

By the Committees on Comprehensive Planning, Local and Military Affairs; Commerce and Economic Opportunities; and Senators Kirkpatrick and Hargrett

316-2119-00

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; providing for Front Porch Florida
21 requirements; directing the Office of Urban
22 Opportunity to give priority to projects
23 receiving certain federal grants; amending s.
24 163.2523, F.S.; providing allocation criteria
25 for the Urban Infill and Redevelopment Grant
26 Program; amending s. 420.5087, F.S.; providing
27 allocation criteria for the State Apartment
28 Incentive Loan Program; amending s. 420.5089,
29 F.S.; providing allocation criteria for the
30 HOME Investment Partnership Program; amending
31 s. 420.5093, F.S.; giving priority to certain

1 projects in the State Housing Tax Credit
2 Program; amending s. 420.5099, F.S.; giving
3 priority to certain projects in the allocation
4 of low-income housing tax credits; amending s.
5 159.705, F.S.; specifying that projects located
6 in research and development parks may be
7 operated by specified organizations; amending
8 s. 159.8083, F.S.; providing for Enterprise
9 Florida, Inc., to recommend Florida First
10 Business projects to the Office of Tourism,
11 Trade, and Economic Development; providing for
12 consultation; amending s. 163.3164, F.S.;
13 exempting certain activities from the term
14 "development" for the purposes of the Local
15 Government Comprehensive Planning and Land
16 Development Regulation Act; amending s. 212.08,
17 F.S.; specifying that a sales tax exemption for
18 certain repair and labor charges applies to
19 industrial machinery and equipment used in the
20 production and shipping of tangible personal
21 property; applying the exemption to SIC
22 Industry Major Group Number 35; specifying that
23 the sales tax exemption for industries in such
24 group number is remedial in nature and applies
25 retroactively; amending ss. 212.097, 212.098,
26 F.S.; expanding the definition of the term
27 "eligible business" under the Urban High-Crime
28 Area Job Tax Credit Program and Rural Job Tax
29 Credit Program to include certain businesses
30 involved in motion picture production and
31 allied services; amending s. 218.075, F.S.;

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

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

1 amending s. 288.1226, F.S.; providing for the
2 appointment of the president of the Florida
3 Tourism Industry Marketing Corporation and
4 specifying that the president serves at the
5 pleasure of the Governor; limiting certain
6 employee salaries unless such employees are
7 covered by a performance contract; amending s.
8 288.1229, F.S.; requiring an annual report on
9 the status of specified sports projects;
10 amending s. 288.1251, F.S.; renaming the Office
11 of the Film Commissioner the Governor's Office
12 of Film and Entertainment; renaming the Film
13 Commissioner as the Commissioner of Film and
14 Entertainment; authorizing receipt and
15 expenditure of certain grants and donations;
16 amending s. 288.1252, F.S.; renaming the
17 Florida Film Advisory Council the Florida Film
18 and Entertainment Advisory Council; amending s.
19 288.1253, F.S., relating to travel and
20 entertainment expenses; conforming terminology;
21 amending s. 288.901, F.S.; correcting a
22 cross-reference; providing that the Governor's
23 designee may serve as chairperson of the board
24 of directors of Enterprise Florida, Inc.;
25 specifying that at-large members of the board
26 of directors of Enterprise Florida, Inc., shall
27 not have voting authority; amending s.
28 288.9015, F.S.; requiring Enterprise Florida,
29 Inc., to use specified programs to facilitate
30 economic development; amending s. 288.980,
31 F.S.; providing for Enterprise Florida, Inc.,

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

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

1 290.009, F.S.; specifying that Enterprise
2 Florida, Inc., shall serve as staff to the
3 Enterprise Zone Interagency Coordinating
4 Council; amending s. 290.014, F.S.; conforming
5 cross-references; amending s. 290.046, F.S.;
6 eliminating a limitation on the number of
7 economic development grants that an eligible
8 local government may receive under the Florida
9 Small Cities Community Development Block Grant
10 Program; specifying that cumulative grant
11 awards may not exceed certain ceilings;
12 amending s. 290.048, F.S.; authorizing the
13 Department of Community Affairs to establish
14 advisory committees relating to the Florida
15 Small Cities Community Development Block Grant
16 Program; repealing s. 290.049, F.S., relating
17 to the Community Development Block Grant
18 Advisory Council; amending s. 373.4149, F.S.;
19 removing the director of the Office of Tourism,
20 Trade, and Economic Development from the
21 membership of the Miami-Dade County Lake Belt
22 Plan Implementation Committee; authorizing the
23 Institute of Food and Agricultural Sciences to
24 contract and receive money to support the
25 Florida State Rural Development Council;
26 requiring the Workforce Development Board of
27 Enterprise Florida, Inc., to develop a policy
28 authorizing placement of certain
29 workforce-training clients in self-employment
30 as a means of job placement; directing the
31 Office of Tourism, Trade, and Economic

1 Development and Enterprise Florida, Inc., to
2 establish a unit responsible for forecasting
3 and responding to certain economic development
4 events; creating an Economic Development
5 Leadership Council to provide leadership
6 related to such events; requiring a report and
7 recommendations; providing legislative intent;
8 providing for creation and purpose of the
9 Toolkit for Economic Development; defining the
10 term "economically distressed"; requiring the
11 appointment of liaisons from agencies and
12 organizations; providing for requirements and
13 duties; creating coordinating partners to serve
14 as the program's executive committee; providing
15 for duties and powers; providing for waivers of
16 state-required matching-funds requirements;
17 requiring an inventory of programs that help
18 economically distressed communities; requiring
19 that the inventory be categorized; creating the
20 Start-Up Initiative to promote the use of the
21 inventory; providing for identification of
22 communities; providing for solicitation of
23 proposals; providing for proposal content;
24 providing for review process and evaluation
25 criteria; providing for funding; providing for
26 the designation of communities of critical
27 economic opportunity; providing an
28 appropriation to the coordinating partners;
29 providing for use of funds and certification;
30 providing for reporting; providing for
31 expiration; creating s. 288.1260, F.S.;

1 creating the Front Porch Florida initiative;
2 providing legislative intent; providing for
3 purposes and principles of the program;
4 creating liaisons to Front Porch Florida
5 communities; providing for liaison requirements
6 and duties; providing for use of the inventory
7 of federal and state resources; providing for
8 application requirements; providing for the
9 formation of a Governor's Revitalization
10 Council; providing for duties; providing for
11 monitoring and reporting; amending s. 240.311,
12 F.S.; requiring the State Board of Community
13 Colleges to identify training programs for
14 broadband digital media specialists; requiring
15 that such programs be added to lists for demand
16 occupations under certain circumstances;
17 amending s. 240.3341, F.S.; encouraging
18 community colleges to establish incubator
19 facilities for digital media content and
20 technology development; creating s. 240.710,
21 F.S.; requiring the Board of Regents to create
22 a Digital Media Education Coordination Group;
23 providing membership; providing purposes;
24 requiring development of a plan; requiring
25 submission of plans to the Legislature;
26 requiring the Workforce Development Board to
27 reserve funds for digital media industry
28 training; providing direction on training;
29 requiring the Workforce Development Board to
30 develop a plan for the use of certain funds to
31 enhance workforce of digital media related

1 industries; providing direction on plan
2 development; creating the Digital Media
3 Education Infrastructure Fund within the Office
4 of Tourism, Trade, and Economic Development for
5 the purpose of upgrading quality of media labs;
6 providing an appropriation; providing
7 requirements for contracting and use of funds;
8 requiring Enterprise Florida, Inc., to convene
9 a broadband digital media industries group;
10 requiring identification, designation, and
11 priority of digital media sector in sector
12 strategy; requiring Enterprise Florida, Inc.,
13 to contract for establishment of digital media
14 incubator; providing contract requirements;
15 providing an appropriation; requiring industry
16 participation in funding; providing direction
17 for incubator location; requiring ITFlorida, in
18 cooperation with Enterprise Florida, Inc., to
19 prepare a marketing plan promoting the state to
20 digital media industries; providing that
21 certain provisions relating to digital media
22 are subject to legislative appropriation;
23 creating the Commission on Basic Research for
24 the Future of Florida; prescribing membership
25 of the commission; providing a purpose for the
26 commission; requiring the use of state
27 resources; providing for staffing,
28 administration, and information sharing;
29 requiring a report; repealing s. 288.039, F.S.,
30 relating to the Employing and Training our
31 Youths (ENTRY) program; repealing s.

1 288.095(3)(c), F.S., relating to a required
2 report on activities under the Economic
3 Development Incentives Account of the Economic
4 Development Trust Fund; providing an effective
5 date.

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Subsections (2) and (9) of section 14.2015,
10 Florida Statutes, are amended to read:

11 14.2015 Office of Tourism, Trade, and Economic
12 Development; creation; powers and duties.--

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

21 (a) Contract, notwithstanding the provisions of part I
22 of chapter 287, with the direct-support organization created
23 under s. 288.1229 to guide, stimulate, and promote the sports
24 industry in the state, to promote the participation of
25 Florida's citizens in amateur athletic competition, and to
26 promote Florida as a host for national and international
27 amateur athletic competitions.

28 (b) Monitor the activities of public-private
29 partnerships and state agencies in order to avoid duplication
30 and promote coordinated and consistent implementation of
31 programs in areas including, but not limited to, tourism;

1 international trade and investment; business recruitment,
2 creation, retention, and expansion; minority and small
3 business development; and rural community development.

4 (c) Facilitate the direct involvement of the Governor
5 and the Lieutenant Governor in economic development projects
6 designed to create, expand, and retain Florida businesses and
7 to recruit worldwide business, as well as in other
8 job-creating efforts.

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

21 (e) Plan and conduct at least one meeting per calendar
22 year of leaders in business, government, and economic
23 development called by the Governor to address the business
24 climate in the state, develop a common vision for the economic
25 future of the state, and identify economic development efforts
26 to fulfill that vision.

27 (f)1. Administer the Florida Enterprise Zone Act under
28 ss. 290.001-290.016, the community contribution tax credit
29 program under ss. 220.183 and 624.5105, the tax refund program
30 for qualified target industry businesses under s. 288.106, the
31 tax-refund program for qualified defense contractors under s.

1 288.1045, contracts for transportation projects under s.
2 288.063, ~~the sports franchise facility program under s.~~
3 ~~288.1162, the professional golf hall of fame facility program~~
4 ~~under s. 288.1168,~~the expedited permitting process under s.
5 403.973, the Rural Community Development Revolving Loan Fund
6 under s. 288.065, ~~the Regional Rural Development Grants~~
7 ~~Program under s. 288.018, the Certified Capital Company Act~~
8 ~~under s. 288.99, the Florida State Rural Development Council,~~
9 the Rural Economic Development Initiative, and other programs
10 that are specifically assigned to the office by law, by the
11 appropriations process, or by the Governor. Notwithstanding
12 any other provisions of law, the office may expend interest
13 earned from the investment of program funds deposited in the
14 Economic Development Trust Fund, the Grants and Donations
15 Trust Fund, the Brownfield Property Ownership Clearance
16 Assistance Revolving Loan Trust Fund, and the Economic
17 Development Transportation Trust Fund to contract for the
18 administration of the programs, or portions of the programs,
19 enumerated in this paragraph or assigned to the office by law,
20 by the appropriations process, or by the Governor. Such
21 expenditures shall be subject to review under chapter 216.

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

1 are specifically assigned to the office by law, by the
2 appropriations process, or by the Governor.

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

14 (h) Provide administrative oversight for the
15 Governor's Office of the Film and Entertainment Commissioner,
16 created under s. 288.1251, to develop, promote, and provide
17 services to the state's entertainment industry and to
18 administratively house the Florida Film and Entertainment
19 Advisory Council created under s. 288.1252.

20 (i) Prepare and submit as a separate budget entity a
21 unified budget request for tourism, trade, and economic
22 development in accordance with chapter 216 for, and in
23 conjunction with, Enterprise Florida, Inc., and its boards,
24 the Florida Commission on Tourism and its direct-support
25 organization, the Florida Black Business Investment Board, the
26 Governor's Office of the Film and Entertainment Commissioner,
27 and the direct-support organization created to promote the
28 sports industry.

29 (j) Adopt rules, as necessary, to carry out its
30 functions in connection with the administration of the
31 Qualified Target Industry program, the Qualified Defense

1 Contractor program, the Certified Capital Company Act, the
2 Enterprise Zone program, and the Florida First Business Bond
3 pool.

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

23 (9)(a) The Office of Urban Opportunity is created
24 within the Office of Tourism, Trade, and Economic Development.
25 The director of the Office of Urban Opportunity shall be
26 appointed by and serve at the pleasure of the Governor.

27 (b) The purpose of the Office of Urban Opportunity
28 shall be to administer the Front Porch Florida initiative, a
29 comprehensive, community-based urban core redevelopment
30 program that will empower urban core residents to craft
31 solutions to the unique challenges of each designated

1 community. Front Porch Florida shall serve as a "civic
2 switchboard," connecting each Front Porch Florida community
3 with federal, state, and private-sector resources necessary to
4 implement the program.

5 (c) The Office of Urban Opportunity may be assisted in
6 carrying out its duties by the Department of Community
7 Affairs.

8 (d) The selection criteria for designating Front Porch
9 Communities must give priority consideration to communities
10 where there is an active grant award from the U.S. Department
11 of Housing and Urban Development under the HOPE VI program and
12 there is:

13 1. Documented support by the unit of local government
14 to redevelop the neighborhoods surrounding the HOPE VI
15 project.

16 2. A joint agreement between the local government and
17 the public housing authority receiving the HOPE VI grant
18 regarding the redevelopment of neighborhoods surrounding the
19 HOPE VI project.

20 3. A plan to promote the redevelopment of the HOPE VI
21 neighborhoods; to disperse the location of publicly assisted
22 housing within the neighborhood and to promote mixed-income
23 neighborhoods; to promote home ownership; and to involve the
24 residents of the neighborhood in redevelopment.

25 Section 2. Section 163.2523, Florida Statutes, is
26 amended to read:

27 163.2523 Grant program.--An Urban Infill and
28 Redevelopment Assistance Grant Program is created for local
29 governments. A local government may allocate grant money to
30 special districts, including community redevelopment agencies,
31 and nonprofit community development organizations to implement

1 projects consistent with an adopted urban infill and
2 redevelopment plan or plan employed in lieu thereof. Thirty
3 percent of the general revenue appropriated for this program
4 shall be available for planning grants to be used by local
5 governments for the development of an urban infill and
6 redevelopment plan, including community participation
7 processes for the plan. Sixty percent of the general revenue
8 appropriated for this program shall be available for
9 fifty/fifty matching grants for implementing urban infill and
10 redevelopment projects that further the objectives set forth
11 in the local government's adopted urban infill and
12 redevelopment plan or plan employed in lieu thereof. The
13 remaining 10 percent of the revenue must be used for outright
14 grants for implementing projects requiring an expenditure of
15 under \$50,000. Projects that provide employment opportunities
16 to clients of the WAGES program and projects within urban
17 infill and redevelopment areas that include a community
18 redevelopment area, Florida Main Street program, Front Porch
19 Florida Community, sustainable community, enterprise zone,
20 federal enterprise zone, enterprise community, or neighborhood
21 improvement district, and projects that include the recipient
22 of a HOPE VI grant from the U.S. Department of Housing and
23 Urban Development, must be given an elevated priority in the
24 scoring of competing grant applications. The Division of
25 Housing and Community Development of the Department of
26 Community Affairs shall administer the grant program. The
27 Department of Community Affairs shall adopt rules establishing
28 grant review criteria consistent with this section.

29 Section 3. Paragraph (c) of subsection (6) of section
30 420.5087, Florida Statutes, is amended to read:

31

1 420.5087 State Apartment Incentive Loan
2 Program.--There is hereby created the State Apartment
3 Incentive Loan Program for the purpose of providing first,
4 second, or other subordinated mortgage loans or loan
5 guarantees to sponsors, including for-profit, nonprofit, and
6 public entities, to provide housing affordable to
7 very-low-income persons.

8 (6) On all state apartment incentive loans, except
9 loans made to housing communities for the elderly to provide
10 for lifesafety, building preservation, health, sanitation, or
11 security-related repairs or improvements, the following
12 provisions shall apply:

13 (c) The corporation shall provide by rule for the
14 establishment of a review committee composed of the department
15 and corporation staff and shall establish by rule a scoring
16 system for evaluation and competitive ranking of applications
17 submitted in this program, including, but not limited to, the
18 following criteria:

19 1. Tenant income and demographic targeting objectives
20 of the corporation.

