revenue Fund for fiscal year 1999-2000 to the Office
18 of Tourism, Trade, and Economic Development to implement this
19 program for military installations located in counties with a
20 population greater than 824,000. The funds shall be used to
21 assist military installations potentially affected by federal
22 base closure or realignment in covering current operating
23 costs in an effort to retain the installation in this state.
24 An eligible military installation for this program shall
25 include a provider of simulation solutions for war-fighting
26 experimentation, testing, and training which employs at least
27 500 civilian and military employees and has been operating in
28 the state for a period of more than 10 years.

29 (6) The director of the Office of Tourism, Trade, and
30 Economic Development may award nonfederal matching funds
31 specifically appropriated for construction, maintenance, and

1 analysis of a Florida defense workforce database. Such funds
2 will be used to create a registry of worker skills that can be
3 used to match the worker needs of companies that are
4 relocating to this state or to assist workers in relocating to
5 other areas within this state where similar or related
6 employment is available.

7 (7) Payment of administrative expenses shall be
8 limited to no more than 10 percent of any grants issued
9 pursuant to this section.

10 (8) Enterprise Florida, Inc.,~~The Office of Tourism,~~
11 ~~Trade, and Economic Development~~ shall develop ~~establish~~
12 guidelines to implement and carry out the purpose and intent
13 of this section. The Office of Tourism, Trade, and Economic
14 Development must approve the guidelines before their
15 implementation.

16 Section 25. Subsections (7), (8), and (12), paragraph
17 (h) of subsection (10), and paragraph (b) of subsection (14)
18 of section 288.99, Florida Statutes, are amended to read:

19 288.99 Certified Capital Company Act.--

20 (7) ANNUAL TAX CREDIT; MAXIMUM AMOUNT; ALLOCATION
21 PROCESS.--

22 (a) The total amount of tax credits which may be
23 allocated by the office or the department shall not exceed
24 \$150 million. The total amount of tax credits which may be
25 used by certified investors under this act shall not exceed
26 \$15 million annually.

27 (b) The office shall be responsible for allocating
28 premium tax credits as provided for in this act to certified
29 capital companies.

30 (c) Each certified capital company must apply to the
31 office for an allocation of premium tax credits for potential

1 certified investors by March 15, 1999, on a form developed by
2 the office with the cooperation of the Department of Revenue.
3 The form shall be accompanied by an affidavit from each
4 potential certified investor confirming that the potential
5 certified investor has agreed to make an investment of
6 certified capital in a certified capital company up to a
7 specified amount, subject only to the receipt of a premium tax
8 credit allocation pursuant to this subsection. No allocation
9 shall be made to the potential investors of a certified
10 capital company unless such certified capital company has
11 filed premium tax allocation claims that would result in an
12 allocation to the potential investors in such certified
13 capital company of not less than \$15 million in the aggregate.

14 (d) On or before April 1, 1999, the office shall
15 inform each certified capital company of its share of total
16 premium tax credits available for allocation to each of its
17 potential investors.

18 (e) If a certified capital company does not receive
19 certified capital equaling the amount of premium tax credits
20 allocated to a potential certified investor for which the
21 investor filed a premium tax allocation claim within 10
22 business days after the investor received a notice of
23 allocation, the certified capital company shall notify the
24 department ~~office~~ by overnight common carrier delivery service
25 of the company's failure to receive the capital. That portion
26 of the premium tax credits allocated to the certified capital
27 company shall be forfeited. If the department ~~office~~ must
28 make a pro rata allocation under paragraph (f), the department
29 ~~office~~ shall reallocate such available credits among the other
30 certified capital companies on the same pro rata basis as the
31 initial allocation.

1 (f) If the total amount of capital committed by all
2 certified investors to certified capital companies in premium
3 tax allocation claims exceeds the aggregate cap on the amount
4 of credits that may be awarded, the premium tax credits that
5 may be allowed to any one certified investor shall be
6 allocated using the following ratio:

$$7 \quad \quad \quad 8 \quad \quad \quad A/B = X/\$150,000,000$$

9
10 where the letter "A" represents the total amount of certified
11 capital certified investors have agreed to invest in any one
12 certified capital company, the letter "B" represents the
13 aggregate amount of certified capital that all certified
14 investors have agreed to invest in all certified capital
15 companies, the letter "X" is the numerator and represents the
16 total amount of premium tax credits and certified capital that
17 may be allocated to a certified capital company in calendar
18 year 1999, and \$150 million is the denominator and represents
19 the total amount of premium tax credits and certified capital
20 that may be allocated to all certified investors in calendar
21 year 1999. Any such premium tax credits are not first
22 available for utilization until annual filings are made in
23 2001 for calendar year 2000, and the tax credits may be used
24 at a rate not to exceed 10 percent annually.

25 (g) The maximum amount of certified capital for which
26 premium tax allocation claims may be filed on behalf of any
27 certified investor and its affiliates by one or more certified
28 companies may not exceed \$15 million.

29 (h) To the extent that less than \$150 million in
30 certified capital is raised in connection with the procedure
31 set forth in paragraphs (c)-(g), the department may adopt

1 rules to allow a subsequent allocation of the remaining
2 premium tax credits authorized under this section.

3 (8) ANNUAL TAX CREDIT; CLAIM PROCESS.--

4 (a) On an annual basis, on or before December 31, each
5 certified capital company shall file with the department ~~and~~
6 ~~the office~~, in consultation with the department, on a form
7 prescribed by the department office, for each calendar year:

8 1. The total dollar amount the certified capital
9 company received from certified investors, the identity of the
10 certified investors, and the amount received from each
11 certified investor during the calendar year.

12 2. The total dollar amount the certified capital
13 company invested and the amount invested in qualified
14 businesses, together with the identity and location of those
15 businesses and the amount invested in each qualified business.

16 3. For informational purposes only, the total number
17 of permanent, full-time jobs either created or retained by the
18 qualified business during the calendar year, the average wage
19 of the jobs created or retained, the industry sectors in which
20 the qualified businesses operate, and any additional capital
21 invested in qualified businesses from sources other than
22 certified capital companies.

23 (b) The form shall be verified by one or more
24 principals of the certified capital company submitting the
25 form. Verification shall be accomplished as provided in s.
26 92.525(1)(b) and subject to the provisions of s. 92.525(3).

27 (c) The department office shall review the form, and
28 any supplemental documentation, submitted by each certified
29 capital company for the purpose of verifying:

30 1. That the businesses in which certified capital has
31 been invested by the certified capital company are in fact

1 qualified businesses, and that the amount of certified capital
2 invested by the certified capital company is as represented in
3 the form.

4 2. The amount of certified capital invested in the
5 certified capital company by the certified investors.

6 3. The amount of premium tax credit available to
7 certified investors.

8 (d) The Department of Revenue is authorized to audit
9 and examine the accounts, books, or records of certified
10 capital companies and certified investors for the purpose of
11 ascertaining the correctness of any report and financial
12 return which has been filed, and to ascertain a certified
13 capital company's compliance with the tax-related provisions
14 of this act.

15 (e) This subsection shall take effect January 1, 1999.

16 (10) DECERTIFICATION.--

17 (h) The department ~~office~~ shall send written notice to
18 the address of each certified investor whose premium tax
19 credit has been subject to recapture or forfeiture, using the
20 address last shown on the last premium tax filing.

21 (12) REPORTING REQUIREMENTS.--The department ~~office~~
22 shall report annually ~~on an annual basis~~ to the Governor, the
23 President of the Senate, and the Speaker of the House of
24 Representatives on or before April 1:

25 (a) The total dollar amount each certified capital
26 company received from all certified investors and any other
27 investor, the identity of the certified investors, and the
28 total amount of premium tax credit used by each certified
29 investor for the previous calendar year.

30 (b) The total dollar amount invested by each certified
31 capital company and that portion invested in qualified

1 businesses, the identity and location of those businesses, the
2 amount invested in each qualified business, and the total
3 number of permanent, full-time jobs created or retained by
4 each qualified business.

5 (c) The return for the state as a result of the
6 certified capital company investments, including the extent to
7 which:

8 1. Certified capital company investments have
9 contributed to employment growth.

10 2. The wage level of businesses in which certified
11 capital companies have invested exceed the average wage for
12 the county in which the jobs are located.

13 3. The investments of the certified capital companies
14 in qualified businesses have contributed to expanding or
15 diversifying the economic base of the state.

16 (14) RULEMAKING AUTHORITY.--

17 (b) The department ~~office~~ may adopt any rules
18 necessary to carry out its duties, obligations, and powers
19 related to the administration, review, and reporting
20 provisions of this section and may perform any other acts
21 necessary for the proper administration and enforcement of
22 such duties, obligations, and powers.

23 Section 26. Section 290.004, Florida Statutes, is
24 amended to read:

25 290.004 Definitions.--As used in ss. 290.001-290.016:

26 (1) "Community investment corporation" means a black
27 business investment corporation, a certified development
28 corporation, a small business investment corporation, or other
29 similar entity incorporated under Florida law that has limited
30 its investment policy to making investments solely in minority
31 business enterprises.

1 ~~(2) "Department" means the Department of Commerce.~~
2 (2)(3) "Director" means the director of the Office of
3 Tourism, Trade, and Economic Development.
4 (3)(4) "Governing body" means the council or other
5 legislative body charged with governing the county or
6 municipality.
7 (4)(5) "Interagency coordinating council" means the
8 Enterprise Zone Interagency Coordinating Council created
9 pursuant to s. 290.009.
10 (5)(6) "Minority business enterprise" has the same
11 meaning as in s. 288.703.
12 (6)(7) "Office" means the Office of Tourism, Trade,
13 and Economic Development.
14 (7) "Rural enterprise zone" means an enterprise zone
15 that is nominated by a county having a population of 75,000 or
16 fewer, or a county having a population of 100,000 or fewer
17 which is contiguous to a county having a population of 75,000
18 or fewer, or by a municipality in such a county, or by such a
19 county and one or more municipalities. An enterprise zone
20 designated in accordance with s. 370.28 shall be considered a
21 rural enterprise zone.
22 ~~(8) "Secretary" means the Secretary of Commerce.~~
23 (8)(9) "Small business" has the same meaning as in s.
24 288.703.
25 Section 27. Subsections (11) and (12) of section
26 290.0056, Florida Statutes, are amended to read:
27 290.0056 Enterprise zone development agency.--
28 (11) Prior to December 1 of each year, the agency
29 shall submit to Enterprise Florida, Inc.,~~the Office of~~
30 ~~Tourism, Trade, and Economic Development~~ a complete and
31 detailed written report setting forth:

1 (a) Its operations and accomplishments during the
2 fiscal year.

3 (b) The accomplishments and progress concerning the
4 implementation of the strategic plan.

5 (c) The number and type of businesses assisted by the
6 agency during the fiscal year.

7 (d) The number of jobs created within the enterprise
8 zone during the fiscal year.

9 (e) The usage and revenue impact of state and local
10 incentives granted during the calendar year.

11 (f) Any other information required by Enterprise
12 Florida, Inc.~~the office.~~

13 (12) In the event that the nominated area selected by
14 the governing body is not designated a state enterprise zone,
15 the governing body may dissolve the agency after receiving
16 notification ~~from the department or the office~~ that the area
17 was not designated as an enterprise zone.

18 Section 28. Subsection (5) of section 290.0058,
19 Florida Statutes, is amended to read:

20 290.0058 Tests of pervasive poverty, unemployment, and
21 general distress.--

22 (5) In making the calculations required by this
23 section, the local government and Enterprise Florida, Inc.,
24 ~~the department~~ shall round all fractional percentages of
25 one-half percent or more up to the next highest whole
26 percentage figure.

27 Section 29. Subsections (1), (4), (5), (6), (7), and
28 (9) of section 290.0065, Florida Statutes, are amended to
29 read:

30 290.0065 State designation of enterprise zones.--

31

1 (1) Upon application to Enterprise Florida, Inc.,of
2 the governing body of a county or municipality or of a county
3 and one or more municipalities jointly pursuant to s.
4 290.0055, Enterprise Florida, Inc.~~the department~~, in
5 consultation with the interagency coordinating council, shall
6 determine which areas nominated by such governing bodies meet
7 the criteria outlined in s. 290.0055 and are the most
8 appropriate for recommendation to the director of the Office
9 of Tourism, Trade, and Economic Development for designation as
10 state enterprise zones. The office ~~department~~ is authorized to
11 designate up to 5 areas within each of the categories
12 established in subparagraphs (3)(a)1., 2., 3., 4., and 5.,
13 except that the office ~~department~~ may only designate a total
14 of 20 areas as enterprise zones. The office ~~department~~ shall
15 not designate more than three enterprise zones in any one
16 county. All designations, including any provision for
17 redesignations, of state enterprise zones pursuant to this
18 section shall be effective July 1, 1995.

19 (4)(a) Notwithstanding s. 290.0055, any area existing
20 as a state enterprise zone as of the effective date of this
21 section and originally approved through a joint application
22 from a county and municipality, or through an application from
23 a county as defined in s. 125.011(1), shall be redesignated as
24 a state enterprise zone upon the creation of an enterprise
25 zone development agency pursuant to s. 290.0056 and the
26 completion of a strategic plan pursuant to s. 290.0057. Any
27 area redesignated pursuant to this subsection, other than an
28 area located in a county defined in s. 125.011(1), may be
29 relocated or modified by the appropriate governmental bodies.
30 Such relocation or modification shall be identified in the
31 strategic plan and shall meet the requirements for designation

1 as established by s. 290.005. Any relocation or modification
2 shall be submitted on or before June 1, 1996.

3 (b) The office ~~department~~ shall place any area
4 designated as a state enterprise zone pursuant to this
5 subsection in the appropriate category established in
6 subsection (3), and include such designations within the
7 limitations on state enterprise zone designations set out in
8 subsection (1).

9 (c) Any county or municipality having jurisdiction
10 over an area designated as a state enterprise zone pursuant to
11 this subsection, other than a county defined by s. 125.011(1),
12 may not apply for designation of another area.

13 (5) Notwithstanding s. 290.0055, an area designated as
14 a federal empowerment zone or enterprise community pursuant to
15 Title XIII of the Omnibus Budget Reconciliation Act of 1993,
16 the Taxpayer Relief Act of 1997, or the 1999 Agricultural
17 Appropriations Act shall be designated a state enterprise zone
18 as follows:

19 (a) An area designated as an urban empowerment zone or
20 urban enterprise community pursuant to Title XIII of the
21 Omnibus Budget Reconciliation Act of 1993 or the Taxpayer
22 Relief Act of 1997 shall be designated a state enterprise zone
23 by the office ~~department~~ upon completion of the requirements
24 set out in paragraph (d), except in the case of a county as
25 defined in s. 125.011(1) which, notwithstanding s. 290.0055,
26 may incorporate and include such designated urban empowerment
27 zone or urban enterprise community areas within the boundaries
28 of its state enterprise zones without any limitation as to
29 size.

30 (b) An area designated as a rural empowerment zone or
31 rural enterprise community pursuant to Title XIII of the

1 Omnibus Budget Reconciliation Act of 1993 or the 1999
2 Agricultural Appropriations Act shall be designated a state
3 enterprise zone by the office department upon completion of
4 the requirements set out in paragraph (d).

5 (c) Any county or municipality having jurisdiction
6 over an area designated as a state enterprise zone pursuant to
7 this subsection, other than a county defined in s. 125.011(1),
8 may not apply for designation of another area.

9 (d) Prior to recommending that the office designates
10 ~~designating~~ such areas as state enterprise zones, Enterprise
11 Florida, Inc., the department shall ensure that the governing
12 body having jurisdiction over the zone submits the strategic
13 plan required pursuant to 7 C.F.R. part 25 or 24 C.F.R. part
14 597 to Enterprise Florida, Inc. the department, and creates an
15 enterprise zone development agency pursuant to s. 290.0056.

16 (e) The office department shall place any area
17 designated as a state enterprise zone pursuant to this
18 subsection in the appropriate category established in
19 subsection (3), and include such designations within the
20 limitations on state enterprise zone designations set out in
21 subsection (1).

22 (6)(a) The office department, in consultation with
23 Enterprise Florida, Inc., and the interagency coordinating
24 council, may develop guidelines ~~shall promulgate any rules~~
25 necessary for the approval of areas under this section by the
26 director ~~secretary~~.

27 (b) Such guidelines may ~~rules shall~~ provide for the
28 measurement of pervasive poverty, unemployment, and general
29 distress using the criteria outlined by s. 290.0058.

30 (c) Such guidelines may ~~rules shall~~ provide for the
31 evaluation of the strategic plan and local fiscal and

1 regulatory incentives for effectiveness, including how the
2 following key principles will be implemented by the governing
3 body or bodies:

4 1. Economic opportunity, including job creation within
5 the community and throughout the region, as well as
6 entrepreneurial initiatives, small business expansion, and
7 training for jobs that offer upward mobility.

8 2. Sustainable community development that advances the
9 creation of livable and vibrant communities through
10 comprehensive approaches that coordinate economic, physical,
11 community, and human development.

12 3. Community-based partnerships involving the
13 participation of all segments of the community.

14 4. Strategic vision for change that identifies how the
15 community will be revitalized. This vision should include
16 methods for building on community assets and coordinate a
17 response to community needs in a comprehensive fashion. This
18 vision should provide goals and performance benchmarks for
19 measuring progress and establish a framework for evaluating
20 and adjusting the strategic plan.

21 5. Local fiscal and regulatory incentives enacted
22 pursuant to s. 290.0057(1)(e). These incentives should induce
23 economic revitalization, including job creation and small
24 business expansion.