21 2. Targeting objectives of the corporation which will
22 ensure an equitable distribution of loans between rural and
23 urban areas.

24 3. Sponsor's agreement to reserve the units for
25 persons or families who have incomes below 50 percent of the
26 state or local median income, whichever is higher, for a time
27 period to exceed the minimum required by federal law or the
28 provisions of this part.

29 4. Sponsor's agreement to reserve more than:

30 a. Twenty percent of the units in the project for
31 persons or families who have incomes that do not exceed 50

1 percent of the state or local median income, whichever is
2 higher; or

3 b. Forty percent of the units in the project for
4 persons or families who have incomes that do not exceed 60
5 percent of the state or local median income, whichever is
6 higher, without requiring a greater amount of the loans as
7 provided in this section.

8 5. Provision for tenant counseling.

9 6. Sponsor's agreement to accept rental assistance
10 certificates or vouchers as payment for rent; however, when
11 certificates or vouchers are accepted as payment for rent on
12 units set aside pursuant to subsection (2), the benefit must
13 be divided between the corporation and the sponsor, as
14 provided by corporation rule.

15 7. Projects requiring the least amount of a state
16 apartment incentive loan compared to overall project cost.

17 8. Local government contributions and local government
18 comprehensive planning and activities that promote affordable
19 housing.

20 9. Project feasibility.

21 10. Economic viability of the project.

22 11. Commitment of first mortgage financing.

23 12. Sponsor's prior experience.

24 13. Sponsor's ability to proceed with construction.

25 14. Projects that directly implement or assist
26 welfare-to-work transitioning.

27 15. Projects receiving HOPE VI grants from the U.S.
28 Department of Housing and Urban Development.

29 Section 4. Subsection (6) of section 420.5089, Florida
30 Statutes, is amended to read:

31

1 420.5089 HOME Investment Partnership Program; HOME
2 fund.--

3 (6) Applications for loans under any competitive
4 scoring process established by program rule must be approved
5 by a review committee established by corporation rule which
6 shall analyze factors, including, but not limited to, the
7 following:

8 (a) Demographic targeting objectives of the
9 corporation.

10 (b) Corporation portfolio diversification.

11 (c) Developer's agreement to make units for the
12 targeted group available for more than the minimum period
13 required by rule.

14 (d) Leveraging of HOME funds.

15 (e) Local matching funds.

16 (f) The project's feasibility and long-term economic
17 viability.

18 (g) Demonstrated capacity of the proposed project's
19 development team.

20 (h) Conformance with the consolidated plan for the
21 state and area in which the proposed project will be located.

22 (i) Projects receiving HOPE VI grants from the U.S.
23 Department of Housing and Urban Development.

24 (j)~~(i)~~ Other factors determined and approved by the
25 corporation's board of directors.

26 Section 5. Subsection (3) of section 420.5093, Florida
27 Statutes, is amended to read:

28 420.5093 State Housing Tax Credit Program.--

29 (3) The corporation shall adopt allocation procedures
30 that will ensure the maximum use of available tax credits in
31 order to encourage development of low-income housing and

1 associated mixed-use projects in urban areas, taking into
2 consideration the timeliness of the application, the location
3 of the proposed project, the relative need in the area of
4 revitalization and low-income housing and the availability of
5 such housing, the economic feasibility of the project, and the
6 ability of the applicant to proceed to completion of the
7 project in the calendar year for which the credit is sought.
8 The allocation procedure must give priority to projects
9 receiving HOPE VI grants from the U.S. Department of Housing
10 and Urban Development.

11 Section 6. Subsection (2) of section 420.5099, Florida
12 Statutes, is amended to read:

13 420.5099 Allocation of the low-income housing tax
14 credit.--

15 (2) The corporation shall adopt allocation procedures
16 that will ensure the maximum use of available tax credits in
17 order to encourage development of low-income housing in the
18 state, taking into consideration the timeliness of the
19 application, the location of the proposed housing project, the
20 relative need in the area for low-income housing and the
21 availability of such housing, the economic feasibility of the
22 project, and the ability of the applicant to proceed to
23 completion of the project in the calendar year for which the
24 credit is sought. The allocation procedure must give priority
25 to projects receiving HOPE VI grants from the U.S. Department
26 of Housing and Urban Development.

27 Section 7. Subsection (10) of section 159.705, Florida
28 Statutes, is amended to read:

29 159.705 Powers of the authority.--The authority is
30 authorized and empowered:

31

1 (10) Other provisions of law to the contrary
2 notwithstanding, to acquire by lease, without consideration,
3 purchase, or option any lands owned, administered, managed,
4 controlled, supervised, or otherwise protected by the state or
5 any of its agencies, departments, boards, or commissions for
6 the purpose of establishing a research and development park,
7 subject to being first designated a research and development
8 authority under the provisions of ss. 159.701-159.7095. The
9 authority may cooperate with state and local political
10 subdivisions and with private profit and nonprofit entities to
11 implement the public purposes set out in s. 159.701. Such
12 cooperation may include agreements for the use of the
13 resources of state and local political subdivisions, agencies,
14 or entities on a fee-for-service basis or on a cost-recovery
15 basis. A project that is located in a research and development
16 park and is financed pursuant to the provisions of the Florida
17 Industrial Development Financing Act may be operated by a
18 research and development authority, a state university, a
19 Florida community college, or a governmental agency, provided
20 that the purpose and operation of such project is consistent
21 with the purposes and policies enumerated in ss.
22 159.701-159.7095.

23 Section 8. Section 159.8083, Florida Statutes, is
24 amended to read:

25 159.8083 Florida First Business allocation pool.--The
26 Florida First Business allocation pool is hereby established.
27 The Florida First Business allocation pool shall be available
28 solely to provide written confirmation for private activity
29 bonds to finance Florida First Business projects recommended
30 by Enterprise Florida, Inc., and certified by the Office of
31 Tourism, Trade, and Economic Development as eligible to

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

1 the allocation provided in such pool is available solely to
2 provide written confirmations for private activity bonds to
3 finance Florida First Business projects and that such projects
4 are feasible and financially solvent.

5 Section 9. Subsection (6) of section 163.3164, Florida
6 Statutes, is amended to read:

7 163.3164 Definitions.--As used in this act:

8 (6) "Development" has the meaning given it in s.
9 380.04 and the exemption given it in s. 380.04(3).

10 Section 10. Paragraph (eee) of subsection (7) of
11 section 212.08, Florida Statutes, is amended to read:

12 212.08 Sales, rental, use, consumption, distribution,
13 and storage tax; specified exemptions.--The sale at retail,
14 the rental, the use, the consumption, the distribution, and
15 the storage to be used or consumed in this state of the
16 following are hereby specifically exempt from the tax imposed
17 by this chapter.

18 (7) MISCELLANEOUS EXEMPTIONS.--

19 (eee) Certain repair and labor charges.--

20 1. Subject to the provisions of subparagraphs 2. and
21 3., there is exempt from the tax imposed by this chapter all
22 labor charges for the repair of, and parts and materials used
23 in the repair of and incorporated into, industrial machinery
24 and equipment that ~~which~~ is used for the manufacture,
25 processing, compounding, ~~or~~ production, or production and
26 shipping of items of tangible personal property at a fixed
27 location within this state.

28 2. This exemption applies only to industries
29 classified under SIC Industry Major Group Numbers 10, 12, 13,
30 14, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,
31 35,36, 37, 38, and 39 and Industry Group Number 212. As used

1 in this subparagraph, "SIC" means those classifications
2 contained in the Standard Industrial Classification Manual,
3 1987, as published by the Office of Management and Budget,
4 Executive Office of the President.

5 3. This exemption shall be applied as follows:

6 a. Beginning July 1, 1999, 25 percent of such charges
7 for repair parts and labor shall be exempt.

8 b. Beginning July 1, 2000, 50 percent of such charges
9 for repair parts and labor shall be exempt.

10 c. Beginning July 1, 2001, 75 percent of such charges
11 for repair parts and labor shall be exempt.

12 d. Beginning July 1, 2002, 100 percent of such charges
13 for repair parts and labor shall be exempt.

14
15 Exemptions provided to any entity by this subsection shall not
16 inure to any transaction otherwise taxable under this chapter
17 when payment is made by a representative or employee of such
18 entity by any means, including, but not limited to, cash,
19 check, or credit card even when that representative or
20 employee is subsequently reimbursed by such entity.

21 Section 11. The amendment to section 212.08(7)(eee)2.,
22 Florida Statutes, made by this act is remedial in nature and
23 shall have the force and effect as if SIC Code 35 had been
24 included from July 1, 1999.

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

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

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

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

1 qualified county and is predominantly engaged in, or is
2 headquarters for a business predominantly engaged in,
3 activities usually provided for consideration by firms
4 classified within the following standard industrial
5 classifications: SIC 01 through SIC 09 (agriculture,
6 forestry, and fishing); SIC 20 through SIC 39 (manufacturing);
7 SIC 52 through SIC 57 and SIC 59 (retail); SIC 422 (public
8 warehousing and storage); SIC 70 (hotels and other lodging
9 places); SIC 7391 (research and development); SIC 781 (motion
10 picture production and allied services); SIC 7992 (public golf
11 courses); and SIC 7996 (amusement parks). A call center or
12 similar customer service operation that services a multistate
13 market or international market is also an eligible business.
14 In addition, the Office of Tourism, Trade, and Economic
15 Development may, as part of its final budget request submitted
16 pursuant to s. 216.023, recommend additions to or deletions
17 from the list of standard industrial classifications used to
18 determine an eligible business, and the Legislature may
19 implement such recommendations. Excluded from eligible
20 receipts are receipts from retail sales, except such receipts
21 for SIC 52 through SIC 57 and SIC 59 (retail) hotels and other
22 lodging places classified in SIC 70, public golf courses in
23 SIC 7992, and amusement parks in SIC 7996. For purposes of
24 this paragraph, the term "predominantly" means that more than
25 50 percent of the business's gross receipts from all sources
26 is generated by those activities usually provided for
27 consideration by firms in the specified standard industrial
28 classification. The determination of whether the business is
29 located in a qualified high-crime area and the tier ranking of
30 that area must be based on the date of application for the
31

1 credit under this section. Commonly owned and controlled
2 entities are to be considered a single business entity.

3 (b) "Qualified employee" means any employee of an
4 eligible business who performs duties in connection with the
5 operations of the business on a regular, full-time basis for
6 an average of at least 36 hours per week for at least 3 months
7 within the qualified high-crime area in which the eligible
8 business is located. An owner or partner of the eligible
9 business is not a qualified employee. The term also includes
10 an employee leased from an employee leasing company licensed
11 under chapter 468, if such employee has been continuously
12 leased to the employer for an average of at least 36 hours per
13 week for more than 6 months.

14 (c) "New business" means any eligible business first
15 beginning operation on a site in a qualified high-crime area
16 and clearly separate from any other commercial or business
17 operation of the business entity within a qualified high-crime
18 area. A business entity that operated an eligible business
19 within a qualified high-crime area within the 48 months before
20 the period provided for application by subsection (3) is not
21 considered a new business.

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

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

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

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

4 3. Highest percentage of reported index crimes that
5 are violent in nature;

6 4. Highest overall index crime volume for the area;
7 and

8 5. Highest overall index crime rate for the geographic
9 area.

10

11 Tier-one areas are ranked 1 through 5 and represent the
12 highest crime areas according to this ranking. Tier-two areas
13 are ranked 6 through 10 according to this ranking. Tier-three
14 areas are ranked 11 through 15. Notwithstanding this
15 definition, "qualified high-crime area" also means an area
16 that has been designated as a federal Empowerment Zone
17 pursuant to the Taxpayer Relief Act of 1997. Such a designated
18 area is ranked in tier three until the areas are reevaluated
19 by the Office of Tourism, Trade, and Economic Development.

20

21 Section 13. Subsection (2) of section 212.098, Florida
22 Statutes, is amended to read:

23

212.098 Rural Job Tax Credit Program.--

24

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

25

26 (a) "Eligible business" means any sole proprietorship,
27 firm, partnership, or corporation that is located in a
28 qualified county and is predominantly engaged in, or is
29 headquarters for a business predominantly engaged in,
30 activities usually provided for consideration by firms
31 classified within the following standard industrial
classifications: SIC 01 through SIC 09 (agriculture,
forestry, and fishing); SIC 20 through SIC 39 (manufacturing);

1 SIC 422 (public warehousing and storage); SIC 70 (hotels and
2 other lodging places); SIC 7391 (research and development);
3 SIC 781 (motion picture production and allied services); SIC
4 7992 (public golf courses); and SIC 7996 (amusement parks). A
5 call center or similar customer service operation that
6 services a multistate market or an international market is
7 also an eligible business. In addition, the Office of Tourism,
8 Trade, and Economic Development may, as part of its final
9 budget request submitted pursuant to s. 216.023, recommend
10 additions to or deletions from the list of standard industrial
11 classifications used to determine an eligible business, and
12 the Legislature may implement such recommendations. Excluded
13 from eligible receipts are receipts from retail sales, except
14 such receipts for hotels and other lodging places classified
15 in SIC 70, public golf courses in SIC 7992, and amusement
16 parks in SIC 7996. For purposes of this paragraph, the term
17 "predominantly" means that more than 50 percent of the
18 business's gross receipts from all sources is generated by
19 those activities usually provided for consideration by firms
20 in the specified standard industrial classification. The
21 determination of whether the business is located in a
22 qualified county and the tier ranking of that county must be
23 based on the date of application for the credit under this
24 section. Commonly owned and controlled entities are to be
25 considered a single business entity.

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

1 | located. An owner or partner of the eligible business is not a
2 | qualified employee.

3 | (c) "Qualified county" means a county that has a
4 | population of fewer than 75,000 persons, or any county that
5 | has a population of 100,000 or less and is contiguous to a
6 | county that has a population of less than 75,000, selected in
7 | the following manner: every third year, the Office of
8 | Tourism, Trade, and Economic Development shall rank and tier
9 | the state's counties according to the following four factors:

10 | 1. Highest unemployment rate for the most recent
11 | 36-month period.

12 | 2. Lowest per capita income for the most recent
13 | 36-month period.

14 | 3. Highest percentage of residents whose incomes are
15 | below the poverty level, based upon the most recent data
16 | available.

17 | 4. Average weekly manufacturing wage, based upon the
18 | most recent data available.

19 |
20 | Tier-one qualified counties are those ranked 1 through 5 and
21 | represent the state's least-developed counties according to
22 | this ranking. Tier-two qualified counties are those ranked 6
23 | through 10, and tier-three counties are those ranked 11
24 | through 17. Notwithstanding this definition, "qualified
25 | county" also means a county that contains an area that has
26 | been designated as a federal Enterprise Community pursuant to
27 | the 1999 Agricultural Appropriations Act. Such a designated
28 | area shall be ranked in tier three until the areas are
29 | reevaluated by the Office of Tourism, Trade, and Economic
30 | Development.

31 |

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

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

11 Section 14. Section 218.075, Florida Statutes, is
12 amended to read:

13 218.075 Reduction or waiver of permit processing
14 fees.--Notwithstanding any other provision of law, the
15 Department of Environmental Protection and the water
16 management districts shall reduce or waive permit processing
17 fees for a county ~~counties~~ with a population of 75,000 ~~50,000~~
18 or less, or a county with a population of 100,000 or less
19 which is contiguous to a county with a population of 75,000 or
20 less, based upon the most current census data, on April 1,
21 ~~1994, until such counties exceed a population of 75,000 and a~~
22 municipality ~~municipalities~~ with a population of 25,000 or
23 less, or any county or municipality not included within a
24 metropolitan statistical area. Fee reductions or waivers shall
25 be approved on the basis of fiscal hardship or environmental
26 need for a particular project or activity. The governing body
27 must certify that the cost of the permit processing fee is a
28 fiscal hardship due to one of the following factors:

29 (1) Per capita taxable value is less than the
30 statewide average for the current fiscal year;

31

1 (2) Percentage of assessed property value that is
2 exempt from ad valorem taxation is higher than the statewide
3 average for the current fiscal year;

4 (3) Any condition specified in s. 218.503, that
5 determines a state of financial emergency;

6 (4) Ad valorem operating millage rate for the current
7 fiscal year is greater than 8 mills; or

8 (5) A financial condition that is documented in annual
9 financial statements at the end of the current fiscal year and
10 indicates an inability to pay the permit processing fee during
11 that fiscal year.