25 (d) Such guidelines may ~~rules shall~~ provide methods
26 for evaluating the prospects for new investment and economic
27 development in the area, including a review and evaluation of
28 any previous state enterprise zones located in the area.

29 (7) Upon approval by the director ~~secretary~~ of a
30 resolution authorizing an area to be an enterprise zone
31 pursuant to this section, the office ~~department~~ shall assign a

1 unique identifying number to that resolution. The office
2 ~~department~~ shall provide the Department of Revenue and
3 Enterprise Florida, Inc., with a copy of each resolution
4 approved, together with its identifying number.

5 (9) Upon recommendation by Enterprise Florida, Inc.,
6 the Office of Tourism, Trade, and Economic Development may
7 amend the boundaries of any enterprise zone designated by the
8 state pursuant to this section, consistent with the
9 categories, criteria, and limitations imposed in this section
10 upon the establishment of such enterprise zone and only if
11 consistent with the determinations made in s. 290.0058(2).

12 Section 30. Subsection (1) of section 290.0066,
13 Florida Statutes, is amended to read:

14 290.0066 Revocation of enterprise zone designation.--

15 (1) Upon recommendation by Enterprise Florida, Inc.,
16 the director may revoke the designation of an enterprise zone
17 if Enterprise Florida, Inc., ~~the director~~ determines that the
18 governing body or bodies:

19 (a) Have failed to make progress in achieving the
20 benchmarks set forth in the strategic plan; or

21 (b) Have not complied substantially with the strategic
22 plan.

23 Section 31. Section 290.00675, Florida Statutes, is
24 amended to read:

25 290.00675 Amendment of certain enterprise zone
26 boundaries.--Notwithstanding any other provisions of law, upon
27 recommendation by Enterprise Florida, Inc., the Office of
28 Tourism, Trade, and Economic Development may amend the
29 boundaries of an area designated as an enterprise zone in a
30 community having a population of 235,000 persons but less than
31 245,000, so long as the area does not increase the overall

1 size of the zone by greater than 25 acres and the increased
2 area is contiguous to the existing enterprise zone. The
3 amendment must also be consistent with the limitations imposed
4 by s. 290.0055 upon establishment of the enterprise zone.

5 Section 32. Section 290.00676, Florida Statutes, is
6 created to read:

7 290.00676 Amendment of rural enterprise zone
8 boundaries.--Notwithstanding any other provision of law, upon
9 recommendation by Enterprise Florida, Inc., the Office of
10 Tourism, Trade, and Economic Development may amend the
11 boundaries of a rural enterprise zone. For purposes of
12 boundary amendments, an enterprise zone designated under s.
13 370.28 shall be considered a rural enterprise zone and is
14 eligible for amendment of its boundaries. Boundary amendments
15 authorized by this section are subject to the following
16 requirements:

17 (1) The amendment may increase the size of the rural
18 enterprise zone to 15 square miles.

19 (2) The amendment may increase the number of
20 noncontiguous areas by one, if that noncontiguous area has
21 zero population. For purposes of this subsection, the
22 pervasive poverty criteria may be set aside for the addition
23 of a noncontiguous parcel.

24 (3) The local enterprise zone development agency must
25 request the amendment from Enterprise Florida, Inc., prior to
26 December 30, 2000. The request must contain maps and
27 sufficient information to allow the office to determine the
28 number of noncontiguous areas and the total size of the rural
29 enterprise zone.

30 Section 33. Section 290.00677, Florida Statutes, is
31 created to read:

1 290.00677 Rural enterprise zones; special
2 qualifications.--

3 (1) Notwithstanding the enterprise zone residency
4 requirements set out in ss. 212.096(1)(c) and 220.03(1)(q),
5 businesses located in rural enterprise zones may receive the
6 credit provided under s. 212.096 or s. 220.181 for hiring any
7 person within the jurisdiction of a rural county, as defined
8 by s. 288.106(2)(r). All other provisions of ss. 212.096,
9 220.03(1)(q), and 220.181 apply to such businesses.

10 (2) Notwithstanding the requirement specified in ss.
11 212.08(5)(g)5., (5)(h)5., and (15)(a), 212.096(2)(b)1.,
12 220.181(1)(a)1., and 220.182(1)(b) that no less than 20
13 percent of a business's employees, excluding temporary and
14 part-time employees, must be residents of an enterprise zone
15 for the business to qualify for the maximum exemption or
16 credit provided in ss. 212.08(5)(g) and (h) and (15),
17 212.096(2)(b)1., 220.181(1)(a)1., and 220.182, a business that
18 is located in a rural enterprise zone shall be qualified for
19 those maximum exemptions or credits if no less than 20 percent
20 of such employees of the business are residents of a rural
21 county, as defined by s. 288.106(2)(r). All other provisions
22 of ss. 212.08(5)(g) and (h) and (15), 212.096, 220.181, and
23 220.182 apply to such business.

24 (3) Notwithstanding the time limitations contained in
25 chapters 212 and 220, a business eligible to receive tax
26 credits under this section from January 1, 2000, to June 1,
27 2000, must submit an application for the tax credits by
28 December 1, 2000. All other requirements of the enterprise
29 zone program apply to such a business.

30 Section 34. Section 290.00689, Florida Statutes, is
31 amended to read:

1 290.00689 Designation of enterprise zone pilot project
2 area.--

3 (1) The Office of Tourism, Trade, and Economic
4 Development shall designate one pilot project area within one
5 state enterprise zone. The Office of Tourism, Trade, and
6 Economic Development shall select a pilot project area by July
7 1, 1999, which meets the following qualifications:

8 (a) The area is contained within an enterprise zone
9 that is composed of one contiguous area and is placed in the
10 category delineated in s. 290.0065(3)(a)1.

11 (b) The local government having jurisdiction over the
12 enterprise zone grants economic development ad valorem tax
13 exemptions in the enterprise zone pursuant to s. 196.1995, and
14 electrical energy public service tax exemptions pursuant to s.
15 166.231(8).

16 (c) The local government having jurisdiction over the
17 enterprise zone has developed a plan for revitalizing the
18 pilot project area or for revitalizing an area within the
19 enterprise zone that contains the pilot project area, and has
20 committed at least \$5 million to redevelop an area including
21 the pilot project area.

22 (d) The pilot project area is contiguous and is
23 limited to no more than 70 acres, or equivalent square miles,
24 to avoid a dilution of additional state assistance and
25 effectively concentrate these additional resources on
26 revitalizing the acute area of economic distress.

27 (e) The pilot project area contains a diverse cluster
28 or grouping of facilities or space for a mix of retail,
29 restaurant, or service related businesses necessary to an
30 overall revitalization of surrounding neighborhoods through
31

1 community involvement, investment, and enhancement of
2 employment markets.

3 (2)(a) Beginning December 1, 1999, no more than four
4 businesses located within the pilot project area are eligible
5 for a credit against any tax due for a taxable year under
6 chapters 212 and 220.

7 (b) The credit shall be computed as \$5,000 times the
8 number of full-time employees of the business and \$2,500 times
9 the number of part-time employees of the business. For
10 purposes of this section, a person shall be deemed to be
11 employed by such a business on a full-time basis if the person
12 performs duties in connection with the operations of the
13 business for an average of at least 36 hours per week each
14 month, or on a part-time basis if the person is performing
15 such duties for an average of at least 20 hours per week each
16 month throughout the year. The person must be performing such
17 duties at a business site located in the pilot project area.

18 (c) The total amount of tax credits that may be
19 granted under this section is \$1 million annually. In the
20 event Enterprise Florida, Inc., ~~the Office of Tourism, Trade,~~
21 ~~and Economic Development~~ receives applications that total more
22 than \$1 million in any year, the director shall prorate the
23 amount of tax credit each applicant is eligible to receive to
24 ensure that all eligible applicants receive a tax credit.

25 (d) In order to be eligible to apply to Enterprise
26 Florida, Inc., ~~the Office of Tourism, Trade, and Economic~~
27 ~~Development~~ for tax credits under this section a business
28 must:

29 1. Have entered into a contract with the developer of
30 the diverse cluster or grouping of facilities or space located
31

1 in the pilot project area, governing lease of commercial space
2 in a facility.

3 2. Have commenced operations in the facility after
4 July 1, 1999, and before July 1, 2000.

5 3. Be a business predominantly engaged in activities
6 usually provided for consideration by firms classified under
7 the Standard Industrial Classification Manual Industry Number
8 5311, Industry Number 5399, or Industry Number 7832.

9 (e) All applications for the granting of the tax
10 credits allowed under this section shall require the prior
11 review and recommendation of Enterprise Florida, Inc., and
12 approval of the director of the Office of Tourism, Trade, and
13 Economic Development. At the recommendation of Enterprise
14 Florida, Inc., the director shall establish one submittal date
15 each year for the receipt of applications for such tax
16 credits.

17 (f) Any business wishing to receive tax credits
18 pursuant to this section must submit an application to
19 Enterprise Florida, Inc., ~~the Office of Tourism, Trade, and~~
20 ~~Economic Development~~ which sets forth the business name and
21 address and the number of employees of the business.

22 (g) Upon the recommendation of Enterprise Florida,
23 Inc., the decision of the director shall be in writing, and,
24 if approved, ~~the application~~ shall state the maximum credits
25 allowable to the business. A copy of the decision shall be
26 transmitted to Enterprise Florida, Inc., and to the executive
27 director of the Department of Revenue, who shall apply such
28 credits to the tax liabilities of the business firm.

29 (h) If any credit granted pursuant to this section is
30 not fully used in any one year because of insufficient tax
31

1 liability on the part of the business, the unused amount may
2 be carried forward for a period not to exceed 5 years.

3 ~~(3) The Office of Tourism, Trade, and Economic~~
4 ~~Development is authorized to adopt all rules necessary to~~
5 ~~administer this section, including rules for the approval or~~
6 ~~disapproval of applications for tax incentives by businesses.~~

7 (3)~~(4)~~ The Department of Revenue shall adopt any rules
8 necessary to ensure the orderly implementation and
9 administration of this section.

10 (4)~~(5)~~ For purposes of this section, "business" and
11 "taxable year" shall have the same meaning as in s. 220.03.

12 (5)~~(6)~~ Prior to the 2004 Regular Session of the
13 Legislature, the Office of Program Policy Analysis and
14 Government Accountability shall review and evaluate the
15 effectiveness and viability of the pilot project area created
16 under this section, using the research design prescribed
17 pursuant to s. 290.015. The office shall specifically evaluate
18 whether relief from certain taxes induced new investment and
19 development in the area; increased the number of jobs created
20 or retained in the area; induced the renovation,
21 rehabilitation, restoration, improvement, or new construction
22 of businesses or housing within the area; and contributed to
23 the economic viability and profitability of business and
24 commerce located within the area. The office shall submit a
25 report of its findings and recommendations to the Speaker of
26 the House of Representatives and the President of the Senate
27 no later than January 15, 2004.

28 (6)~~(7)~~ This section shall stand repealed on June 30,
29 2010, and any designation made pursuant to this section shall
30 be revoked on that date.

31

1 Section 35. Section 290.00694, Florida Statutes, is
2 created to read:

3 290.00694 Enterprise zone designation for rural
4 champion communities.--An area designated as a rural champion
5 community pursuant to the Taxpayer Relief Act of 1997 may
6 apply to Enterprise Florida, Inc., for designation as an
7 enterprise zone. The application must be submitted by December
8 31, 2000, and must comply with the requirements of s.
9 290.0055. Notwithstanding the provisions of s. 290.0065
10 limiting the total number of enterprise zones designated and
11 the number of enterprise zones within a population category,
12 the Office of Tourism, Trade, and Economic Development upon
13 recommendation of Enterprise Florida, Inc., may designate
14 enterprise zones under this section. The Office of Tourism,
15 Trade, and Economic Development shall establish the initial
16 effective date of the enterprise zones designated pursuant to
17 this section.

18 Section 36. Section 290.009, Florida Statutes, is
19 amended to read:

20 290.009 Enterprise Zone Interagency Coordinating
21 Council.--

22 (1) There is created within the Office of Tourism,
23 Trade, and Economic Development the Enterprise Zone
24 Interagency Coordinating Council. The council shall be
25 composed of the secretaries or executive directors, or their
26 designees, of the Department of Community Affairs, the Office
27 of Tourism, Trade, and Economic Development, the Department of
28 Children and Family Services, the Department of Health, the
29 Department of Juvenile Justice, the Department of Labor and
30 Employment Security, the Department of State, the Department
31 of Transportation, the Department of Environmental Protection,

1 the Department of Law Enforcement, and the Department of
2 Revenue; the Attorney General or his or her designee; and the
3 executive directors or their designees of the Florida
4 Community College System, the Florida Black Business
5 Investment Board, and the Florida State Rural Development
6 Council. Enterprise Florida, Inc., shall serve as staff to the
7 council.

8 (2) The purpose of the council is to:

9 (a) Advise Enterprise Florida, Inc., and the office in
10 planning, developing, implementing, and performing evaluation
11 and reporting activities related to the Florida Enterprise
12 Zone Act of 1994.

13 (b) Assist in the evaluation and review of enterprise
14 zone designation applications pursuant to s. 290.0065.

15 (c) Assist in the selection of designated enterprise
16 zones for participation in the enterprise zone linked deposit
17 program pursuant to s. 290.0075.

18 (d) Encourage state agencies to administer programs in
19 a manner that supports the purposes of this act and the goals
20 and objectives of strategic enterprise zone development plans
21 prepared by local governments.

22 (3) The director of the office or his or her designee
23 shall serve as the chair of the council.

24 Section 37. Section 290.014, Florida Statutes, is
25 amended to read:

26 290.014 Annual reports on enterprise zones.--

27 (1) By February 1 of each year, the Department of
28 Revenue shall submit an annual report to Enterprise Florida,
29 Inc., ~~the Office of Tourism, Trade, and Economic Development~~
30 detailing the usage and revenue impact by county of the state
31 incentives listed in s. 290.007.

1 (2) By March 1 of each year, Enterprise Florida, Inc.,
2 ~~the office~~ shall submit an annual report to the Governor, the
3 Speaker of the House of Representatives, ~~and~~ the President of
4 the Senate, and the director of the Office of Tourism, Trade,
5 and Economic Development. The report shall include the
6 information provided by the Department of Revenue pursuant to
7 subsection (1) and the information provided by enterprise zone
8 development agencies pursuant to s. 290.0056. In addition, the
9 report shall include an analysis of the activities and
10 accomplishments of each enterprise zone, and any additional
11 information prescribed pursuant to s. 290.015.

12 Section 38. Subsection (2) of section 290.046, Florida
13 Statutes, is amended to read:

14 290.046 Applications for grants; procedures;
15 requirements.--

16 (2)(a) Except as provided in paragraph (c), each
17 eligible local government may submit an application for a
18 grant under either the housing program category or the
19 neighborhood revitalization program category during each
20 annual funding cycle. An applicant may not receive more than
21 one grant in any state fiscal year from any of the following
22 categories: housing, neighborhood revitalization, or
23 commercial revitalization.

24 (b) Except as provided in paragraph (c), each eligible
25 local government may apply during each ~~up to three times in~~
26 ~~any one~~ annual funding cycle for grants ~~a grant~~ under the
27 economic development program category but shall receive
28 cumulative awards no more than the applicable grant ceiling
29 established by the department ~~one such grant~~ per annual
30 funding cycle under s. 290.047(2). Applications for grants
31 under the economic development program category may be

1 submitted at any time during the annual funding cycle, and
2 such grants shall be awarded no less frequently than three
3 times per funding cycle. The department shall establish
4 minimum criteria pertaining to the number of jobs created for
5 persons of low or moderate income, the degree of private
6 sector financial commitment, and the economic feasibility of
7 the proposed project and shall establish any other criteria
8 the department deems appropriate. Assistance to a private,
9 for-profit business may not be provided from a grant award
10 unless sufficient evidence exists to demonstrate that without
11 such public assistance the creation or retention of such jobs
12 would not occur.

13 (c)1. Local governments with an open housing,
14 neighborhood revitalization, or commercial revitalization
15 contract shall not be eligible to apply for another housing,
16 neighborhood revitalization, or commercial revitalization
17 grant until administrative closeout of their existing
18 contract. The department shall notify a local government of
19 administrative closeout or of any outstanding closeout issues
20 within 45 days of receipt of a closeout package from the local
21 government. Local governments with an open housing,
22 neighborhood revitalization, or commercial revitalization
23 community development block grant contract whose activities
24 are on schedule in accordance with the expenditure rates and
25 accomplishments described in the contract may apply for an
26 economic development grant.

27 2. Local governments with an open economic development
28 community development block grant contract or contracts whose
29 activities are on schedule in accordance with the expenditure
30 rates and accomplishments described in the contract or
31 contracts may apply for a housing or neighborhood

1 revitalization and a commercial revitalization community
2 development block grant. Local governments with an open
3 economic development contract or contracts whose activities
4 are on schedule in accordance with the expenditure rates and
5 accomplishments described in the contract or contracts may
6 receive ~~no more than one~~ additional economic development
7 grants grant in each fiscal year subject to the grant ceilings
8 established by the department under s. 290.047.

9 (d) Beginning October 1, 1988, the department shall
10 award no grant until the department has determined, based upon
11 a site visit, that the proposed area matches and adheres to
12 the written description contained within the applicant's
13 request. If, based upon review of the application or a site
14 visit, the department determines that any information provided
15 in the application which affects eligibility or scoring has
16 been misrepresented, the applicant's request shall be rejected
17 by the department pursuant to s. 290.0475(7). Mathematical
18 errors in applications which may be discovered and corrected
19 by readily computing available numbers or formulas provided in
20 the application shall not be a basis for such rejection.