12

13 The permit applicant must be the governing body of a county or
14 municipality or a third party under contract with a county or
15 municipality and the project for which the fee reduction or
16 waiver is sought must serve a public purpose. If a permit
17 processing fee is reduced, the total fee shall not exceed
18 \$100.

19 Section 15. Paragraph (h) of subsection (1) and
20 subsections (2), (3), (4), and (5) of section 220.191, Florida
21 Statutes, are amended to read:

22 220.191 Capital investment tax credit.--

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

24 (h) "Qualifying project" means a new or expanding
25 facility in this state which creates at least 100 new jobs in
26 this state and is in one of the target-industry ~~high-impact~~
27 sectors identified by Enterprise Florida, Inc., and certified
28 by the office pursuant to s. 288.106(2)(o)~~s. 288.106(6)~~,
29 including, but not limited to, aviation, aerospace,
30 automotive, and silicon technology industries.

31

1 (2) An annual credit against the tax imposed by this
2 chapter shall be granted to any qualifying business in an
3 amount equal to 5 percent of the eligible capital costs
4 generated by a qualifying project, for a period not to exceed
5 20 years beginning with the commencement of operations of the
6 project. The tax credit shall be granted against only the
7 corporate income tax liability or the premium tax liability
8 generated by or arising out of the qualifying project, and the
9 sum of all tax credits provided pursuant to this section shall
10 not exceed 100 percent of the eligible capital costs of the
11 project. In no event may any credit granted under this section
12 be carried forward or backward by any qualifying business with
13 respect to a subsequent or prior year. The annual tax credit
14 granted under this section shall not exceed the following
15 percentages of the annual corporate income tax liability or
16 the premium tax liability generated by or arising out of a
17 qualifying project:

18 (a) Fifty ~~One hundred~~ percent for a qualifying project
19 which results in a cumulative capital investment of at least
20 \$100 million.

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

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

27
28 A qualifying project that ~~which~~ results in a cumulative
29 capital investment of less than ~~\$50~~\$25 million is not
30 eligible to be considered for the capital investment tax
31 credit. An insurance company claiming a credit against premium

1 tax liability under this program shall not be required to pay
2 any additional retaliatory tax levied pursuant to s. 624.5091
3 as a result of claiming such credit. Because credits under
4 this section are available to an insurance company, s.
5 624.5091 does not limit such credit in any manner.

6 (3) Prior to receiving tax credits for which it has
7 been certified pursuant to this section, a qualifying business
8 must achieve and maintain the employment target specified in
9 its application for certification, but not less than 100
10 additional employees,~~minimum employment goals~~ beginning with
11 the commencement of operations at a qualifying project and
12 continuing each year thereafter during which tax credits are
13 available pursuant to this section.

14 (4) The office, upon application by the business and
15 evaluation and recommendation ~~a recommendation~~ by Enterprise
16 Florida, Inc., may ~~shall first~~ certify a business as eligible
17 to receive tax credits pursuant to this section prior to the
18 business's final decision on and beginning investment in
19 ~~commencement of operations of~~ a qualifying project, and such
20 certification shall be transmitted to the Department of
21 Revenue. Upon receipt of the certification, the Department of
22 Revenue shall enter into a written agreement with the
23 qualifying business specifying, at a minimum, the method by
24 which income generated by or arising out of the qualifying
25 project will be determined.

26 (5) The office, in consultation with Enterprise
27 Florida, Inc., is authorized to develop the necessary
28 guidelines and application materials for the certification
29 process described in subsection (4). The guidelines at a
30 minimum shall consider the number of jobs the project will
31 create, the wages paid by those jobs, the location of the

1 project and conditions in the area, the anticipated benefits
2 of the project, and the role the credit is expected to play in
3 the business's investment decision.

4 Section 16. Section 288.012, Florida Statutes, is
5 amended to read:

6 288.012 State of Florida foreign offices.--The
7 Legislature finds that the expansion of international trade
8 and tourism is vital to the overall health and growth of the
9 economy of this state. This expansion is hampered by the lack
10 of technical and business assistance, financial assistance,
11 and information services for businesses in this state. The
12 Legislature finds that these businesses could be assisted by
13 providing these services at State of Florida foreign offices.
14 The Legislature further finds that the accessibility and
15 provision of services at these offices can be enhanced through
16 cooperative agreements or strategic alliances between state
17 entities, local entities, foreign entities, and private
18 businesses.

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

21 ~~(a)~~ approve the establishment and operation by
22 Enterprise Florida, Inc., and the Florida Commission on
23 Tourism of ~~Establish and operate~~ offices in foreign countries
24 for the purpose of promoting the trade and economic
25 development of the state, and promoting the gathering of trade
26 data information and research on trade opportunities in
27 specific countries.

28 (b) Enterprise Florida, Inc., and the Florida
29 Commission on Tourism, as agents for the Office of Tourism,
30 Trade, and Economic Development, may enter into agreements
31 with governmental and private sector entities to establish and

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

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

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

1 updated each fiscal year and submitted annually thereafter to
2 Enterprise Florida, Inc., or the Florida Commission on Tourism
3 for review and approval. The plans shall include, at a
4 minimum, the following:

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

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

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

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

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

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

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

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

15 (a) The number of Florida companies assisted.

16 (b) The number of inquiries received about investment
17 opportunities in this state.

18 (c) The number of trade leads generated.

19 (d) The number of investment projects announced.

20 (e) The estimated U.S. dollar value of sales
21 confirmations.

22 (f) The number of representation agreements.

23 (g) The number of company consultations.

24 (h) Barriers or other issues affecting the effective
25 operation of the office.

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

28 (j) Marketing activities conducted.

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

31

1 (1) Activities conducted with other Florida foreign
2 offices.

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

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

14 (a) Such exemptions ~~The Office of Tourism, Trade, and~~
15 ~~Economic Development~~ may be exercised ~~exercise such exemptions~~
16 only upon prior approval of the Governor.

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

29 (c) As used in this subsection, the term "plan of
30 operation" means the plan developed pursuant to subsection
31 (2).

1 (d) Upon final action by the Governor with respect to
2 a request to exercise the exemption authorized in this
3 subsection, the Office of Tourism, Trade, and Economic
4 Development shall report such action, along with the original
5 request and any modifications thereto, to the President of the
6 Senate and the Speaker of the House of Representatives within
7 30 days.

8 (5) Where feasible and appropriate, and subject to s.
9 288.1224(10), foreign offices established and operated under
10 this section may provide one-stop access to the economic
11 development, trade, and tourism information, services, and
12 programs of the state. Where feasible and appropriate, and
13 subject to s. 288.1224(10), such offices may also be
14 collocated with other foreign offices of the state.

15 (6) The Office of Tourism, Trade, and Economic
16 Development is authorized to make and to enter into contracts
17 with Enterprise Florida, Inc., and the Florida Commission on
18 Tourism to carry out the provisions of this section. The
19 authority, duties, and exemptions provided in this section
20 apply to Enterprise Florida, Inc., and the Florida Commission
21 on Tourism ~~to the same degree and subject to the same~~
22 ~~conditions as applied to the Office of Tourism, Trade, and~~
23 ~~Economic Development~~. To the greatest extent possible, such
24 contracts shall include provisions for cooperative agreements
25 or strategic alliances between state entities, foreign
26 entities, local entities, and private businesses to operate
27 foreign offices.

28 Section 17. Section 288.018, Florida Statutes, is
29 amended to read:

30 288.018 Regional Rural Development Grants Program.--
31

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

16 (2) In recommending the awards for funding, Enterprise
17 Florida, Inc., ~~approving the participants, the Office of~~
18 ~~Tourism, Trade, and Economic Development~~ shall consider the
19 demonstrated need of the applicant for assistance and require
20 the following:

21 (a) Documentation of official commitments of support
22 from each of the units of local government represented by the
23 regional organization.

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

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

29 (d) Demonstration that the organization is in
30 existence and actively involved in economic development
31 activities serving the region.

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

4 (3) The Office of Tourism, Trade, and Economic
5 Development may approve awards ~~expend~~ up to a total of
6 \$600,000 each fiscal year from funds appropriated to the Rural
7 Community Development Revolving Loan Fund for the purposes
8 outlined in this section.

9 Section 18. Section 288.064, Florida Statutes, is
10 created to read:

11 288.064 Legislative intent on rural economic
12 development.--

13 (1) The Legislature finds and declares that, because
14 of climate, tourism, industrialization, technological
15 advances, federal and state government policies,
16 transportation, and migration, Florida's urban communities
17 have grown rapidly over the past 40 years. This growth and
18 prosperity, however, have not been shared by Florida's rural
19 communities, although these communities are the stewards of
20 the vast majority of the land and natural resources. Without
21 this land and these resources, the state's growth and
22 prosperity cannot continue. In short, successful rural
23 communities are essential to the overall success of the
24 state's economy.

25 (2) The Legislature further finds and declares that
26 many rural areas of the state are experiencing not only a lack
27 of growth but severe and sustained economic distress. Median
28 household incomes are significantly less than the state's
29 median household income level. Job creation rates trail those
30 in more urbanized areas. In many cases, rural counties have
31 lost jobs, which handicaps local economies and drains wealth

1 from these communities. These and other factors, including
2 government policies, amplify and compound social, health, and
3 community problems, making job creation and economic
4 development even more difficult. Moreover, the Legislature
5 finds that traditional program and service delivery is often
6 hampered by the necessarily rigid structure of the programs
7 themselves and the lack of local resources.

8 (3) It is the intent of the Legislature to provide for
9 the most efficient and effective delivery of programs of
10 assistance and support to rural communities, including the
11 use, where appropriate, of regulatory flexibility through
12 multiagency coordination and adequate funding. The Legislature
13 determines and declares that the provision of such assistance
14 and support in this manner fulfills an important state
15 interest.

16 Section 19. Subsection (2) of section 288.0656,
17 Florida Statutes, is amended and subsection (9) is added to
18 that section to read:

19 288.0656 Rural Economic Development Initiative.--

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

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

30 (b) "Rural community" means:

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

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

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

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

14
15 For purposes of this paragraph, population shall be determined
16 in accordance with the most recent official estimate pursuant
17 to s. 186.901.

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

25 (b) Upon receiving such designation, an unincorporated
26 federal enterprise community or an incorporated rural city in
27 a nonrural county shall be eligible to apply for any program
28 specifically identified in statute as a rural program,
29 provided that it demonstrates that the county of jurisdiction
30 for such unincorporated federal enterprise community or rural
31 city is also providing support for each program application.

1 REDI may recommend criteria for the evaluation of such county
2 support to the administrative agency of each program. Such
3 communities shall also be eligible for any preferential
4 criteria or waivers of any program requirements specifically
5 identified in statute as available for rural counties, cities,
6 or communities when necessary to encourage and facilitate
7 long-term private capital investment and job creation.

8 Section 20. Section 288.1088, Florida Statutes, is
9 amended to read:

10 288.1088 Quick Action Closing Fund.--

11 (1)(a) The Legislature finds that attracting,
12 retaining, and providing favorable conditions for the growth
13 of certain target industries provides high-quality employment
14 opportunities for residents of this state and enhances the
15 economic foundations of the state ~~high-impact business~~
16 ~~facilities provides widespread economic benefits to the public~~
17 ~~through high-quality employment opportunities in such~~
18 ~~facilities and in related facilities attracted to the state,~~
19 ~~through the increased tax base provided by the high-impact~~
20 ~~facility and businesses in related sectors, through an~~
21 ~~enhanced entrepreneurial climate in the state and the~~
22 ~~resulting business and employment opportunities, and through~~
23 ~~the stimulation and enhancement of the state's universities~~
24 ~~and community colleges. In the global economy, there exists~~
25 ~~serious and fierce international competition for these~~
26 ~~facilities, and in most instances, when all available~~
27 ~~resources for economic development have been used, the state~~
28 ~~continues to encounter severe competitive disadvantages in~~
29 ~~vying for these high-impact business facilities.~~

30 (b) The Legislature therefore declares that sufficient
31 resources shall be available to respond to extraordinary

1 economic opportunities, ~~and~~ to compete effectively for these
2 high-value-added employment opportunities, and to enhance the
3 state's economic base by providing incentives to qualifying
4 businesses that require inducement beyond that available
5 through other sources to invest, grow, and create new
6 high-wage employment opportunities in this state and its
7 communities ~~high-impact business facilities.~~

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

11 (3)(a) Enterprise Florida, Inc., shall evaluate
12 individual proposals for target-industry businesses
13 ~~high-impact business facilities~~ and forward recommendations
14 regarding the use of moneys in the fund for such projects
15 ~~facilities~~ to the director of the Office of Tourism, Trade,
16 and Economic Development. Such evaluation and recommendation
17 must include, but need not be limited to:

18 1. A description of the type of facility, its business
19 operation, and the product or service associated with the
20 project facility.

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

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

26 4. A statement of any special impacts the project
27 facility is expected to stimulate in a particular business
28 sector in the state or regional economy, or in the state's
29 universities and community colleges, or in a distressed
30 Florida community.

31

1 5. A statement of the role the incentive is expected
2 to play in the decision of the applicant business to locate or
3 expand in this state, an analysis of all other state and local
4 incentives that have been offered in this state, and an
5 analysis of the conditions and incentives offered by other
6 states and their communities.

7 (b) Upon receipt of the evaluation and recommendation
8 from Enterprise Florida, Inc., the director shall recommend
9 approval or disapproval of a project for receipt of funds from
10 the Quick Action Closing Fund to the Governor. In recommending
11 a target-industry business for this incentive ~~high-impact~~
12 ~~business facility~~, the director shall include proposed
13 performance conditions that the business facility must meet to
14 obtain incentive funds. The Governor shall consult with the
15 President of the Senate and the Speaker of the House of
16 Representatives before giving final approval for a project.
17 The Executive Office of the Governor shall recommend approval
18 of a project and release of funds pursuant to the legislative
19 consultation and review requirements set forth in s. 216.177.
20 The recommendation must include proposed performance
21 conditions the project must meet to obtain funds.

22 (c) If a project is approved for the receipt of funds
23 ~~Upon the approval of the Governor~~, the director of the Office
24 of Tourism, Trade, and Economic Development and the
25 ~~high-impact~~ business shall enter into a contract that sets
26 forth the conditions for payment of moneys from the fund. The
27 contract must include the total amount of funds awarded; the
28 performance conditions that must be met to obtain the award,
29 including, but not limited to, net new employment in the
30 state, average salary, and total capital investment; the
31 methodology for validating performance; the schedule of

1 payments from the fund; and sanctions for failure to meet
2 performance conditions.

3 (d) Enterprise Florida, Inc., shall validate
4 contractor performance. Such validation shall be reported
5 within 6 months after completion of the contract to the
6 Governor, President of the Senate, and the Speaker of the
7 House of Representatives.

8 Section 21. Subsections (1), (2), (4), (6), (8), and
9 (10) of section 288.1162, Florida Statutes, are amended to
10 read:

11 288.1162 Professional sports franchises; spring
12 training franchises; duties.--

13 (1) The direct-support organization authorized under
14 s. 288.1229 Office of Tourism, Trade, and Economic Development
15 shall serve as the ~~state~~ agency for screening applicants and
16 shall make recommendations to the Office of Tourism, Trade,
17 and Economic Development for state funding pursuant to s.
18 212.20 and for certifying an applicant as a "facility for a
19 new professional sports franchise," a "facility for a retained
20 professional sports franchise," or a "new spring training
21 franchise facility." The Office of Tourism, Trade, and
22 Economic Development shall have the final approval for any
23 decision under this section.

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

28 (4) Prior to certifying an applicant as a "facility
29 for a new professional sports franchise" or a "facility for a
30 retained professional sports franchise," the direct-support
31

1 organization authorized under s. 288.1229 ~~Office of Tourism,~~
2 ~~Trade, and Economic Development~~ must determine that:

3 (a) A "unit of local government" as defined in s.
4 218.369 is responsible for the construction, management, or
5 operation of the professional sports franchise facility or
6 holds title to the property on which the professional sports
7 franchise facility is located.