21 Section 39. Subsection (6) of section 373.4149,
22 Florida Statutes, is amended to read:

23 373.4149 Miami-Dade County Lake Belt Plan.--

24 (6) The Miami-Dade County Lake Belt Plan
25 Implementation Committee shall be appointed by the governing
26 board of the South Florida Water Management District to
27 develop a strategy for the design and implementation of the
28 Miami-Dade County Lake Belt Plan. The committee shall consist
29 of the chair of the governing board of the South Florida Water
30 Management District, who shall serve as chair of the
31 committee, the policy director of Environmental and Growth

1 Management in the office of the Governor, the secretary of the
2 Department of Environmental Protection, the director of the
3 Division of Water Facilities or its successor division within
4 the Department of Environmental Protection, ~~the director of~~
5 ~~the Office of Tourism, Trade, and Economic Development within~~
6 ~~the office of the Governor,~~the secretary of the Department of
7 Community Affairs, the executive director of the Game and
8 Freshwater Fish Commission, the director of the Department of
9 Environmental Resource Management of Miami-Dade County, the
10 director of the Miami-Dade County Water and Sewer Department,
11 the Director of Planning in Miami-Dade County, a
12 representative of the Friends of the Everglades, a
13 representative of the Florida Audubon Society, a
14 representative of the Florida chapter of the Sierra Club, four
15 representatives of the nonmining private landowners within the
16 Miami-Dade County Lake Belt Area, and four representatives
17 from the limestone mining industry to be appointed by the
18 governing board of the South Florida Water Management
19 District. Two ex officio seats on the committee will be filled
20 by one member of the Florida House of Representatives to be
21 selected by the Speaker of the House of Representatives from
22 among representatives whose districts, or some portion of
23 whose districts, are included within the geographical scope of
24 the committee as described in subsection (3), and one member
25 of the Florida Senate to be selected by the President of the
26 Senate from among senators whose districts, or some portion of
27 whose districts, are included within the geographical scope of
28 the committee as described in subsection (3). The committee
29 may appoint other ex officio members, as needed, by a majority
30 vote of all committee members. A committee member may
31

1 designate in writing an alternate member who, in the member's
2 absence, may participate and vote in committee meetings.

3 Section 40. The Institute of Food and Agricultural
4 Sciences at the University of Florida is authorized to enter
5 into contracts with the U.S. Department of Agriculture and may
6 receive grants of money to support the Florida State Rural
7 Development Council.

8 Section 41. The Workforce Development Board of
9 Enterprise Florida, Inc., shall develop, in consultation with
10 the State Board of Community Colleges and the Division of
11 Workforce Development of the Department of Education, a policy
12 authorizing the placement of Workforce Investment Act clients
13 and other training program clients in self-employment as a
14 means job placement. Notwithstanding any other provision of
15 law, such policy shall define the conditions necessary,
16 including documentation of income, for self-employment to
17 qualify as job placement for Workforce Investment Act programs
18 and Workforce Development Education Fund programs.

19 Section 42. Extraordinary economic development
20 opportunities and threats; responsibilities of the Office of
21 Tourism, Trade, and Economic Development and Enterprise
22 Florida, Inc.; creation of Economic Development Leadership
23 Council.--

24 (1) The Office of Tourism, Trade, and Economic
25 Development, in conjunction with Enterprise Florida, Inc.,
26 shall establish a unit within the office responsible for
27 forecasting extraordinary economic development opportunities
28 and extraordinary economic development threats with the
29 potential to affect significantly the economy of the state.
30 The unit also shall be responsible for coordinating
31 development and implementation of an action plan to address,

1 in a proactive manner, such opportunities or threats. The unit
2 shall be composed of staff members from the office and from
3 Enterprise Florida, Inc., who are designated by the director
4 of the office and the president of Enterprise Florida, Inc.

5 (2) For the purposes of this section, the term
6 "extraordinary economic development opportunity" includes an
7 economic development project, whether associated with the
8 expansion of an existing business in the state or the location
9 of a new business to the state, which has the potential to
10 result in the creation of at least 500 jobs in the state or a
11 cumulative investment in the state of at least \$100 million.
12 The term "extraordinary economic development threat" includes
13 the potential loss of at least 500 jobs in the state because
14 of the reorganization, closure, or relocation out of the state
15 by an existing business in the state.

16 (3) Duties of the forecast unit in the Office of
17 Tourism, Trade, and Economic Development shall include, but is
18 not limited to:

19 (a) Analyzing market conditions for business sectors
20 that are strategically important to the state economy;

21 (b) Monitoring economic development activities in
22 other states which have the potential to affect this state;

23 (c) Reviewing and understanding trade publications for
24 business sectors that are strategically important to the state
25 economy;

26 (d) Identifying private-sector points of contact
27 inside and outside the state which can provide the unit with
28 expertise and insights on matters affecting business sectors
29 that are strategically important to the state economy;

30
31

1 (e) Preparing contingency plans to enable the state to
2 respond rapidly and effectively to extraordinary economic
3 development opportunities or threats;

4 (f) Documenting lessons learned from extraordinary
5 economic development opportunities and threats once they have
6 occurred; and

7 (g) Working with local and regional economic
8 development organizations to forecast extraordinary economic
9 development opportunities and threats.

10 (4) There is created the Economic Development
11 Leadership Council, which shall be responsible for providing
12 state leadership in response to an extraordinary economic
13 development opportunity or an extraordinary economic
14 development threat.

15 (a) The council shall be composed of the following
16 members;

17 1. The Governor;

18 2. The President of the Senate;

19 3. The Speaker of the House of Representatives;

20 4. The director of the Office of Tourism, Trade, and
21 Economic Development; and

22 5. The president of Enterprise Florida, Inc.

23 (b) The council shall convene at the recommendation of
24 the director of the Office of Tourism, Trade, and Economic
25 Development. Staff of the forecast unit within the office
26 shall serve as staff to the council. The forecast unit within
27 the office shall inform the council about the extraordinary
28 economic development opportunity or threat and shall seek the
29 advice of the council members on development and
30 implementation of a plan of action to address the opportunity
31 or threat. Staff of the forecast unit shall maintain the

1 confidentiality provided under section 288.075, Florida
2 Statutes.

3 (5) By January 31, 2001, the Office of Tourism, Trade,
4 and Economic Development, in conjunction with Enterprise
5 Florida, Inc., shall submit a report to the Governor, the
6 President of the Senate, and the Speaker of the House of
7 Representatives which includes specific recommendations for
8 vesting the Economic Development Leadership Council with
9 powers to respond to an extraordinary economic development
10 opportunity or an extraordinary economic development threat.

11 Section 43. Toolkit for Economic Development.--

12 (1) LEGISLATIVE INTENT.--The Legislature finds that
13 the state has numerous economically distressed communities
14 with a high proportion of needy families who are current or
15 former recipients of public assistance or who are at risk of
16 becoming dependent upon public assistance. The Legislature
17 also finds that the existence of safe and strong communities
18 with prosperous economies is crucial to reduce dependence on
19 public assistance and to promote employment retention and
20 self-sufficiency. It is the intent of the Legislature to
21 reduce reliance on public assistance, to promote employment
22 retention, and to increase self-sufficiency by providing
23 easily accessed and useable tools that support local
24 initiatives that create economically prosperous communities
25 for needy families.

26 (2) CREATION; PURPOSE.--There is created a program to
27 be known as the "Toolkit for Economic Development," the
28 purpose of which is to enable economically distressed
29 communities to access easily, and use effectively, federal and
30 state tools to improve conditions in the communities and
31

1 thereby help needy families in the communities avoid public
2 assistance, retain employment, and become self-sufficient.

3 (3) DEFINITIONS.--For the purposes of this section, a
4 community is "economically distressed" if the community is
5 experiencing conditions affecting its economic viability and
6 hampering the self-sufficiency of its residents, including,
7 but not limited to, low per capita income, low property
8 values, high unemployment, high under-employment, low weekly
9 wages compared to the state average, low housing values
10 compared to the state average, high percentage of the
11 population receiving public assistance, high poverty levels
12 compared to the state average, high percentage of needy
13 families, and a lack of year-round stable employment
14 opportunities.