8 (b) The applicant has a verified copy of a signed
9 agreement with a new professional sports franchise for the use
10 of the facility for a term of at least 10 years, or in the
11 case of a retained professional sports franchise, an agreement
12 for use of the facility for a term of at least 20 years.

13 (c) The applicant has a verified copy of the approval
14 from the governing authority of the league in which the new
15 professional sports franchise exists authorizing the location
16 of the professional sports franchise in this state after April
17 1, 1987, or in the case of a retained professional sports
18 franchise, verified evidence that it has had a
19 league-authorized location in this state on or before December
20 31, 1976. The term "league" means the National League or the
21 American League of Major League Baseball, the National
22 Basketball Association, the National Football League, or the
23 National Hockey League.

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

29 (e) The applicant has an independent analysis or
30 study, verified by the direct-support organization ~~Office of~~
31 ~~Tourism, Trade, and Economic Development~~, which demonstrates

1 that the amount of the revenues generated by the taxes imposed
2 under chapter 212 with respect to the use and operation of the
3 professional sports franchise facility will equal or exceed \$2
4 million annually.

5 (f) The municipality in which the facility for a new
6 or retained professional sports franchise is located, or the
7 county if the facility for a new or retained professional
8 sports franchise is located in an unincorporated area, has
9 certified by resolution after a public hearing that the
10 application serves a public purpose.

11 (g) The applicant has demonstrated that it has
12 provided, is capable of providing, or has financial or other
13 commitments to provide more than one-half of the costs
14 incurred or related to the improvement and development of the
15 facility.

16 (h) No applicant previously certified under any
17 provision of this section who has received funding under such
18 certification shall be eligible for an additional
19 certification.

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

24 (a) A "unit of local government" as defined in s.
25 218.369 is responsible for the construction, management, or
26 operation of the new spring training franchise facility or
27 holds title to the property on which the new spring training
28 franchise facility is located.

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

1 (c) The applicant has a financial commitment to
2 provide 50 percent or more of the funds required by an
3 agreement for the use of the facility by the new spring
4 training franchise.

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

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

13 (f) The new spring training franchise facility is
14 located in a county that is levying a tourist development tax
15 pursuant to s. 125.0104(3)(b), (c), (d), and (1), at the rate
16 of 4 percent by March 1, 1992, and, 87.5 percent of the
17 proceeds from such tax are dedicated for the construction of a
18 spring training complex.

19 (8) The direct-support organization authorized under
20 s. 288.1229 ~~Office of Tourism, Trade, and Economic Development~~
21 shall notify the Department of Revenue of any facility
22 certified as a facility for a new professional sports
23 franchise or a facility for a retained professional sports
24 franchise or as a new spring training franchise facility. The
25 direct-support organization ~~Office of Tourism, Trade, and~~
26 ~~Economic Development~~ may certify no more than eight facilities
27 as facilities for a new professional sports franchise, as
28 facilities for a retained professional sports franchise, or as
29 new spring training franchise facilities, including in such
30 total any facilities certified by the Department of Commerce
31 before July 1, 1996, and by the Office of Tourism, Trade, and

1 Economic Development before July 1, 2000. ~~The office may make~~
2 No more than one certification may be made for any facility.

3 (10) An applicant shall not be qualified for
4 certification under this section if the franchise formed the
5 basis for a previous certification, unless the previous
6 certification was withdrawn by the facility or invalidated by
7 the direct-support organization authorized under s. 288.1229,
8 the Office of Tourism, Trade, and Economic Development, or the
9 Department of Commerce before any funds were distributed
10 pursuant to s. 212.20. This subsection does not disqualify an
11 applicant if the previous certification occurred between May
12 23, 1993, and May 25, 1993; however, any funds to be
13 distributed pursuant to s. 212.20 for the second certification
14 shall be offset by the amount distributed to the previous
15 certified facility. Distribution of funds for the second
16 certification shall not be made until all amounts payable for
17 the first certification have been distributed.

18 Section 22. Section 288.1168, Florida Statutes, is
19 amended to read:

20 288.1168 Professional golf hall of fame facility;
21 duties.--

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

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

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

31

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

5 ~~(c) The municipality in which the professional golf~~
6 ~~hall of fame facility is located, or the county if the~~
7 ~~facility is located in an unincorporated area, has certified~~
8 ~~by resolution after a public hearing that the application~~
9 ~~serves a public purpose.~~

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

13 ~~(e) There is an independent analysis or study, using~~
14 ~~methodology approved by the department, which demonstrates~~
15 ~~that the amount of the revenues generated by the taxes imposed~~
16 ~~under chapter 212 with respect to the use and operation of the~~
17 ~~professional golf hall of fame facility will equal or exceed~~
18 ~~\$2 million annually.~~

19 (1)(f) Prior to certification, the applicant for the
20 certified professional golf hall of fame facility must submit
21 ~~The applicant has submitted an agreement to provide \$2 million~~
22 ~~annually in national and international media promotion of the~~
23 ~~professional golf hall of fame facility, Florida, and Florida~~
24 ~~tourism, through the PGA Tour, Inc., or its affiliates, at the~~
25 ~~then-current commercial rate, during the period of time that~~
26 ~~the facility receives funds pursuant to s. 212.20. The~~
27 direct-support organization authorized under s. 288.1229
28 ~~Office of Tourism, Trade, and Economic Development and the PGA~~
29 ~~Tour, Inc., or its affiliates, must agree annually on a~~
30 ~~reasonable percentage of advertising specifically allocated~~
31 ~~for generic Florida advertising. The direct-support~~

1 organization authorized under s. 288.1229 ~~Office of Tourism,~~
2 ~~Trade, and Economic Development~~ shall have final approval of
3 all generic advertising. Failure on the part of the PGA Tour,
4 Inc., or its affiliates to annually provide the advertising as
5 provided in this subsection ~~paragraph~~ or subsection ~~(4)~~ (6)
6 shall result in the termination of funding as provided in s.
7 212.20.

8 ~~(g) Documentation exists that demonstrates that the~~
9 ~~applicant has provided, is capable of providing, or has~~
10 ~~financial or other commitments to provide more than one-half~~
11 ~~of the costs incurred or related to the improvement and~~
12 ~~development of the facility.~~

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

16 (2) ~~(3)~~ The certified professional golf hall of fame
17 facility applicant may use funds provided pursuant to s.
18 212.20 for the public purpose of paying for the construction,
19 reconstruction, renovation, or operation of the ~~professional~~
20 ~~golf hall of fame~~ facility, or to pay or pledge for payment of
21 debt service on, or to fund debt service reserve funds,
22 arbitrage rebate obligations, or other amounts payable with
23 respect to, bonds issued for the construction, reconstruction,
24 or renovation of the facility or for the reimbursement of such
25 costs or the refinancing of bonds issued for such purpose.

26 ~~(4) Upon determining that an applicant is or is not~~
27 ~~certifiable, the Secretary of Commerce shall notify the~~
28 ~~applicant of his or her status by means of an official letter.~~
29 ~~If certifiable, the secretary shall notify the executive~~
30 ~~director of the Department of Revenue and the applicant of~~
31 ~~such certification by means of an official letter granting~~

1 ~~certification. From the date of such certification, the~~
2 ~~applicant shall have 5 years to open the professional golf~~
3 ~~hall of fame facility to the public and notify the Office of~~
4 ~~Tourism, Trade, and Economic Development of such opening. The~~
5 ~~Department of Revenue shall not begin distributing funds until~~
6 ~~30 days following notice by the Office of Tourism, Trade, and~~
7 ~~Economic Development that the professional golf hall of fame~~
8 ~~facility is open to the public.~~

9 (3)(5) The Department of Revenue may audit as provided
10 in s. 213.34 to verify that the distributions under this
11 section have been expended as required by this section.

12 (4)(6) The direct-support organization authorized
13 under s. 288.1229 ~~Office of Tourism, Trade, and Economic~~
14 ~~Development~~ must recertify every 10 years that the facility is
15 open, continues to be the only professional golf hall of fame
16 in the United States recognized by the PGA Tour, Inc., and is
17 meeting the minimum projections for attendance or sales tax
18 revenue as required at the time of original certification. If
19 the facility is not certified as meeting the minimum
20 projections, the PGA Tour, Inc., shall increase its required
21 advertising contribution of \$2 million annually to \$2.5
22 million annually in lieu of reduction of any funds as provided
23 by s. 212.20. The additional \$500,000 must be allocated in its
24 entirety for the use and promotion of generic Florida
25 advertising as determined by the direct-support organization
26 authorized under s. 288.1229 ~~Office of Tourism, Trade, and~~
27 ~~Economic Development~~. If the facility is not open to the
28 public or is no longer in use as the only professional golf
29 hall of fame in the United States recognized by the PGA Tour,
30 Inc., the entire \$2.5 million for advertising must be used for
31 generic Florida advertising as determined by the

1 direct-support organization authorized under s. 288.1229
2 ~~Office of Tourism, Trade, and Economic Development.~~

3 Section 23. Section 288.1169, Florida Statutes, is
4 amended to read:

5 288.1169 International Game Fish Association World
6 Center facility; ~~department~~ duties.--

7 (1) The direct-support organization authorized under
8 s. 288.1229 ~~Department of Commerce~~ shall serve as the ~~state~~
9 agency approving applicants for funding pursuant to s. 212.20
10 and for certifying the applicant as the International Game
11 Fish Association World Center facility. For purposes of this
12 section, "facility" means the International Game Fish
13 Association World Center, and "project" means the
14 International Game Fish Association World Center and new
15 colocated improvements by private sector concerns who have
16 made cash or in-kind contributions to the facility of \$1
17 million or more.

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

21 (a) The International Game Fish Association World
22 Center is the only fishing museum, Hall of Fame, and
23 international administrative headquarters in the United States
24 recognized by the International Game Fish Association, and
25 that one or more private sector concerns have committed to
26 donate to the International Game Fish Association land upon
27 which the International Game Fish Association World Center
28 will operate.

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

1 (c) The municipality in which the facility is located,
2 or the county if the facility is located in an unincorporated
3 area, has certified by resolution after a public hearing that
4 the facility serves a public purpose.

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

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

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

18 (g) The applicant has submitted an agreement to
19 provide \$500,000 annually in national and international media
20 promotion of the facility, at the then-current commercial
21 rates, during the period of time that the facility receives
22 funds pursuant to s. 212.20. Failure on the part of the
23 applicant to annually provide the advertising as provided in
24 this paragraph shall result in the termination of the funding
25 as provided in s. 212.20. The applicant can discharge its
26 obligation under this paragraph by contracting with other
27 persons, including private sector concerns who participate in
28 the project.

29 (h) Documentation exists that demonstrates that the
30 applicant has provided, and is capable of providing, or has
31 financial or other commitments to provide, more than one-half

1 of the cost incurred or related to the improvements and the
2 development of the facility.

3 (i) The application is signed by senior officials of
4 the International Game Fish Association and is notarized
5 according to Florida law providing for penalties for
6 falsification.

7 (3) The applicant may use funds provided pursuant to
8 s. 212.20 for the purpose of paying for the construction,
9 reconstruction, renovation, promotion, or operation of the
10 facility, or to pay or pledge for payment of debt service on,
11 or to fund debt service reserve funds, arbitrage rebate
12 obligations, or other amounts payable with respect to, bonds
13 issued for the construction, reconstruction, or renovation of
14 the facility or for the reimbursement of such costs or by
15 refinancing of bonds issued for such purposes.

16 (4) Upon determining that an applicant is or is not
17 certifiable, the direct-support organization authorized under
18 s. 288.1229 ~~Department of Commerce~~ shall notify the applicant
19 of its status by means of an official letter. If certifiable,
20 the direct-support organization ~~Department of Commerce~~ shall
21 notify the executive director of the Department of Revenue and
22 the applicant of such certification by means of an official
23 letter granting certification. From the date of such
24 certification, the applicant shall have 5 years to open the
25 facility to the public and notify the direct-support
26 organization ~~Department of Commerce~~ of such opening. The
27 Department of Revenue shall not begin distributing funds until
28 30 days following notice by the direct-support organization
29 ~~Department of Commerce~~ that the facility is open to the
30 public.

31

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

4 (6) The direct-support organization authorized under
5 s. 288.1229 ~~Department of Commerce~~ must recertify every 10
6 years that the facility is open, that the International Game
7 Fish Association World Center continues to be the only
8 international administrative headquarters, fishing museum, and
9 Hall of Fame in the United States recognized by the
10 International Game Fish Association, and must verify annually
11 that the project is meeting the minimum projections for
12 attendance or sales tax revenues as required at the time of
13 original certification. If the facility is not recertified
14 during this 10-year review as meeting the minimum projections,
15 then funding will be abated until certification criteria are
16 met. If the project fails to generate \$1 million of annual
17 revenues pursuant to paragraph (2)(e), the distribution of
18 revenues pursuant to s. 212.20(6)(f)5.c. shall be reduced to
19 an amount equal to \$83,333 multiplied by a fraction, the
20 numerator of which is the actual revenues generated and the
21 denominator of which is \$1 million. Such reduction shall
22 remain in effect until revenues generated by the project in a
23 12-month period equal or exceed \$1 million.

24 Section 24. Section 288.1185, Florida Statutes, is
25 transferred, renumbered as section 403.7155, Florida Statutes,
26 and amended to read:

27 403.7155 ~~288.1185~~ Recycling Markets Advisory
28 Committee.--

29 (1) There is created the Recycling Markets Advisory
30 Committee, hereinafter referred to as the "committee," to be
31 administratively housed in the Department of Environmental

1 ~~Protection Office of Tourism, Trade, and Economic Development.~~

2 The purpose of the committee shall be to serve as the
3 mechanism for coordination among state agencies and the
4 private sector to coordinate policy and overall strategic
5 planning for developing new markets and expanding and
6 enhancing existing markets for recovered materials. The
7 committee may not duplicate or replace agency programs, but
8 shall enhance, coordinate, and recommend priorities for those
9 programs.

10 (2)(a) The committee shall consist of 12 members, 10
11 of whom shall be appointed by the Governor, each of whom is or
12 has been actively engaged in the recycling industry or a
13 related business area, including the use of product packaging
14 materials, or is a local government official with a
15 demonstrated knowledge of recycling; a member of the House of
16 Representatives to be appointed by the Speaker of the House of
17 Representatives, who shall serve without voting rights as an
18 ex officio member of the committee; and a member of the Senate
19 to be appointed by the President of the Senate, who shall
20 serve without voting rights as an ex officio member of the
21 committee.

22 (b) Members of the committee shall be appointed within
23 60 days after this section takes effect.

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

26 (d) The committee shall meet at the call of its
27 chairperson or at the request of a majority of its membership,
28 but at least biannually. A majority of the members shall
29 constitute a quorum, and the affirmative vote of a majority of
30 a quorum is necessary to take official action.

31

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

4 (f) The committee may appoint ad hoc committees, which
5 may include persons who are not members of the committee, to
6 study recycled materials market development problems and
7 issues and advise the committee on these subjects. Ad hoc
8 committee members may be reimbursed for per diem and travel
9 expenses as provided in s. 112.061.

10 (g) The Department of Environmental Protection ~~Office~~
11 ~~of Tourism, Trade, and Economic Development~~ shall coordinate
12 with agencies listed in paragraph (3)(a) to provide support as
13 necessary to enable the committee to adequately carry out its
14 functions.

15 (3)(a) The heads of the Department of Transportation,
16 the Department of Environmental Protection, the Department of
17 Management Services, the Department of Agriculture and
18 Consumer Services, the Florida Energy Office, and the Governor
19 shall each designate a staff member from within the agency to
20 serve as the recycling market development liaison for the
21 agency. This person shall have knowledge of recycling and the
22 issues and problems related to recycling and recycled
23 materials market development. This person shall be the primary
24 point of contact for the agency on issues related to recycled
25 materials market development. These liaisons shall be
26 available for committee meetings and shall work closely with
27 the committee and other recycling market development liaisons
28 to further the goals of the committee, as appropriate.

29 (b) Whenever it is necessary to change the designee,
30 the head of each agency shall notify the Governor in writing
31

1 of the person designated as the recycling market development
2 liaison for such agency.

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

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

9 1. Developing new markets and expanding and enhancing
10 existing markets for recovered materials.

11 2. Pursuing expanded end uses for recycled materials.

12 3. Targeting materials for concentrated market
13 development efforts.

14 4. Developing proposals for new incentives for market
15 development, particularly focusing on targeted materials.