15 (4) LIAISONS.--

16 (a) By August 1, 2000, the head of each of the
17 following agencies or organizations shall designate a
18 high-level staff person from within the agency or organization
19 to serve as a liaison to this program:

- 20 1. Office of Tourism, Trade, and Economic Development;
- 21 2. Office of Urban Opportunity;
- 22 3. Department of Community Affairs;
- 23 4. Department of Law Enforcement;
- 24 5. Department of Juvenile Justice;
- 25 6. Department of Transportation;
- 26 7. Department of Environmental Protection;
- 27 8. Department of Agriculture and Consumer Services;
- 28 9. Department of State;
- 29 10. Department of Health;
- 30 11. Department of Children and Family Services;
- 31 12. Department of Corrections;

- 1 13. Department of Labor and Employment Security;
2 14. Department of Education;
3 15. Department of Military Affairs;
4 16. Fish and Wildlife Conservation Commission;
5 17. Florida Housing Finance Corporation;
6 18. Florida State Rural Development Council;
7 19. Institute of Food and Agricultural Sciences;
8 20. Florida Tourism Industry Marketing Corporation;
9 21. Keep Florida Beautiful, Inc.;
10 22. Enterprise Florida, Inc.;
11 23. Workforce Development Board of Enterprise Florida,
12 Inc.;
13 24. Executive Office of the Governor; and
14 25. Any other agencies or organizations as determined
15 by the Office of Tourism, Trade, and Economic Development.
16 (b) An alternate for each designee shall also be
17 chosen, and the names of the designees and alternates shall be
18 sent to the Office of Tourism, Trade, and Economic
19 Development, which shall convene the liaisons as necessary.
20 (c) Each liaison must have a comprehensive knowledge
21 of the functions, whether regulatory or service-based, of his
22 or her agency or organization. The liaison shall be the
23 primary contact for the agency or organization for the Toolkit
24 for Economic Development, assisting in expediting proposal
25 review, resolving problems, promoting flexible assistance, and
26 identifying opportunities for support within the agency or
27 organization.
28 (d) As deemed necessary by the Office of Tourism,
29 Trade, and Economic Development, liaisons shall review
30 proposals from economically distressed communities to
31 determine if they would be properly referred or submitted to

1 their agencies or organizations. If such referral and
2 submittal is appropriate, the liaison shall then assist the
3 community as an ombudsman.

4 (e) The liaisons shall work at the request of the
5 Office of Tourism, Trade, and Economic Development to review
6 statutes and rules for their adverse effects on economically
7 distressed communities and to develop alternative proposals to
8 mitigate these effects.

9 (f) Liaisons shall review their agencies' or
10 organizations' evaluation and scoring procedures for grant,
11 loan, and aid programs to ensure that economically distressed
12 communities are not unfairly disadvantaged, hampered, or
13 handicapped in competing for awards because of community
14 economic hardship. If they are, new evaluation criteria and
15 scoring procedures shall be considered that recognize
16 disproportionate requirements which an application process
17 makes of a community that lacks the resources of other more
18 prosperous communities. The evaluation criteria should weight
19 contribution in proportion to the amount of resources
20 available at the local level.

21 (g) Annually, the Office of Tourism, Trade, and
22 Economic Development shall report to the Governor and the head
23 of each agency or organization on the work and accomplishments
24 of the liaisons, recommending commendation or compensation.

25 (5) COORDINATING PARTNERS.--The liaisons from the
26 Office of Tourism, Trade, and Economic Development, the Office
27 of Urban Opportunity, the Department of Community Affairs,
28 Enterprise Florida, Inc., and the Workforce Development Board
29 of Enterprise Florida, Inc., shall serve as the coordinating
30 partners of the Toolkit for Economic Development and act as an
31 executive committee for the liaisons. The coordinating

1 partners shall review any request from a Front Porch Community
2 and shall provide whatever assistance that this section can
3 afford to them.

4 (6) FEE WAIVERS AND MATCHING-FUNDS

5 OPTIONS.--Notwithstanding any other provision of law, an
6 agency or organization shall waive permit processing fees for
7 an economically distressed community and any state-required
8 matching funds requirements at the request of the coordinating
9 partners. In addition, in-kind matches shall be allowed and
10 applied as matching funds at the request of the coordinating
11 partners. Fee reductions or waivers must be requested on the
12 basis of fiscal hardship or need for a particular project or
13 activity. The coordinating partners must unanimously endorse
14 each request to an agency or organization. Any other funds
15 appropriated and available to the coordinating partners may be
16 used to meet matching funds requirements or fees for federal,
17 state, or foundation application requirements.

18 (7) INVENTORY.--The coordinating partners shall
19 develop, in consultation with the liaisons, an inventory of
20 recommended federal and state tax credits, incentives,
21 inducements, programs, opportunities, demonstrations or pilot
22 programs, grants, and other resources available through the
23 agencies and organizations which could assist economically
24 distressed communities. Each entry in the inventory must
25 include a summary; a contact person; a simple description of
26 the application process and a timetable; a profile of funding
27 awards and funds availability; and a complexity ranking. The
28 inventory shall be organized into seven categories, including:

29 (a) Leadership.--Entries that promote the skills and
30 capacities of local leaders, volunteers, organizations, and
31 employees that work on other categories of the inventory.

1 These entries shall include, for example, grants;
2 scholarships; Individual Training Accounts; Retention
3 Incentive Training Account programs; and other programs that
4 build the resident capacity to create a better community.
5 These entries shall include educational-based institutes that
6 can assist with research, consulting, technical assistance,
7 capacity building, training, and program assistance to
8 communities.

9 (b) Safety.--Entries that increase safety and reduce
10 crime. These entries shall include, for example, the training
11 and employment of public safety employees and volunteers;
12 establishing safer businesses and neighborhoods; training
13 residents in safety practices; organizing safety networks and
14 cooperatives; improving lighting; improving the safety of
15 homes, buildings, and streets; and providing for community
16 police and safety projects, including those designed to
17 protect youth in the community. Other entries may be included
18 that reinforce community and local law enforcement.

19 (c) Clean Up.--Entries that support clean up and
20 enhancement projects that quickly create visible improvements
21 in neighborhoods, including the demolition of drug havens and
22 abandoned buildings. These entries shall include, for example,
23 projects that plan, design, or implement clean up strategies;
24 main street redevelopment; and renovation projects. These
25 entries may also include planning and implementation for
26 larger neighborhood revitalization and economic development
27 projects.

28 (d) Business.--Entries that support small business
29 development, including, for example, attraction of national
30 franchises; micro-loans; guaranteed commercial loans;
31 technical assistance; self-employment; linked deposit; loan

1 loss reserves; business incubators; and other activities that
2 support the market economy.

3 (e) Schools.--Entries that upgrade schools through
4 repair or renovation, as well as training and employment
5 entries to assist with school transportation, services, and
6 security. These entries shall include, for example, programs
7 that enable school-based childcare; before, after, and summer
8 school programs; programs that broaden the use of school
9 facilities as a hub and haven within the community;
10 scholarships; and grant programs that assist families and
11 individuals to complete and enhance their education.

12 (f) Partners.--Entries that provide tax credits,
13 incentives, and other inducements to businesses that
14 contribute to community projects, such as the community
15 contribution tax credit under sections 220.183 and 624.5105,
16 Florida Statutes. These entries shall include any programs
17 that help raise federal or foundation grant funds.

18 (g) Redevelopment.--Entries that support the planning,
19 preparation, construction, marketing, and financing of
20 residential, mixed-use, and commercial redevelopment, as well
21 as residential and business infrastructure projects. These
22 entries shall include the workforce development programs that
23 influence business decisions such as the Quick-Response
24 Training Program and Quick-Response Training Program for Work
25 and Gain Economic Self-sufficiency (WAGES) participants.

26 (8) START-UP INITIATIVE.--

27 (a) Subject to legislative appropriation and the
28 provisions of this act, the Start-Up Initiative is created to
29 promote the use of the inventory, to boost a community's
30 efforts, and to ensure that federal funds do not go unexpended
31 or unobligated, or are not returned to federal agencies.

1 (b) The coordinating partners, in consultation with
2 the liaisons, local economic development organizations, and
3 regional workforce development boards, shall identify 15
4 communities, seven of which must be from the state's seven
5 largest counties, three of which must be from rural counties,
6 and five of which must be from other counties in the state.
7 These communities must be compact, congruent, and contiguous
8 census tracts that have high concentrations of needy families
9 who are current, former, or likely recipients of public
10 assistance. To the maximum extent possible, these communities
11 should coincide with federal empowerment zones, enterprise
12 zones established under chapter 290 or chapter 370, Florida
13 Statutes, Neighborhood Improvement Districts established under
14 chapter 163, Florida Statutes, community redevelopment areas
15 established under chapter 163, Florida Statutes, and Urban
16 High Crime Areas or Rural Job Tax Credit Areas established
17 under chapter 212, Florida Statutes. The coordinating partners
18 must contract with an independent entity to certify that these
19 15 communities comply with the requirements of this section.

20 (c) The coordinating partners shall solicit proposals
21 from Front Porch Advisory Committees, community-based
22 organizations, local governments, and neighborhood
23 associations located in the communities identified in
24 paragraph (b) and Front Porch Communities. The coordinating
25 partners shall provide each applicant with the inventory and
26 recommendations on proposals that can be funded.