16 5. Providing guidance on issues such as permitting,
17 finance options for recycling market development, site
18 location, research and development, grant program criteria for
19 recycled materials markets, recycling markets education and
20 information, and minimum content.

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

23 7. Evaluating the need for competitively solicited,
24 cooperative ventures in rural areas for collecting,
25 processing, marketing, and procuring collected materials.

26 8. Evaluating source-reduced products as they relate
27 to state procurement policy. The evaluation shall include,
28 but is not limited to, the environmental and economic impact
29 of source-reduced product purchases on the state. For the
30 purposes of this section, "source-reduced" means any method,
31 process, product, or technology which significantly or

1 substantially reduces the volume or weight of a product while
2 providing, at a minimum, equivalent or generally similar
3 performance and service to and for the users of such
4 materials.

5 (5) By November 1 of each year, beginning in 1994, the
6 committee shall submit to the Governor, the President of the
7 Senate, and the Speaker of the House of Representatives a
8 complete and detailed report setting forth in appropriate
9 detail the operations and accomplishments of the committee and
10 the activities of existing agencies and programs in support of
11 the goals established by the committee, including any
12 recommendations for statutory changes.

13 (6) In order to support the functions of the
14 committee, the Department of Environmental Protection ~~Office~~
15 ~~of Tourism, Trade, and Economic Development~~ may hire staff or
16 contract with other agencies for staff support and enter into
17 contracts for support, research, planning, evaluation, and
18 communication and promotion services.

19 Section 25. Paragraphs (a) and (g) of subsection (2)
20 of section 288.1223, Florida Statutes, are amended to read:

21 288.1223 Florida Commission on Tourism; creation;
22 purpose; membership.--

23 (2)(a) The commission shall consist of the Governor or
24 the Governor's designee, who must be from the public sector,
25 and 17 general tourism-industry-related members appointed by
26 the Governor, subject to confirmation by the Senate, and 11
27 additional tourism-industry-related members, appointed by the
28 Governor no later than July 31, 1996, including 3
29 representatives from the statewide rental car industry, 3
30 representatives from tourist-related statewide associations,
31 including those that represent hotels, campgrounds, and

1 attractions, 3 representatives from county destination
2 marketing organizations, 1 representative from the cruise
3 industry, and 1 representative from the airline industry, who
4 will each serve for a term of 2 years, ~~the Governor~~, and 2
5 additional ex officio members, who will serve for a term of 2
6 years, appointed no later than July 31, 1996, including a
7 member of the Senate appointed by the President of the Senate
8 and a member of the House of Representatives appointed by the
9 Speaker of the House of Representatives.

10 (g) The Governor or the Governor's designee, who must
11 be from the public sector, shall serve as chair of the
12 commission. The commission shall annually elect one of its
13 tourism-industry-related members as vice chair, who shall
14 preside in the absence of the chair.

15 Section 26. Paragraph (f) of subsection (5) of section
16 288.1226, Florida Statutes, is amended to read:

17 288.1226 Florida Tourism Industry Marketing
18 Corporation; use of property; board of directors; duties;
19 audit.--

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

22 (f) Shall appoint the president of the Florida Tourism
23 Industry Marketing Corporation, who shall serve at the
24 pleasure of the Governor. The president is the chief executive
25 officer of the board of directors and of the corporation and
26 shall direct and supervise the affairs of the corporation. The
27 corporation shall elect or appoint such other officers and
28 agents as its affairs shall require and allow them reasonable
29 compensation. No employee of the Florida Tourism Industry
30 Marketing Corporation may receive compensation for employment
31 which exceeds the salary paid to the Governor, unless the

1 board of directors and the employee have executed a contract
2 that prescribes specific, measurable performance outcomes for
3 the employee, the satisfaction of which provides the basis for
4 the award of incentive payments that increase the employee's
5 total compensation to a level above the salary paid to the
6 Governor.

7 Section 27. Subsection (10) is added to section
8 288.1229, Florida Statutes, to read:

9 288.1229 Promotion and development of sports-related
10 industries and amateur athletics; direct-support organization;
11 powers and duties.--

12 (10) The direct-support organization authorized under
13 this section shall provide an annual report to the Office of
14 Tourism, Trade, and Economic Development on the status of the
15 professional golf hall of fame facility certified under s.
16 288.1168 and the level of attendance and sales tax revenue
17 associated with the facility as compared to the minimum
18 projections established at the time the facility was
19 certified. This report is due within 30 days after the annual
20 agreement required under s. 288.1168(1). The direct-support
21 organization also shall provide by October 1 of each year a
22 report to the Office of Tourism, Trade, and Economic
23 Development on the status of the International Game Fish
24 Association World Center facility certified under s. 288.1169.

25 Section 28. Section 288.1251, Florida Statutes, is
26 amended to read:

27 288.1251 Promotion and development of entertainment
28 industry; Governor's Office of the Film and Entertainment
29 ~~Commissioner~~; creation; purpose; powers and duties.--

30 (1) CREATION.--
31

1 (a) There is hereby created within the Office of
2 Tourism, Trade, and Economic Development the Governor's Office
3 of ~~the Film and Entertainment Commissioner~~ for the purpose of
4 developing, marketing, promoting, and providing services to
5 the state's entertainment industry.

6 (b) The Office of Tourism, Trade, and Economic
7 Development shall conduct a national search for a qualified
8 person to fill the position of ~~Film Commissioner~~ of Film and
9 Entertainment, and the Executive Director of the Office of
10 Tourism, Trade, and Economic Development shall hire the ~~Film~~
11 commissioner. Guidelines for selection of the ~~Film~~
12 commissioner shall include, but not be limited to, the ~~Film~~
13 commissioner having the following:

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

17 2. Marketing and promotion experience related to the
18 industries to be served by the office;

19 3. Experience working with a variety of individuals
20 representing large and small entertainment-related businesses,
21 industry associations, local community entertainment industry
22 liaisons, and labor organizations; and

23 4. Experience working with a variety of state and
24 local governmental agencies.

25 (2) POWERS AND DUTIES.--

26 (a) The Governor's Office of ~~the Film and~~
27 Entertainment Commissioner, in performance of its duties,
28 shall:

29 1. In consultation with the Florida Film and
30 Entertainment Advisory Council, develop and implement a 5-year
31 strategic plan to guide the activities of the Governor's

1 Office of ~~the~~ Film and Entertainment ~~Commissioner~~ in the areas
2 of entertainment industry development, marketing, promotion,
3 liaison services, field office administration, and
4 information. The plan, to be developed by no later than June
5 30, 2000, shall:

6 a. Be annual in construction and ongoing in nature.
7 b. Include recommendations relating to the
8 organizational structure of the office.
9 c. Include an annual budget projection for the office
10 for each year of the plan.
11 d. Include an operational model for the office to use
12 in implementing programs for rural and urban areas designed
13 to:

14 (I) Develop and promote the state's entertainment
15 industry.
16 (II) Have the office serve as a liaison between the
17 entertainment industry and other state and local governmental
18 agencies, local film commissions, and labor organizations.
19 (III) Gather statistical information related to the
20 state's entertainment industry.
21 (IV) Provide information and service to businesses,
22 communities, organizations, and individuals engaged in
23 entertainment industry activities.
24 (V) Administer field offices outside the state and
25 coordinate with regional offices maintained by counties and
26 regions of the state, as described in sub-sub-subparagraph
27 (II), as necessary.

28 e. Include performance standards and measurable
29 outcomes for the programs to be implemented by the office.
30 f. Include an assessment of, and make recommendations
31 on, the feasibility of creating an alternative public-private

1 partnership for the purpose of contracting with such a
2 partnership for the administration of the state's
3 entertainment industry promotion, development, marketing, and
4 service programs.

5 2. Develop, market, and facilitate a smooth working
6 relationship between state agencies and local governments in
7 cooperation with local film commission offices for
8 out-of-state and indigenous entertainment industry production
9 entities.

10 3. Implement a structured methodology prescribed for
11 coordinating activities of local offices with each other and
12 the commissioner's office.

13 4. Represent the state's indigenous entertainment
14 industry to key decisionmakers within the national and
15 international entertainment industry, and to state and local
16 officials.

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

22 6. Represent key decisionmakers within the national
23 and international entertainment industry to the indigenous
24 entertainment industry and to state and local officials.

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

27 8. Identify, solicit, and recruit entertainment
28 production opportunities for the state.

29 9. Assist rural communities and other small
30 communities in the state in developing the expertise and
31 capacity necessary for such communities to develop, market,

1 promote, and provide services to the state's entertainment
2 industry.

3 (b) The Governor's Office of the Film and
4 Entertainment Commissioner, in the performance of its duties,
5 may:

6 1. Conduct or contract for specific promotion and
7 marketing functions, including, but not limited to, production
8 of a statewide directory, production and maintenance of an
9 Internet web site, establishment and maintenance of a
10 toll-free number, organization of trade show participation,
11 and appropriate cooperative marketing opportunities.

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

16 3. Carry out any program of information, special
17 events, or publicity designed to attract entertainment
18 industry to Florida.

19 4. Develop relationships and leverage resources with
20 other public and private organizations or groups in their
21 efforts to publicize to the entertainment industry in this
22 state, other states, and other countries the depth of
23 Florida's entertainment industry talent, crew, production
24 companies, production equipment resources, related businesses,
25 and support services, including the establishment of and
26 expenditure for a program of cooperative advertising with
27 these public and private organizations and groups in
28 accordance with the provisions of chapter 120.

29 5. Provide and arrange for reasonable and necessary
30 promotional items and services for such persons as the office
31

1 deems proper in connection with the performance of the
2 promotional and other duties of the office.

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

5 7. Request or accept any grant or gift of funds or
6 property made by this state or by the United States, or any
7 department or agency thereof, or by any individual, firm,
8 corporation, municipality, county, or organization for any or
9 all of the purposes of the Governor's Office of Film and
10 Entertainment which are consistent with this or any other
11 provision of law. The office may expend such funds in
12 accordance with the terms and conditions of any such grant or
13 gift, in the pursuit of its administration, or in support of
14 the programs it administers.

15 Section 29. Section 288.1252, Florida Statutes, is
16 amended to read:

17 288.1252 Florida Film and Entertainment Advisory
18 Council; creation; purpose; membership; powers and duties.--

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

23 (2) PURPOSE.--The purpose of the council shall be to
24 serve as an advisory body to the Office of Tourism, Trade, and
25 Economic Development and to the Governor's Office of the Film
26 and Entertainment ~~Commissioner~~ to provide these offices with
27 industry insight and expertise related to developing,
28 marketing, promoting, and providing service to the state's
29 entertainment industry.

30 (3) MEMBERSHIP.--

31

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

6 (b) When making appointments to the council, the
7 Governor, the President of the Senate, and the Speaker of the
8 House of Representatives shall appoint persons who are
9 residents of the state and who are highly knowledgeable of,
10 active in, and recognized leaders in Florida's motion picture,
11 television, video, sound recording, or other entertainment
12 industries. These persons shall include, but not be limited
13 to, representatives of local film commissions, representatives
14 of entertainment associations, a representative of the
15 broadcast industry, representatives of labor organizations in
16 the entertainment industry, and board chairs, presidents,
17 chief executive officers, chief operating officers, or persons
18 of comparable executive position or stature of leading or
19 otherwise important entertainment industry businesses and
20 offices. Council members shall be appointed in such a manner
21 as to equitably represent the broadest spectrum of the
22 entertainment industry and geographic areas of the state.

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

25 1. The Governor shall appoint one member for a 1-year
26 term, two members for 2-year terms, two members for 3-year
27 terms, and two members for 4-year terms.

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

31

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

5 (d) Subsequent appointments shall be made by the
6 official who appointed the council member whose expired term
7 is to be filled.

8 (e) The ~~Film~~ Commissioner of Film and Entertainment, a
9 representative of Enterprise Florida, Inc., and a
10 representative of the Florida Tourism Industry Marketing
11 Corporation shall serve as ex officio, nonvoting members of
12 the council, and shall be in addition to the 17 appointed
13 members of the council.

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

16 (g) A vacancy on the council shall be filled for the
17 remainder of the unexpired term by the official who appointed
18 the vacating member.

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

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

23 (4) MEETINGS; ORGANIZATION.--

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

27 (b) The council shall annually elect one member to
28 serve as chair of the council and one member to serve as vice
29 chair. The Governor's Office of the Film and Entertainment
30 ~~Commissioner~~ shall provide staff assistance to the council,
31 which shall include, but not be limited to, keeping records of

1 the proceedings of the council, and serving as custodian of
2 all books, documents, and papers filed with the council.

3 (c) A majority of the members of the council shall
4 constitute a quorum.

5 (d) Members of the council shall serve without
6 compensation, but shall be entitled to reimbursement for per
7 diem and travel expenses in accordance with s. 112.061 while
8 in performance of their duties.

9 (5) POWERS AND DUTIES.--The Florida Film and
10 Entertainment Advisory Council shall have all the powers
11 necessary or convenient to carry out and effectuate the
12 purposes and provisions of this act, including, but not
13 limited to, the power to:

14 (a) Adopt bylaws for the governance of its affairs and
15 the conduct of its business.

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

20 (c) Review the ~~Film Commissioner's~~ administration by
21 the Commissioner of Film and Entertainment of the programs
22 related to the strategic plan, and advise the commissioner on
23 the programs and any changes that might be made to better meet
24 the strategic plan.

25 (d) Consider and study the needs of the entertainment
26 industry for the purpose of advising the commissioner and the
27 Office of Tourism, Trade, and Economic Development.

28 (e) Identify and make recommendations on state agency
29 and local government actions that may have an impact on the
30 entertainment industry or that may appear to industry
31

1 representatives as an official state or local action affecting
2 production in the state.

3 (f) Consider all matters submitted to it by the
4 commissioner and the Office of Tourism, Trade, and Economic
5 Development.

6 (g) Advise and consult with the commissioner and the
7 Office of Tourism, Trade, and Economic Development, at their
8 request or upon its own initiative, regarding the
9 promulgation, administration, and enforcement of all laws and
10 rules relating to the entertainment industry.

11 (h) Suggest policies and practices for the conduct of
12 business by the Governor's Office of the Film and
13 Entertainment Commissioner or by the Office of Tourism, Trade,
14 and Economic Development that will improve internal operations
15 affecting the entertainment industry and will enhance the
16 economic development initiatives of the state for the
17 industry.

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

21 Section 30. Section 288.1253, Florida Statutes, is
22 amended to read:

23 288.1253 Travel and entertainment expenses.--

24 (1) As used in this section:

25 (a) "Business client" means any person, other than a
26 state official or state employee, who receives the services of
27 representatives of the Governor's Office of the Film and
28 Entertainment Commissioner in connection with the performance
29 of its statutory duties, including persons or representatives
30 of entertainment industry companies considering location,

31

1 relocation, or expansion of an entertainment industry business
2 within the state.

3 (b) "Entertainment expenses" means the actual,
4 necessary, and reasonable costs of providing hospitality for
5 business clients or guests, which costs are defined and
6 prescribed by rules adopted by the Office of Tourism, Trade,
7 and Economic Development, subject to approval by the
8 Comptroller.

9 (c) "Guest" means a person, other than a state
10 official or state employee, authorized by the Office of
11 Tourism, Trade, and Economic Development to receive the
12 hospitality of the Governor's Office of the Film and
13 Entertainment Commissioner in connection with the performance
14 of its statutory duties.

15 (d) "Travel expenses" means the actual, necessary, and
16 reasonable costs of transportation, meals, lodging, and
17 incidental expenses normally incurred by a traveler, which
18 costs are defined and prescribed by rules adopted by the
19 Office of Tourism, Trade, and Economic Development, subject to
20 approval by the Comptroller.

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

25 (a) The Governor, the Lieutenant Governor, security
26 staff of the Governor or Lieutenant Governor, the ~~Film~~
27 Commissioner of Film and Entertainment, or staff of the
28 Governor's Office of the Film and Entertainment Commissioner
29 for travel expenses or entertainment expenses incurred by such
30 individuals solely and exclusively in connection with the
31

1 performance of the statutory duties of the Governor's Office
2 of ~~the~~ Film and Entertainment Commissioner.