27 (d) Communities may prepare a proposal to access and
28 use various entries from the inventory which will launch or
29 boost their economic development efforts. Proposals must be no
30 more than 20 pages long and include:

31

1 1. A brief description of how the community would use
2 entries from the inventory in the community's economic
3 development strategy;

4 2. Specific evidence of community support for the
5 proposal from community-based organizations, local government,
6 regional workforce development boards, and local economic
7 development organizations;

8 3. Identification and commitment of local resources
9 for the proposal from community-based organizations, local
10 government, regional workforce development boards, and local
11 economic development organizations;

12 4. Identification of the specific entity or person
13 responsible for coordinating the community's proposal; and

14 5. Identification of a local fiscal entity for
15 contracting, administration, and accountability.

16 (e) The coordinating partners shall appoint a liaison
17 to assist each community with the proposal and its
18 implementation, if awarded. These liaisons shall have the
19 assistance of the Executive Office of the Governor, the
20 agencies of state government, and their employees. If a state
21 employee is not able to assist a liaison because of state law
22 or regulation, the liaison shall notify the coordinating
23 partners and the Office of Program Policy Analysis and
24 Government Accountability concerning the impasse and develop a
25 strategy to resolve such impasse. Upon a written request of a
26 liaison, the Governor may, by executive order or emergency
27 rule, address a regulatory or procedural impasse, enabling
28 prompt implementation of a community's proposal, if awarded.

29 (f) The coordinating partners shall design an
30 impartial and competitive proposal-review process and
31 evaluation criteria. Based on the evaluation criteria, up to

1 nine communities shall be designated to participate in the
2 Start Up Initiative. Once a community is designated, the
3 coordinating partners and the community's liaison will work to
4 finalize the proposal, including the addition of funding
5 sources for each inventory entry. The finalized proposal shall
6 serve as the contract between the community and the Start-Up
7 Initiative. If sufficient funding does not exist for an entry
8 that is essential for the community's proposal or a community
9 is ineligible for a specific inventory entry, the coordinating
10 partners may direct funding that is under their control to
11 fulfill the entry or may seek additional funding for the entry
12 as provided in this section. The proposal must be operational
13 within 3 months after approval.

14 (g) Proposals that would mainly result in
15 gentrification of the community, that would not employ a
16 preponderance of residents, and that predominately create
17 residences or businesses that are beyond the anticipated
18 income level of the working residents of the community are not
19 eligible. Proposal awards shall be obligated to the community
20 and the funds carried forward until the completion of the
21 proposal. Such obligated and carried forward funds are
22 considered appropriated for budgeting purposes notwithstanding
23 any other provision in law. The coordinating partners may
24 direct funding that is appropriated to their control to fund
25 this initiative and, if necessary, may seek budget amendments
26 to redirect funding to this initiative. Any federal Temporary
27 Assistance for Needy Families (TANF) Block Grant funding
28 appropriated to assist needy families, or to promote job
29 placement and employment retention, which is in excess of
30 revenues necessary to fulfill the appropriated purpose and
31 which may not be obligated during the budget year may be

1 redirected to this initiative to support an approved proposal.
2 Any federal funds must be used for purposes consistent with
3 applicable federal law; however, the coordinating partners,
4 with the assistance of the Department of Children and Family
5 Services, shall aggressively pursue innovative uses of federal
6 funds to support projects that train community leaders,
7 upgrade individuals skills, promote safety, clean up
8 communities, beautify neighborhoods, encourage small business,
9 stimulate employment, increase educational opportunity,
10 promote community partnering, advance community redevelopment,
11 and upgrade housing because it assists needy families,
12 promoting self-sufficiency and job retention. The coordinating
13 partners shall adopt procedures for the Start-Up Initiative
14 and may, if necessary, adopt, through the Department of
15 Community Affairs, emergency rules to govern the submission of
16 proposals, the evaluation of proposals, the initiative awards,
17 and the implementation procedures for administration of
18 awards.

19 (9) LIFELINES.--Annually, the coordinating partners
20 may recommend to agencies or organizations five lifelines for
21 specific communities. Such lifelines shall indicate that, in
22 the unanimous judgment of the coordinating partners, a
23 proposal submitted to the head of an agency or organization
24 will have a transforming positive impact on the economically
25 distressed community. The head of the agency or organization
26 may, based on his or her concurrence with the recommendation
27 and after consultation with the Governor, the President of the
28 Senate, and the Speaker of the House of Representatives,
29 recommend approval of the proposal to the Cabinet. The Cabinet
30 may, notwithstanding any other law or regulation, approve the
31 proposal. Any such lifeline recommendations and approvals must

1 be adopted in a public meeting, and all records, documents,
2 and contacts relating to that project will be assembled and
3 available to the public at the meetings. No community shall be
4 eligible or receive a second lifeline recommendation.

5 (10) FUNDING.--

6 (a) To implement the provisions of this act, the
7 coordinating partners are authorized and appropriated up to
8 \$25 million from Temporary Assistance for Needy Families
9 (TANF) Block Grant through the TANF administrative entity at
10 the Department of Management Services.

11 (b) Any expenditure from the TANF Block Grant shall be
12 in accordance with the requirements and limitations of Title
13 IV of the Social Security Act, as amended, or any other
14 applicable federal requirement or limitation in law. Prior to
15 any expenditure of such funds, the Workforce Development Board
16 of Enterprise Florida, Inc., and the secretary of the
17 Department of Children and Family Services, or his or her
18 designee, shall certify that controls are in place to ensure
19 that such funds are expended and reported in accordance with
20 the requirements and limitations of federal law. It shall be
21 the responsibility of any entity to which funds are awarded to
22 obtain the required certification prior to any expenditure of
23 funds.

24 (11) MONITORING AND REPORTING.--

25 (a) The independent entity selected by the
26 coordinating partners shall certify performance by the
27 designated communities identified under subsection (8) for the
28 Start-Up Initiative. This independent entity shall also
29 identify three other similar communities to serve as a control
30 group to compare performance and impact. The independent
31 entity must measure performance trends and impact in the three

1 control group communities, the six communities that applied
2 for the Start-Up Initiative but were not selected, and the
3 communities selected to participate in the Start-Up
4 Initiative. The three control group communities shall be known
5 only to the independent entity until the completion of the
6 entity's review. The independent entity shall develop, working
7 with the Office of Program Policy Analysis and Government
8 Accountability and the coordinating partners, measures and
9 criteria by October 1, 2001, for evaluating the effectiveness
10 of the Toolkit for Economic Development including the
11 liaisons, coordinating partners, waivers and matching options,
12 inventory, Start-Up Initiative and lifelines.

13 (12) EXPIRATION.--This section expires June 30, 2002.

14 Section 44. Present subsections (4) through (8) of
15 section 240.311, Florida Statutes, are redesignated as
16 subsections (5) through (9), respectively, and a new
17 subsection (4) is added to that section to read:

18 240.311 State Board of Community Colleges; powers and
19 duties.--

20 (4) The State Board of Community Colleges shall
21 identify, using the Critical Jobs Initiative, the occupational
22 forecasting process, or any other compatible mechanism, a
23 collection of programs designed to train broadband digital
24 media specialists. Programs identified by the board shall be
25 added to the statewide lists for demand occupations, if they
26 meet the high-skill/high-wage criteria as established by the
27 Workforce Estimating Conference created under s. 216.136(10).

28 Section 45. Subsection (5) is added to section
29 240.3341, Florida Statutes, to read:

30 240.3341 Incubator facilities for small business
31 concerns.--

1 (5) Community colleges are encouraged to establish
2 incubator facilities through which emerging small businesses
3 supportive of the development of content and technology for
4 digital broadband media and digital broadcasting may be
5 served.

6 Section 46. Section 240.710, Florida Statutes, is
7 created to read:

8 240.710 Digital Media Education Coordination Group.--

9 (1) The Board of Regents shall create a Digital Media
10 Education Coordination Group composed of representatives of
11 the universities within the State University System which
12 shall work in conjunction with the State Board of Community
13 Colleges and the Articulation Coordinating Committee on the
14 development of a plan to enhance Florida's ability to meet the
15 current and future workforce needs of the digital media
16 industry. The following purposes of the group shall be
17 included in its plan-development process:

18 (a) Coordination of the use of existing academic
19 programs, research, and faculty resources to promote the
20 development of a digital media industry in Florida;

21 (b) Addressing strategies to improve opportunities for
22 interdisciplinary study and research within the emerging field
23 of digital media through the development of tracts in existing
24 degree programs, new interdisciplinary degree programs, and
25 interdisciplinary research centers; and

26 (c) Addressing the sharing of resources among
27 universities in such a way as to allow a student to take
28 courses from multiple departments or multiple educational
29 institutions in pursuit of competency, certification, and
30 degrees in digital information and media technology.

31

1 (2) Where practical, private accredited institutions
2 of higher learning in Florida should be encouraged to
3 participate.

4 (3) In addition to the elements of the plan governed
5 by the purposes described in subsection (1), the plan shall
6 include, to the maximum extent practicable, the coordination
7 of educational resources to be provided by distance learning
8 and shall facilitate, to the maximum extent, possible
9 articulation and transfer of credits between community
10 colleges and the state universities. The plan must address
11 student enrollment in affected programs with emphasis on
12 enrollment beginning as early as the Fall Term in 2001.

13 (4) The Digital Media Education Coordination Group
14 shall submit its plan to the President of the Senate and the
15 Speaker of the House of Representatives by January 1, 2001.

16 Section 47. The Workforce Development Board of
17 Enterprise Florida, Inc., should reserve up to \$1 million of
18 funds dedicated in Fiscal Year 2000-2001 for Incumbent Worker
19 Training for the digital media industry. Training may be
20 provided by public or private training providers for broadband
21 digital media jobs listed on the Occupational Forecast List
22 developed by the Workforce Estimating Conference or the
23 Targeted Occupations List of the Workforce Development Board.
24 Programs that operate outside the normal semester time periods
25 and coordinate the use of industry and public resources should
26 be given priority status for such reserved funds.

27 Section 48. The Workforce Development Board of
28 Enterprise Florida, Inc., shall by August 31, 2000, develop a
29 plan for the use of Targeted Assistance to Needy Families
30 funds, Workforce Investment Act funds, Quick Response funds,
31 Incumbent Worker Training funds, and other training-related

1 resources to enhance the workforce of digital-media-related
2 industries. The plan must provide the industries with a
3 program to train and assess the status of industry workforce
4 readiness for the digital era and should be done in
5 conjunction with the broadcast and cable industries.

6 Section 49. There is created in the Office of Tourism,
7 Trade, and Economic Development within the Executive Office of
8 the Governor a Digital Media Education Infrastructure Fund for
9 the purpose of upgrading the quality of media labs associated
10 with university programs, community college programs and other
11 educational resources in order to assist in meeting current
12 and future workforce training needs for the digital media
13 industry. There is appropriated to the fund from the General
14 Revenue Fund \$1 million for fiscal year 2000-2001, to be used
15 for those purposes. The Office of Tourism, Trade, and
16 Economic Development shall be responsible for contracting with
17 eligible entities for receipt of funds. Such funds must be
18 spent according to the priorities established by the industry
19 sector group on broadband digital media established by
20 Enterprise Florida, Inc., and must be matched by industry
21 contributions.

22 Section 50. Enterprise Florida, Inc., shall convene an
23 organizational meeting for industries involved in broadband
24 digital media to organize and facilitate future activities of
25 associated industry groups or facilitate the ongoing
26 activities of a similar group. Enterprise Florida, Inc., shall
27 make all necessary preparations to identify and designate a
28 digital-media sector as part of its sector strategy and
29 identify the sector as a priority recruitment/retention set of
30 industries.

31

1 Section 51. (1) Enterprise Florida, Inc., shall award
2 a contract for the establishment of a digital media incubator
3 to encourage companies developing content and technology for
4 digital broadband media and digital broadcasting to locate and
5 develop their businesses in Florida. Qualifications of an
6 applicant for a contract as a digital media incubator shall at
7 a minimum include the following:

8 (a) Demonstrated expertise in developing content and
9 technology for digital broadband media and digital
10 broadcasting;

11 (b) Demonstrated ability in venture capital
12 fund-raising;

13 (c) Demonstrated expertise in the development of
14 digital media businesses; and

15 (d) Demonstrated ability in coordinating public and
16 private educational institutions and business entities in
17 digital technology joint business ventures. The awarding of
18 the contract must follow the procedures outlined in chapter
19 287, Florida Statutes.

20 (2) There is appropriated the sum of \$2 million from
21 the General Revenue Fund to Enterprise Florida, Inc., for the
22 purpose of providing operational and investment seed funding
23 to encourage the financial and strategic participation of
24 venture capital firms, corporate and institutional sponsors,
25 and targeted start-up companies in the establishment of the
26 digital incubator. Initial state investment in the incubator
27 must be matched with contributions from the industry with
28 participating industry partners, including, but not limited
29 to, venture capitalists, digital media manufacturers, and
30 digital media content providers.

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1 (3) Maximized leveraging of funds must be a priority
2 consideration in the location of the digital media incubator.
3 Consideration must be given to collocation of the incubator
4 with an existing state of the art media lab or an upgraded or
5 newly created media lab funded through the Digital Media
6 Education Infrastructure Fund in the Office of Tourism, Trade,
7 and Economic Development.

8 Section 52. ITFlorida, in consultation with Enterprise
9 Florida, Inc., shall develop a marketing plan to promote the
10 state as digital-media-friendly, as a digital-media-ready
11 environment, and as a national leader in the development and
12 distribution of broadband digital media content, technology,
13 and education. The marketing plan must identify critical roles
14 for various public and private partners and establish a
15 marketing timeline and goals. The plan must be completed by
16 December 31, 2000.

17 Section 53. The provisions of this act relating to
18 workforce or economic development for digital media are
19 subject to legislative appropriation.

20 Section 54. Section 288.039 and paragraph (c) of
21 subsection (3) of section 288.095, Florida Statutes, are
22 repealed.

23 Section 55. This act shall take effect July 1, 2000.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 2548

4 The committee substitute differs substantially from Senate
5 Bill 2548 in that it:

6 -Defines the term "rural enterprise zone" and incorporates a
7 number of provisions into the Enterprise Zone Program statutes
8 which are applicable to zones in rural communities, including,
9 for example, the ability to amend the boundaries of a rural
10 enterprise zone and the ability of a business in such a zone
11 to use newly hired employees who reside within the county as a
12 basis for claiming job tax credits. Assigns primary
13 administration of the Enterprise Zone Program to Enterprise
14 Florida, Inc.

15 -Revises a statute that authorizes the Department of
16 Environmental Protection and water management districts to
17 waive project permit fees for certain counties, by expanding
18 the population criteria to 75,000 persons from 50,000, and by
19 including a county with a population of 100,000 or less that
20 is contiguous to county with a population of 75,000 or less.

21 -Revises the Rural Economic Development Initiative (REDI) to
22 provide that certain communities that do not meet the primary
23 definition of "rural community" may apply to REDI for
24 designation and avail themselves of certain rural provisions
25 if they comply with specified conditions.

26 -Revises the Quick Action Closing Fund to expand use of the
27 fund to economic development projects involving
28 target-industry businesses and to require provision of
29 information on incentives other states are offering the
30 business.

31 -Includes businesses involved in motion picture production and
allied services, under Standard Industrial Classification 781,
within the eligibility criteria for the Urban High-Crime Area
Job Tax Credit Program and the Rural Area Job Tax Credit
Program.

-Revises the Capital Investment Tax Credit Program to expand
eligibility under the program to include target-industry
businesses, rather than simply high-impact facilities, and to
reduce the percentage of tax liability that may be covered by
a tax credit under the program.

-Eliminates a limitation on the number of economic development
grants a community may receive under the Small Cities
Community Development Block Grant Program, but references a
cap on the cumulative amount of such awards.

-Directs the Workforce Development Board of Enterprise
Florida, Inc., to develop a policy on placing certain training
participants in self-employment as a form of job placement.

-Establishes a forecast unit within the Office of Tourism,
Trade, and Economic Development responsible for identifying
extraordinary economic development opportunities and threats,

- 1 such as major business relocations or closures, and
2 coordinating implementation of action plans to address such
3 events.
4 -Creates a program called the "Toolkit for Economic
5 Development" under which specified agencies and organizations
6 are required to appoint liaisons and identify programs of
7 assistance to distressed communities, including communities
8 designated under the Governor's Front Porch Florida
9 Initiative.
10 -Specifies that an employee of the Florida Tourism Industry
11 Marketing Corporation may not receive compensation for
12 employment that exceeds the salary paid to the Governor,
13 unless the board of directors of the corporation and the
14 employee have entered into a performance-based contract, under
15 which satisfaction of outcome measures results in incentive
16 payments that increase the employee's compensation to a level
17 above the Governor's.
18 -Requires the Office of Tourism, Trade, and Economic
19 Development to report on use of certain trust funds; repeals
20 an existing similar reporting requirement.
21 -Authorizes the Office of Film and Entertainment to accept
22 grants and gifts from public and private organizations and to
23 expend such funds in accordance with the terms of the grant or
24 gift and in a manner consistent with the office's statutory
25 authority.
26 -Implements certain recommendations of the 21st Century
27 Digital Television and Education Task Force, including:
28 identification of digital occupations; creation of the Digital
29 Media Education Coordination Group; reservation of up to \$1
30 million in funds dedicated for Incumbent Worker Training for
31 the digital media industry; development of a plan for the use
of training funding; creation of a Digital Media Education
Infrastructure Fund; requiring an organizational meeting of
the digital media industry; provision for the award of a
contract for the creation of a digital media incubator; and
development of a marketing plan.