3 (b) The Governor, the Lieutenant Governor, security
4 staff of the Governor or Lieutenant Governor, the ~~Film~~
5 Commissioner of Film and Entertainment, or staff of the
6 Governor's Office of ~~the~~ Film and Entertainment Commissioner
7 for travel expenses or entertainment expenses incurred by such
8 individuals on behalf of guests, business clients, or
9 authorized persons as defined in s. 112.061(2)(e) solely and
10 exclusively in connection with the performance of the
11 statutory duties of the Governor's Office of ~~the~~ Film and
12 Entertainment Commissioner.

13 (c) Third-party vendors for the travel or
14 entertainment expenses of guests, business clients, or
15 authorized persons as defined in s. 112.061(2)(e) incurred
16 solely and exclusively while such persons are participating in
17 activities or events carried out by the Governor's Office of
18 ~~the~~ Film and Entertainment Commissioner in connection with
19 that office's statutory duties.

20
21 The rules shall be subject to approval by the Comptroller
22 prior to promulgation. The rules shall require the submission
23 of paid receipts, or other proof of expenditure prescribed by
24 the Comptroller, with any claim for reimbursement and shall
25 require, as a condition for any advancement of funds, an
26 agreement to submit paid receipts or other proof of
27 expenditure and to refund any unused portion of the
28 advancement within 15 days after the expense is incurred or,
29 if the advancement is made in connection with travel, within
30 10 working days after the traveler's return to headquarters.
31 However, with respect to an advancement of funds made solely

1 for travel expenses, the rules may allow paid receipts or
2 other proof of expenditure to be submitted, and any unused
3 portion of the advancement to be refunded, within 10 working
4 days after the traveler's return to headquarters. Operational
5 or promotional advancements, as defined in s. 288.35(4),
6 obtained pursuant to this section shall not be commingled with
7 any other state funds.

8 (3) The Office of Tourism, Trade, and Economic
9 Development shall prepare an annual report of the expenditures
10 of the Governor's Office of the Film and Entertainment
11 ~~Commissioner~~ and provide such report to the Legislature no
12 later than December 30 of each year for the expenditures of
13 the previous fiscal year. The report shall consist of a
14 summary of all travel, entertainment, and incidental expenses
15 incurred within the United States and all travel,
16 entertainment, and incidental expenses incurred outside the
17 United States, as well as a summary of all successful projects
18 that developed from such travel.

19 (4) The Governor's Office of the Film and
20 Entertainment ~~Commissioner~~ and its employees and
21 representatives, when authorized, may accept and use
22 complimentary travel, accommodations, meeting space, meals,
23 equipment, transportation, and any other goods or services
24 necessary for or beneficial to the performance of the office's
25 duties and purposes, so long as such acceptance or use is not
26 in conflict with part III of chapter 112. The Office of
27 Tourism, Trade, and Economic Development shall, by rule,
28 develop internal controls to ensure that such goods or
29 services accepted or used pursuant to this subsection are
30 limited to those that will assist solely and exclusively in
31

1 the furtherance of the office's goals and are in compliance
2 with part III of chapter 112.

3 (5) Any claim submitted under this section shall not
4 be required to be sworn to before a notary public or other
5 officer authorized to administer oaths, but any claim
6 authorized or required to be made under any provision of this
7 section shall contain a statement that the expenses were
8 actually incurred as necessary travel or entertainment
9 expenses in the performance of official duties of the
10 Governor's Office of the Film and Entertainment Commissioner
11 and shall be verified by written declaration that it is true
12 and correct as to every material matter. Any person who
13 willfully makes and subscribes to any claim which he or she
14 does not believe to be true and correct as to every material
15 matter or who willfully aids or assists in, procures, or
16 counsels or advises with respect to, the preparation or
17 presentation of a claim pursuant to this section that is
18 fraudulent or false as to any material matter, whether or not
19 such falsity or fraud is with the knowledge or consent of the
20 person authorized or required to present the claim, commits a
21 misdemeanor of the second degree, punishable as provided in s.
22 775.082 or s. 775.083. Whoever receives an advancement or
23 reimbursement by means of a false claim is civilly liable, in
24 the amount of the overpayment, for the reimbursement of the
25 public fund from which the claim was paid.

26 Section 31. Subsections (2), (7), and (11) of section
27 288.901, Florida Statutes, are amended to read:

28 288.901 Enterprise Florida, Inc.; creation;
29 membership; organization; meetings; disclosure.--

30 (2) Enterprise Florida, Inc., shall establish one or
31 more corporate offices, at least one of which shall be located

1 in Leon County. The Department of Management Services may
2 establish a lease agreement program under which Enterprise
3 Florida, Inc., may hire any individual who, as of June 30,
4 1996, is employed by the Department of Commerce or who, as of
5 January 1, 1997, is employed by the Executive Office of the
6 Governor and has responsibilities specifically in support of
7 the Workforce Development Board established under s. 288.9952
8 ~~s. 288.9620~~. Under such agreement, the employee shall retain
9 his or her status as a state employee but shall work under the
10 direct supervision of Enterprise Florida, Inc. Retention of
11 state employee status shall include the right to participate
12 in the Florida Retirement System. The Department of Management
13 Services shall establish the terms and conditions of such
14 lease agreements.

15 (7) The Governor or the Governor's designee, who must
16 be from the public sector, shall serve as chairperson of the
17 board of directors. The board of directors shall biennially
18 elect one of its appointive members as vice chairperson. The
19 president shall keep a record of the proceedings of the board
20 of directors and is the custodian of all books, documents, and
21 papers filed with the board of directors, the minutes of the
22 board of directors, and the official seal of Enterprise
23 Florida, Inc.

24 (11) Notwithstanding the provisions of subsection (3),
25 the board of directors may by resolution appoint at-large
26 members to the board from the private sector, each of whom may
27 serve a 1-year term. At-large members shall not have voting
28 authority, nor may they have the powers and duties of other
29 ~~members of the board, except that they may not~~ serve on an
30 executive committee. An at-large member is eligible for
31 reappointment ~~but may not vote on his or her own~~

1 ~~reappointment~~. An at-large member shall be eligible to fill
2 vacancies occurring among private-sector appointees under
3 subsection (3).

4 Section 32. Subsection (2) of section 288.9015,
5 Florida Statutes, is amended to read:

6 288.9015 Enterprise Florida, Inc.; purpose; duties.--

7 (2) It shall be the responsibility of Enterprise
8 Florida, Inc., to aggressively market Florida's rural
9 communities and distressed urban communities as locations for
10 potential new investment, to aggressively assist in the
11 retention and expansion of existing businesses in these
12 communities, and to aggressively assist these communities in
13 the identification and development of new economic development
14 opportunities for job creation. Enterprise Florida, Inc.,
15 shall use and promote existing state programs to facilitate
16 the location of new investment, the retention and expansion of
17 existing businesses, and the identification and development of
18 new economic development opportunities for job creation. Such
19 programs include, but are not limited to: the Community
20 Contribution Tax Credit Program, as provided in ss. 220.183
21 and 624.5105; the Urban High-Crime Area Job Tax Credit Program
22 as provided in ss. 212.097 and 220.1895; the Rural Job Tax
23 Credit Program as provided in ss. 212.098 and 220.1895; and
24 the state incentives available in enterprise zones as provided
25 in s. 290.007.

26 Section 33. Section 288.980, Florida Statutes, is
27 amended to read:

28 288.980 Military base retention; legislative intent;
29 grants program.--

30 (1)(a) It is the intent of this state to provide the
31 necessary means to assist communities with military

1 installations that would be adversely affected by federal base
2 realignment or closure actions. It is further the intent to
3 encourage communities to initiate a coordinated program of
4 response and plan of action in advance of future actions of
5 the federal Base Realignment and Closure Commission. It is
6 critical that closure-vulnerable communities develop such a
7 program to preserve affected military installations. The
8 Legislature hereby recognizes that the state needs to
9 coordinate all efforts that can facilitate the retention of
10 all remaining military installations in the state. The
11 Legislature, therefore, declares that providing such
12 assistance to support the defense-related initiatives within
13 this section is a public purpose for which public money may be
14 used.

15 (b) The Florida Defense Alliance, an organization
16 within Enterprise Florida, is designated as the organization
17 to ensure that Florida, its resident military bases and
18 missions, and its military host communities are in competitive
19 positions as the United States continues its defense
20 realignment and downsizing. The defense alliance shall serve
21 as an overall advisory body for Enterprise Florida
22 defense-related activity. The Florida Defense Alliance may
23 receive funding from appropriations made for that purpose to
24 ~~administered by~~ the Office of Tourism, Trade, and Economic
25 Development and administered by Enterprise Florida, Inc.

26 (2)(a) The Office of Tourism, Trade, and Economic
27 Development is authorized to award grants based upon the
28 recommendation of Enterprise Florida, Inc., and for
29 administration by Enterprise Florida, Inc., from any funds
30 available to it to support activities related to the retention
31

1 of military installations potentially affected by federal base
2 closure or realignment.

3 (b) The term "activities" as used in this section
4 means studies, presentations, analyses, plans, and modeling.
5 Staff salaries are not considered an "activity" for which
6 grant funds may be awarded. Travel costs and costs incidental
7 thereto incurred by a grant recipient shall be considered an
8 "activity" for which grant funds may be awarded.

9 (c) Except for grants issued pursuant to the Florida
10 Military Installation Reuse Planning and Marketing Grant
11 Program as described in paragraph (3)(c), the amount of any
12 grant provided to an applicant may not exceed \$250,000. In
13 making recommendations to the Office of Tourism, Trade, and
14 Economic Development, Enterprise Florida, Inc., shall require
15 that an applicant:

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

19 2. Agree to match at least 30 percent of any grant
20 awarded.

21 3. Prepare a coordinated program or plan of action
22 delineating how the eligible project will be administered and
23 accomplished.

24 4. Provide documentation describing the potential for
25 realignment or closure of a military installation located in
26 the applicant's community and the adverse impacts such
27 realignment or closure will have on the applicant's community.

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

31

1 1. The relative value of the particular military
2 installation in terms of its importance to the local and state
3 economy relative to other military installations vulnerable to
4 closure.

5 2. The potential job displacement within the local
6 community should the military installation be closed.

7 3. The potential adverse impact on industries and
8 technologies which service the military installation.

9 (3) The Florida Economic Reinvestment Initiative is
10 established to respond to the need for this state and
11 defense-dependent communities in this state to develop
12 alternative economic diversification strategies to lessen
13 reliance on national defense dollars in the wake of base
14 closures and reduced federal defense expenditures and the need
15 to formulate specific base reuse plans and identify any
16 specific infrastructure needed to facilitate reuse. The
17 initiative shall consist of the following three distinct grant
18 programs to be administered by Enterprise Florida, Inc.~~the~~
19 ~~Office of Tourism, Trade, and Economic Development:~~

20 (a) The Florida Defense Planning Grant Program,
21 through which funds shall be used to analyze the extent to
22 which the state is dependent on defense dollars and defense
23 infrastructure and prepare alternative economic development
24 strategies. The state shall work in conjunction with
25 defense-dependent communities in developing strategies and
26 approaches that will help communities make the transition from
27 a defense economy to a nondefense economy. Grant awards may
28 not exceed \$250,000 per applicant and shall be available on a
29 competitive basis.

30 (b) The Florida Defense Implementation Grant Program,
31 through which funds shall be made available to

1 defense-dependent communities to implement the diversification
2 strategies developed pursuant to paragraph (a). Eligible
3 applicants include defense-dependent counties and cities, and
4 local economic development councils located within such
5 communities. Grant awards may not exceed \$100,000 per
6 applicant and shall be available on a competitive basis.
7 Awards shall be matched on a one-to-one basis.

8 (c) The Florida Military Installation Reuse Planning
9 and Marketing Grant Program, through which funds shall be used
10 to help counties, cities, and local economic development
11 councils develop and implement plans for the reuse of closed
12 or realigned military installations, including any necessary
13 infrastructure improvements needed to facilitate reuse and
14 related marketing activities.

15
16 Applications for grants under this subsection must include a
17 coordinated program of work or plan of action delineating how
18 the eligible project will be administered and accomplished,
19 which must include a plan for ensuring close cooperation
20 between civilian and military authorities in the conduct of
21 the funded activities and a plan for public involvement. The
22 director of the Office of Tourism, Trade, and Economic
23 Development shall make the final decision on all grant awards.

24 (4)(a) The Defense-Related Business Adjustment Program
25 is hereby created. Enterprise Florida, Inc., ~~The Director of~~
26 ~~the Office of Tourism, Trade, and Economic Development~~ shall
27 coordinate the development of the Defense-Related Business
28 Adjustment Program. Funds shall be available to assist
29 defense-related companies in the creation of increased
30 commercial technology development through investments in
31 technology. Such technology must have a direct impact on

1 critical state needs for the purpose of generating
2 investment-grade technologies and encouraging the partnership
3 of the private sector and government defense-related business
4 adjustment. The following areas shall receive precedence in
5 consideration for funding commercial technology development:
6 law enforcement or corrections, environmental protection,
7 transportation, education, and health care. Travel and costs
8 incidental thereto, and staff salaries, are not considered an
9 "activity" for which grant funds may be awarded.

10 (b) In making recommendations to the Office of
11 Tourism, Trade, and Economic Development for grant awards,
12 Enterprise Florida, Inc.,~~The office~~ shall require that an
13 applicant:

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

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

21 3. Prepare a coordinated program or plan delineating
22 how the funds will be administered.

23 4. Provide documentation describing how
24 defense-related realignment or closure will adversely impact
25 defense-related companies.

26 (5) The Retention of Military Installations Program is
27 created. The Director of the Office of Tourism, Trade, and
28 Economic Development shall coordinate and implement this
29 program. The sum of \$1.2 million is appropriated from the
30 General Revenue Fund for fiscal year 1999-2000 to the Office
31 of Tourism, Trade, and Economic Development to implement this

1 program for military installations located in counties with a
2 population greater than 824,000. The funds shall be used to
3 assist military installations potentially affected by federal
4 base closure or realignment in covering current operating
5 costs in an effort to retain the installation in this state.
6 An eligible military installation for this program shall
7 include a provider of simulation solutions for war-fighting
8 experimentation, testing, and training which employs at least
9 500 civilian and military employees and has been operating in
10 the state for a period of more than 10 years.

11 (6) The director of the Office of Tourism, Trade, and
12 Economic Development may award nonfederal matching funds
13 specifically appropriated for construction, maintenance, and
14 analysis of a Florida defense workforce database. Such funds
15 will be used to create a registry of worker skills that can be
16 used to match the worker needs of companies that are
17 relocating to this state or to assist workers in relocating to
18 other areas within this state where similar or related
19 employment is available.

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

23 (8) Enterprise Florida, Inc., ~~The Office of Tourism,~~
24 ~~Trade, and Economic Development~~ shall develop ~~establish~~
25 guidelines to implement and carry out the purpose and intent
26 of this section. The Office of Tourism, Trade, and Economic
27 Development must approve the guidelines before their
28 implementation.

29 Section 34. Subsections (7), (8), and (12), paragraph
30 (h) of subsection (10), and paragraph (b) of subsection (14)
31 of section 288.99, Florida Statutes, are amended to read:

1 288.99 Certified Capital Company Act.--

2 (7) ANNUAL TAX CREDIT; MAXIMUM AMOUNT; ALLOCATION
3 PROCESS.--

4 (a) The total amount of tax credits which may be
5 allocated by the office or the department shall not exceed
6 \$150 million. The total amount of tax credits which may be
7 used by certified investors under this act shall not exceed
8 \$15 million annually.

9 (b) The office shall be responsible for allocating
10 premium tax credits as provided for in this act to certified
11 capital companies.

12 (c) Each certified capital company must apply to the
13 office for an allocation of premium tax credits for potential
14 certified investors by March 15, 1999, on a form developed by
15 the office with the cooperation of the Department of Revenue.
16 The form shall be accompanied by an affidavit from each
17 potential certified investor confirming that the potential
18 certified investor has agreed to make an investment of
19 certified capital in a certified capital company up to a
20 specified amount, subject only to the receipt of a premium tax
21 credit allocation pursuant to this subsection. No allocation
22 shall be made to the potential investors of a certified
23 capital company unless such certified capital company has
24 filed premium tax allocation claims that would result in an
25 allocation to the potential investors in such certified
26 capital company of not less than \$15 million in the aggregate.

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

31

1 (e) If a certified capital company does not receive
2 certified capital equaling the amount of premium tax credits
3 allocated to a potential certified investor for which the
4 investor filed a premium tax allocation claim within 10
5 business days after the investor received a notice of
6 allocation, the certified capital company shall notify the
7 department ~~office~~ by overnight common carrier delivery service
8 of the company's failure to receive the capital. That portion
9 of the premium tax credits allocated to the certified capital
10 company shall be forfeited. If the department ~~office~~ must
11 make a pro rata allocation under paragraph (f), the department
12 ~~office~~ shall reallocate such available credits among the other
13 certified capital companies on the same pro rata basis as the
14 initial allocation.

15 (f) If the total amount of capital committed by all
16 certified investors to certified capital companies in premium
17 tax allocation claims exceeds the aggregate cap on the amount
18 of credits that may be awarded, the premium tax credits that
19 may be allowed to any one certified investor shall be
20 allocated using the following ratio:

$$21 \qquad \qquad \qquad A/B = X/\$150,000,000$$

22
23
24 where the letter "A" represents the total amount of certified
25 capital certified investors have agreed to invest in any one
26 certified capital company, the letter "B" represents the
27 aggregate amount of certified capital that all certified
28 investors have agreed to invest in all certified capital
29 companies, the letter "X" is the numerator and represents the
30 total amount of premium tax credits and certified capital that
31 may be allocated to a certified capital company in calendar

1 year 1999, and \$150 million is the denominator and represents
2 the total amount of premium tax credits and certified capital
3 that may be allocated to all certified investors in calendar
4 year 1999. Any such premium tax credits are not first
5 available for utilization until annual filings are made in
6 2001 for calendar year 2000, and the tax credits may be used
7 at a rate not to exceed 10 percent annually.

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

12 (h) To the extent that less than \$150 million in
13 certified capital is raised in connection with the procedure
14 set forth in paragraphs (c)-(g), the department may adopt
15 rules to allow a subsequent allocation of the remaining
16 premium tax credits authorized under this section.

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

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

22 1. The total dollar amount the certified capital
23 company received from certified investors, the identity of the
24 certified investors, and the amount received from each
25 certified investor during the calendar year.

26 2. The total dollar amount the certified capital
27 company invested and the amount invested in qualified
28 businesses, together with the identity and location of those
29 businesses and the amount invested in each qualified business.

30 3. For informational purposes only, the total number
31 of permanent, full-time jobs either created or retained by the

1 qualified business during the calendar year, the average wage
2 of the jobs created or retained, the industry sectors in which
3 the qualified businesses operate, and any additional capital
4 invested in qualified businesses from sources other than
5 certified capital companies.

6 (b) The form shall be verified by one or more
7 principals of the certified capital company submitting the
8 form. Verification shall be accomplished as provided in s.
9 92.525(1)(b) and subject to the provisions of s. 92.525(3).

10 (c) The department ~~office~~ shall review the form, and
11 any supplemental documentation, submitted by each certified
12 capital company for the purpose of verifying:

13 1. That the businesses in which certified capital has
14 been invested by the certified capital company are in fact
15 qualified businesses, and that the amount of certified capital
16 invested by the certified capital company is as represented in
17 the form.

18 2. The amount of certified capital invested in the
19 certified capital company by the certified investors.

20 3. The amount of premium tax credit available to
21 certified investors.

22 (d) The Department of Revenue is authorized to audit
23 and examine the accounts, books, or records of certified
24 capital companies and certified investors for the purpose of
25 ascertaining the correctness of any report and financial
26 return which has been filed, and to ascertain a certified
27 capital company's compliance with the tax-related provisions
28 of this act.

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

30 (10) DECERTIFICATION.--

31

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

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

9 (a) The total dollar amount each certified capital
10 company received from all certified investors and any other
11 investor, the identity of the certified investors, and the
12 total amount of premium tax credit used by each certified
13 investor for the previous calendar year.

14 (b) The total dollar amount invested by each certified
15 capital company and that portion invested in qualified
16 businesses, the identity and location of those businesses, the
17 amount invested in each qualified business, and the total
18 number of permanent, full-time jobs created or retained by
19 each qualified business.

20 (c) The return for the state as a result of the
21 certified capital company investments, including the extent to
22 which:

23 1. Certified capital company investments have
24 contributed to employment growth.

25 2. The wage level of businesses in which certified
26 capital companies have invested exceed the average wage for
27 the county in which the jobs are located.

28 3. The investments of the certified capital companies
29 in qualified businesses have contributed to expanding or
30 diversifying the economic base of the state.

31 (14) RULEMAKING AUTHORITY.--

1 (b) The department ~~office~~ may adopt any rules
2 necessary to carry out its duties, obligations, and powers
3 related to the administration, review, and reporting
4 provisions of this section and may perform any other acts
5 necessary for the proper administration and enforcement of
6 such duties, obligations, and powers.

7 Section 35. Section 290.004, Florida Statutes, is
8 amended to read:

9 290.004 Definitions.--As used in ss. 290.001-290.016:

10 (1) "Community investment corporation" means a black
11 business investment corporation, a certified development
12 corporation, a small business investment corporation, or other
13 similar entity incorporated under Florida law that has limited
14 its investment policy to making investments solely in minority
15 business enterprises.

16 ~~(2) "Department" means the Department of Commerce.~~

17 (2)~~(3)~~ "Director" means the director of the Office of
18 Tourism, Trade, and Economic Development.

19 (3)~~(4)~~ "Governing body" means the council or other
20 legislative body charged with governing the county or
21 municipality.

22 (4)~~(5)~~ "Interagency coordinating council" means the
23 Enterprise Zone Interagency Coordinating Council created
24 pursuant to s. 290.009.

25 (5)~~(6)~~ "Minority business enterprise" has the same
26 meaning as in s. 288.703.

27 (6)~~(7)~~ "Office" means the Office of Tourism, Trade,
28 and Economic Development.

29 (7) "Rural enterprise zone" means an enterprise zone
30 that is nominated by a county having a population of 75,000 or
31 fewer, or a county having a population of 100,000 or fewer

1 which is contiguous to a county having a population of 75,000
2 or fewer, or by a municipality in such a county, or by such a
3 county and one or more municipalities. An enterprise zone
4 designated in accordance with s. 370.28 shall be considered a
5 rural enterprise zone.

6 ~~(8) "Secretary" means the Secretary of Commerce.~~

7 (8)~~(9)~~ "Small business" has the same meaning as in s.
8 288.703.

9 Section 36. Subsections (11) and (12) of section
10 290.0056, Florida Statutes, are amended to read:

11 290.0056 Enterprise zone development agency.--

12 (11) Prior to December 1 of each year, the agency
13 shall submit to Enterprise Florida, Inc.~~the Office of~~
14 ~~Tourism, Trade, and Economic Development~~ a complete and
15 detailed written report setting forth:

16 (a) Its operations and accomplishments during the
17 fiscal year.

18 (b) The accomplishments and progress concerning the
19 implementation of the strategic plan.

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

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

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

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

28 (12) In the event that the nominated area selected by
29 the governing body is not designated a state enterprise zone,
30 the governing body may dissolve the agency after receiving
31

1 notification ~~from the department or the office~~ that the area
2 was not designated as an enterprise zone.

3 Section 37. Subsection (5) of section 290.0058,
4 Florida Statutes, is amended to read:

5 290.0058 Tests of pervasive poverty, unemployment, and
6 general distress.--

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

12 Section 38. Subsections (1), (4), (5), (6), (7), and
13 (9) of section 290.0065, Florida Statutes, are amended to
14 read:

15 290.0065 State designation of enterprise zones.--

16 (1) Upon application to Enterprise Florida, Inc., of
17 the governing body of a county or municipality or of a county
18 and one or more municipalities jointly pursuant to s.
19 290.0055, Enterprise Florida, Inc. ~~the department~~, in
20 consultation with the interagency coordinating council, shall
21 determine which areas nominated by such governing bodies meet
22 the criteria outlined in s. 290.0055 and are the most
23 appropriate for recommendation to the director of the Office
24 of Tourism, Trade, and Economic Development for designation as
25 state enterprise zones. The office ~~department~~ is authorized to
26 designate up to 5 areas within each of the categories
27 established in subparagraphs (3)(a)1., 2., 3., 4., and 5.,
28 except that the office ~~department~~ may only designate a total
29 of 20 areas as enterprise zones. The office ~~department~~ shall
30 not designate more than three enterprise zones in any one
31 county. All designations, including any provision for

1 redesignations, of state enterprise zones pursuant to this
2 section shall be effective July 1, 1995.

3 (4)(a) Notwithstanding s. 290.0055, any area existing
4 as a state enterprise zone as of the effective date of this
5 section and originally approved through a joint application
6 from a county and municipality, or through an application from
7 a county as defined in s. 125.011(1), shall be redesignated as
8 a state enterprise zone upon the creation of an enterprise
9 zone development agency pursuant to s. 290.0056 and the
10 completion of a strategic plan pursuant to s. 290.0057. Any
11 area redesignated pursuant to this subsection, other than an
12 area located in a county defined in s. 125.011(1), may be
13 relocated or modified by the appropriate governmental bodies.
14 Such relocation or modification shall be identified in the
15 strategic plan and shall meet the requirements for designation
16 as established by s. 290.005. Any relocation or modification
17 shall be submitted on or before June 1, 1996.

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

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

28 (5) Notwithstanding s. 290.0055, an area designated as
29 a federal empowerment zone or enterprise community pursuant to
30 Title XIII of the Omnibus Budget Reconciliation Act of 1993,
31 the Taxpayer Relief Act of 1997, or the 1999 Agricultural

1 Appropriations Act shall be designated a state enterprise zone
2 as follows:

3 (a) An area designated as an urban empowerment zone or
4 urban enterprise community pursuant to Title XIII of the
5 Omnibus Budget Reconciliation Act of 1993 or the Taxpayer
6 Relief Act of 1997 shall be designated a state enterprise zone
7 by the office ~~department~~ upon completion of the requirements
8 set out in paragraph (d), except in the case of a county as
9 defined in s. 125.011(1) which, notwithstanding s. 290.0055,
10 may incorporate and include such designated urban empowerment
11 zone or urban enterprise community areas within the boundaries
12 of its state enterprise zones without any limitation as to
13 size.

14 (b) An area designated as a rural empowerment zone or
15 rural enterprise community pursuant to Title XIII of the
16 Omnibus Budget Reconciliation Act of 1993 or the 1999
17 Agricultural Appropriations Act shall be designated a state
18 enterprise zone by the office ~~department~~ upon completion of
19 the requirements set out in paragraph (d).

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

24 (d) Prior to recommending that the office designate
25 ~~designating~~ such areas as state enterprise zones, Enterprise
26 Florida, Inc., ~~the department~~ shall ensure that the governing
27 body having jurisdiction over the zone submits the strategic
28 plan required pursuant to 7 C.F.R. part 25 or 24 C.F.R. part
29 597 to Enterprise Florida, Inc. ~~the department~~, and creates an
30 enterprise zone development agency pursuant to s. 290.0056.

31

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

7 (6)(a) The office ~~department~~, in consultation with
8 Enterprise Florida, Inc., and the interagency coordinating
9 council, may develop guidelines ~~shall promulgate any rules~~
10 necessary for the approval of areas under this section by the
11 director ~~secretary~~.

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

15 (c) Such guidelines ~~may rules~~ shall provide for the
16 evaluation of the strategic plan and local fiscal and
17 regulatory incentives for effectiveness, including how the
18 following key principles will be implemented by the governing
19 body or bodies:

20 1. Economic opportunity, including job creation within
21 the community and throughout the region, as well as
22 entrepreneurial initiatives, small business expansion, and
23 training for jobs that offer upward mobility.

24 2. Sustainable community development that advances the
25 creation of livable and vibrant communities through
26 comprehensive approaches that coordinate economic, physical,
27 community, and human development.

28 3. Community-based partnerships involving the
29 participation of all segments of the community.

30 4. Strategic vision for change that identifies how the
31 community will be revitalized. This vision should include

1 methods for building on community assets and coordinate a
2 response to community needs in a comprehensive fashion. This
3 vision should provide goals and performance benchmarks for
4 measuring progress and establish a framework for evaluating
5 and adjusting the strategic plan.

6 5. Local fiscal and regulatory incentives enacted
7 pursuant to s. 290.0057(1)(e). These incentives should induce
8 economic revitalization, including job creation and small
9 business expansion.

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

14 (7) Upon approval by the director ~~secretary~~ of a
15 resolution authorizing an area to be an enterprise zone
16 pursuant to this section, the office ~~department~~ shall assign a
17 unique identifying number to that resolution. The office
18 ~~department~~ shall provide the Department of Revenue and
19 Enterprise Florida, Inc., with a copy of each resolution
20 approved, together with its identifying number.

21 (9) Upon recommendation by Enterprise Florida, Inc.,
22 the Office of Tourism, Trade, and Economic Development may
23 amend the boundaries of any enterprise zone designated by the
24 state pursuant to this section, consistent with the
25 categories, criteria, and limitations imposed in this section
26 upon the establishment of such enterprise zone and only if
27 consistent with the determinations made in s. 290.0058(2).

28 Section 39. Subsection (1) of section 290.0066,
29 Florida Statutes, is amended to read:

30 290.0066 Revocation of enterprise zone designation.--
31

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

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

7 (b) Have not complied substantially with the strategic
8 plan.

9 Section 40. Section 290.00675, Florida Statutes, is
10 amended to read:

11 290.00675 Amendment of certain enterprise zone
12 boundaries.--Notwithstanding any other provisions of law, upon
13 recommendation by Enterprise Florida, Inc., the Office of
14 Tourism, Trade, and Economic Development may amend the
15 boundaries of an area designated as an enterprise zone in a
16 community having a population of 235,000 persons but less than
17 245,000, so long as the area does not increase the overall
18 size of the zone by greater than 25 acres and the increased
19 area is contiguous to the existing enterprise zone. The
20 amendment must also be consistent with the limitations imposed
21 by s. 290.0055 upon establishment of the enterprise zone.

22 Section 41. Section 290.00676, Florida Statutes, is
23 created to read:

24 290.00676 Amendment of rural enterprise zone
25 boundaries.--Notwithstanding any other provision of law, upon
26 recommendation by Enterprise Florida, Inc., the Office of
27 Tourism, Trade, and Economic Development may amend the
28 boundaries of a rural enterprise zone. For purposes of
29 boundary amendments, an enterprise zone designated under s.
30 370.28 shall be considered a rural enterprise zone and is
31 eligible for amendment of its boundaries. Boundary amendments

1 authorized by this section are subject to the following
2 requirements:

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

5 (2) The amendment may increase the number of
6 noncontiguous areas by one, if that noncontiguous area has
7 zero population. For purposes of this subsection, the
8 pervasive poverty criteria may be set aside for the addition
9 of a noncontiguous parcel.

10 (3) The local enterprise zone development agency must
11 request the amendment from Enterprise Florida, Inc., prior to
12 December 30, 2000. The request must contain maps and
13 sufficient information to allow the office to determine the
14 number of noncontiguous areas and the total size of the rural
15 enterprise zone.

16 Section 42. Section 290.00677, Florida Statutes, is
17 created to read:

18 290.00677 Rural enterprise zones; special
19 qualifications.--

20 (1) Notwithstanding the enterprise zone residency
21 requirements set out in ss. 212.096(1)(c) and 220.03(1)(q),
22 businesses located in rural enterprise zones may receive the
23 credit provided under s. 212.096 or s. 220.181 for hiring any
24 person within the jurisdiction of a rural county, as defined
25 by s. 288.106(2)(r). All other provisions of ss. 212.096,
26 220.03(1)(q), and 220.181 apply to such businesses.

27 (2) Notwithstanding the requirement specified in ss.
28 212.08(5)(g)5., (5)(h)5., and (15)(a), 212.096(2)(b)1.,
29 220.181(1)(a)1., and 220.182(1)(b) that no less than 20
30 percent of a business's employees, excluding temporary and
31 part-time employees, must be residents of an enterprise zone

1 for the business to qualify for the maximum exemption or
2 credit provided in ss. 212.08(5)(g) and (h) and (15),
3 212.096(2)(b)1., 220.181(1)(a)1., and 220.182, a business that
4 is located in a rural enterprise zone shall be qualified for
5 those maximum exemptions or credits if no less than 20 percent
6 of such employees of the business are residents of a rural
7 county, as defined by s. 288.106(2)(r). All other provisions
8 of ss. 212.08(5)(g) and (h) and (15), 212.096, 220.181, and
9 220.182 apply to such business.

10 (3) Notwithstanding the time limitations contained in
11 chapters 212 and 220, a business eligible to receive tax
12 credits under this section from January 1, 2000, to June 1,
13 2000, must submit an application for the tax credits by
14 December 1, 2000. All other requirements of the enterprise
15 zone program apply to such a business.

16 Section 43. Section 290.00689, Florida Statutes, is
17 amended to read:

18 290.00689 Designation of enterprise zone pilot project
19 area.--

20 (1) The Office of Tourism, Trade, and Economic
21 Development shall designate one pilot project area within one
22 state enterprise zone. The Office of Tourism, Trade, and
23 Economic Development shall select a pilot project area by July
24 1, 1999, which meets the following qualifications:

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

28 (b) The local government having jurisdiction over the
29 enterprise zone grants economic development ad valorem tax
30 exemptions in the enterprise zone pursuant to s. 196.1995, and
31

1 electrical energy public service tax exemptions pursuant to s.
2 166.231(8).

3 (c) The local government having jurisdiction over the
4 enterprise zone has developed a plan for revitalizing the
5 pilot project area or for revitalizing an area within the
6 enterprise zone that contains the pilot project area, and has
7 committed at least \$5 million to redevelop an area including
8 the pilot project area.

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

14 (e) The pilot project area contains a diverse cluster
15 or grouping of facilities or space for a mix of retail,
16 restaurant, or service related businesses necessary to an
17 overall revitalization of surrounding neighborhoods through
18 community involvement, investment, and enhancement of
19 employment markets.

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

24 (b) The credit shall be computed as \$5,000 times the
25 number of full-time employees of the business and \$2,500 times
26 the number of part-time employees of the business. For
27 purposes of this section, a person shall be deemed to be
28 employed by such a business on a full-time basis if the person
29 performs duties in connection with the operations of the
30 business for an average of at least 36 hours per week each
31 month, or on a part-time basis if the person is performing

1 such duties for an average of at least 20 hours per week each
2 month throughout the year. The person must be performing such
3 duties at a business site located in the pilot project area.

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

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

15 1. Have entered into a contract with the developer of
16 the diverse cluster or grouping of facilities or space located
17 in the pilot project area, governing lease of commercial space
18 in a facility.

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

21 3. Be a business predominantly engaged in activities
22 usually provided for consideration by firms classified under
23 the Standard Industrial Classification Manual Industry Number
24 5311, Industry Number 5399, or Industry Number 7832.

25 (e) All applications for the granting of the tax
26 credits allowed under this section shall require the prior
27 review and recommendation of Enterprise Florida, Inc., and
28 approval of the director of the Office of Tourism, Trade, and
29 Economic Development. At the recommendation of Enterprise
30 Florida, Inc., the director shall establish one submittal date
31

1 each year for the receipt of applications for such tax
2 credits.

3 (f) Any business wishing to receive tax credits
4 pursuant to this section must submit an application to
5 Enterprise Florida, Inc., ~~the Office of Tourism, Trade, and~~
6 ~~Economic Development~~ which sets forth the business name and
7 address and the number of employees of the business.

8 (g) Upon the recommendation of Enterprise Florida,
9 Inc., the decision of the director shall be in writing, and,
10 if approved, ~~the application~~ shall state the maximum credits
11 allowable to the business. A copy of the decision shall be
12 transmitted to Enterprise Florida, Inc., and to the executive
13 director of the Department of Revenue, who shall apply such
14 credits to the tax liabilities of the business firm.

15 (h) If any credit granted pursuant to this section is
16 not fully used in any one year because of insufficient tax
17 liability on the part of the business, the unused amount may
18 be carried forward for a period not to exceed 5 years.

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

23 (3)~~(4)~~ The Department of Revenue shall adopt any rules
24 necessary to ensure the orderly implementation and
25 administration of this section.

26 (4)~~(5)~~ For purposes of this section, "business" and
27 "taxable year" shall have the same meaning as in s. 220.03.

28 (5)~~(6)~~ Prior to the 2004 Regular Session of the
29 Legislature, the Office of Program Policy Analysis and
30 Government Accountability shall review and evaluate the
31 effectiveness and viability of the pilot project area created

1 under this section, using the research design prescribed
2 pursuant to s. 290.015. The office shall specifically evaluate
3 whether relief from certain taxes induced new investment and
4 development in the area; increased the number of jobs created
5 or retained in the area; induced the renovation,
6 rehabilitation, restoration, improvement, or new construction
7 of businesses or housing within the area; and contributed to
8 the economic viability and profitability of business and
9 commerce located within the area. The office shall submit a
10 report of its findings and recommendations to the Speaker of
11 the House of Representatives and the President of the Senate
12 no later than January 15, 2004.

13 ~~(6)(7)~~ This section shall stand repealed on June 30,
14 2010, and any designation made pursuant to this section shall
15 be revoked on that date.

16 Section 44. Section 290.00694, Florida Statutes, is
17 created to read:

18 290.00694 Enterprise zone designation for rural
19 champion communities.--An area designated as a rural champion
20 community pursuant to the Taxpayer Relief Act of 1997 may
21 apply to Enterprise Florida, Inc., for designation as an
22 enterprise zone. The application must be submitted by December
23 31, 2000, and must comply with the requirements of s.
24 290.0055. Notwithstanding the provisions of s. 290.0065
25 limiting the total number of enterprise zones designated and
26 the number of enterprise zones within a population category,
27 the Office of Tourism, Trade, and Economic Development upon
28 recommendation of Enterprise Florida, Inc., may designate
29 enterprise zones under this section. The Office of Tourism,
30 Trade, and Economic Development shall establish the initial

31

1 effective date of the enterprise zones designated pursuant to
2 this section.

3 Section 45. Section 290.009, Florida Statutes, is
4 amended to read:

5 290.009 Enterprise Zone Interagency Coordinating
6 Council.--

7 (1) There is created within the Office of Tourism,
8 Trade, and Economic Development the Enterprise Zone
9 Interagency Coordinating Council. The council shall be
10 composed of the secretaries or executive directors, or their
11 designees, of the Department of Community Affairs, the Office
12 of Tourism, Trade, and Economic Development, the Department of
13 Children and Family Services, the Department of Health, the
14 Department of Juvenile Justice, the Department of Labor and
15 Employment Security, the Department of State, the Department
16 of Transportation, the Department of Environmental Protection,
17 the Department of Law Enforcement, and the Department of
18 Revenue; the Attorney General or his or her designee; and the
19 executive directors or their designees of the Florida
20 Community College System, the Florida Black Business
21 Investment Board, and the Florida State Rural Development
22 Council. Enterprise Florida, Inc., shall serve as staff to the
23 council.

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

25 (a) Advise Enterprise Florida, Inc., and the office in
26 planning, developing, implementing, and performing evaluation
27 and reporting activities related to the Florida Enterprise
28 Zone Act of 1994.

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

31

1 (c) Assist in the selection of designated enterprise
2 zones for participation in the enterprise zone linked deposit
3 program pursuant to s. 290.0075.

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

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

10 Section 46. Section 290.014, Florida Statutes, is
11 amended to read:

12 290.014 Annual reports on enterprise zones.--

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

18 (2) By March 1 of each year, Enterprise Florida, Inc.,
19 ~~the office~~ shall submit an annual report to the Governor, the
20 Speaker of the House of Representatives, ~~and~~ the President of
21 the Senate, and the director of the Office of Tourism, Trade,
22 and Economic Development. The report shall include the
23 information provided by the Department of Revenue pursuant to
24 subsection (1) and the information provided by enterprise zone
25 development agencies pursuant to s. 290.0056. In addition, the
26 report shall include an analysis of the activities and
27 accomplishments of each enterprise zone, and any additional
28 information prescribed pursuant to s. 290.015.

29 Section 47. Subsection (2) of section 290.046, Florida
30 Statutes, is amended to read:

31

1 290.046 Applications for grants; procedures;
2 requirements.--

3 (2)(a) Except as provided in paragraph (c), each
4 eligible local government may submit an application for a
5 grant under either the housing program category or the
6 neighborhood revitalization program category during each
7 annual funding cycle. An applicant may not receive more than
8 one grant in any state fiscal year from any of the following
9 categories: housing, neighborhood revitalization, or
10 commercial revitalization.

11 (b) Except as provided in paragraph (c), each eligible
12 local government may apply during each ~~up to three times in~~
13 ~~any one~~ annual funding cycle for grants ~~a grant~~ under the
14 economic development program category but shall receive
15 cumulative awards no more than the applicable grant ceiling
16 established by the department ~~one such grant~~ per annual
17 funding cycle under s. 290.047(2). Applications for grants
18 under the economic development program category may be
19 submitted at any time during the annual funding cycle, and
20 such grants shall be awarded no less frequently than three
21 times per funding cycle. The department shall establish
22 minimum criteria pertaining to the number of jobs created for
23 persons of low or moderate income, the degree of private
24 sector financial commitment, and the economic feasibility of
25 the proposed project and shall establish any other criteria
26 the department deems appropriate. Assistance to a private,
27 for-profit business may not be provided from a grant award
28 unless sufficient evidence exists to demonstrate that without
29 such public assistance the creation or retention of such jobs
30 would not occur.

31

1 (c)1. Local governments with an open housing,
2 neighborhood revitalization, or commercial revitalization
3 contract shall not be eligible to apply for another housing,
4 neighborhood revitalization, or commercial revitalization
5 grant until administrative closeout of their existing
6 contract. The department shall notify a local government of
7 administrative closeout or of any outstanding closeout issues
8 within 45 days of receipt of a closeout package from the local
9 government. Local governments with an open housing,
10 neighborhood revitalization, or commercial revitalization
11 community development block grant contract whose activities
12 are on schedule in accordance with the expenditure rates and
13 accomplishments described in the contract may apply for an
14 economic development grant.

15 2. Local governments with an open economic development
16 community development block grant contract or contracts whose
17 activities are on schedule in accordance with the expenditure
18 rates and accomplishments described in the contract or
19 contracts may apply for a housing or neighborhood
20 revitalization and a commercial revitalization community
21 development block grant. Local governments with an open
22 economic development contract or contracts whose activities
23 are on schedule in accordance with the expenditure rates and
24 accomplishments described in the contract or contracts may
25 receive ~~no more than one~~ additional economic development
26 grants grant in each fiscal year subject to the grant ceilings
27 established by the department under s. 290.047.

28 (d) Beginning October 1, 1988, the department shall
29 award no grant until the department has determined, based upon
30 a site visit, that the proposed area matches and adheres to
31 the written description contained within the applicant's

1 request. If, based upon review of the application or a site
2 visit, the department determines that any information provided
3 in the application which affects eligibility or scoring has
4 been misrepresented, the applicant's request shall be rejected
5 by the department pursuant to s. 290.0475(7). Mathematical
6 errors in applications which may be discovered and corrected
7 by readily computing available numbers or formulas provided in
8 the application shall not be a basis for such rejection.

9 Section 48. Subsection (7) is added to section
10 290.048, Florida Statutes, to read:

11 290.048 General powers of Department of Community
12 Affairs under ss. 290.0401-290.049.--The department has all
13 the powers necessary or appropriate to carry out the purposes
14 and provisions of the program, including the power to:

15 (7) Establish advisory committees and solicit
16 participation in the design, implementation, and evaluation of
17 the program and its linkages with other housing, community
18 development, and economic development resources.

19 Section 49. Section 290.049, Florida Statutes, is
20 repealed.

21 Section 50. 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 51. 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 52. 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 53. 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 54. 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 or area average, high percentage of the
11 population receiving public assistance, high poverty levels
12 compared to the state average, and high percentage of needy
13 families.

14 (4) LIAISONS.--

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

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

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

1 (e) The liaisons shall work at the request of the
2 coordinating partners to review statutes and rules for their
3 adverse effects on economically distressed communities and to
4 develop alternative proposals to mitigate these effects.

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

17 (g) Annually, the coordinating partners shall report
18 to the Governor and the head of each agency or organization on
19 the work and accomplishments of the liaisons.

20 (5) COORDINATING PARTNERS.--

21 (a) The liaisons from the WAGES State Board of
22 Directors, or its successor organization, the Office of Urban
23 Opportunity, the Department of Community Affairs, Enterprise
24 Florida, Inc., and the Workforce Development Board of
25 Enterprise Florida, Inc., shall serve as the coordinating
26 partners of the Toolkit for Economic Development and act as an
27 executive committee for the liaisons. The coordinating
28 partners shall review any request from a Front Porch Community
29 and shall provide whatever assistance that this section can
30 afford to them.

31

1 **(b) From time to time, the coordinating partners may**
2 **recommend to the head of an agency or organization, approval**
3 **of a project that in the unanimous judgment of the**
4 **coordinating partners will have an extraordinary positive**
5 **impact on an economically distressed community. Upon such**
6 **recommendation, the head of an agency or organization shall**
7 **give priority consideration for approval of such project.**

8 **(6) MATCHING-FUNDS OPTIONS.--Notwithstanding any other**
9 **provision of law, an agency or organization may waive any**
10 **state-required matching-funds requirements at the request of**
11 **the coordinating partners. This waiver is contingent upon the**
12 **determination by the coordinating partners that the community**
13 **is fully committed to the success of a project, but lacks the**
14 **community resources to meet match requirements. In-kind**
15 **matches shall be allowed and applied as matching-funds**
16 **utilizing the same determination criteria. The coordinating**
17 **partners must unanimously endorse each request to an agency or**
18 **organization. Any funds appropriated to the coordinating**
19 **partners may be used to meet matching-funds requirements or**
20 **fees for federal, state, or foundation application**
21 **requirements.**

22 **(7) INVENTORY.--The coordinating partners shall**
23 **develop, in consultation with the liaisons, an inventory of**
24 **recommended federal and state tax credits, incentives,**
25 **inducements, programs, opportunities, demonstrations or pilot**
26 **programs, grants, and other resources available through the**
27 **agencies and organizations which could assist Front Porch**
28 **Florida or economically distressed communities. Each entry in**
29 **the inventory must include a summary; a contact person; a**
30 **simple description of the application process and a timetable;**
31 **a profile of funding awards and funds availability; and a**

1 complexity ranking. The inventory shall be organized into
2 seven categories, including:

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

6 These entries shall include, but are not limited to, grants;
7 scholarships; Individual Training Accounts; Retention
8 Incentive Training Account programs; and other programs that
9 build the resident capacity to create a better community.

10 These entries shall include educational-based institutes that
11 can assist with research, consulting, technical assistance,
12 capacity building, training, and program assistance to
13 communities.

14 (b) Safety.--Entries that increase safety and reduce
15 crime. These entries shall include, but are not limited to,
16 the training and employment of public safety employees and
17 volunteers; establishing safer businesses and neighborhoods;
18 training residents in safety practices; organizing safety
19 networks and cooperatives; improving lighting; improving the
20 safety of homes, buildings, and streets; and providing for
21 community police and safety projects, including those designed
22 to protect youth in the community. Other entries may be
23 included that reinforce community and local law enforcement.

24 (c) Clean Up.--Entries that support clean up and
25 enhancement projects that quickly create visible improvements
26 in neighborhoods, including the demolition of drug havens and
27 abandoned buildings. These entries shall include, but are not
28 limited to, projects that plan, design, or implement clean up
29 strategies; main street redevelopment; and renovation
30 projects. These entries may also include planning and

31

1 implementation for larger neighborhood revitalization and
2 economic development projects.

3 (d) Business.--Entries that support small business
4 development, including, but not limited to, attraction of
5 national franchises; micro-loans; guaranteed commercial loans;
6 technical assistance; self-employment; linked deposit; loan
7 loss reserves; business incubators; and other activities that
8 support the market economy.

9 (e) Schools.--Entries that upgrade schools through
10 repair or renovation, as well as training and employment
11 entries to assist with school transportation, services, and
12 security. These entries shall include, but are not limited to,
13 programs that enable school-based childcare; before, after,
14 and summer school programs; programs that broaden the use of
15 school facilities as a hub and haven within the community;
16 scholarships; and grant programs that assist families and
17 individuals to complete and enhance their education.

18 (f) Partners.--Entries that provide tax credits,
19 incentives, and other inducements to businesses that
20 contribute to community projects, such as the community
21 contribution tax credit under sections 220.183 and 624.5105,
22 Florida Statutes. These entries shall include any programs
23 that help raise federal or foundation grant funds.

24 (g) Redevelopment.--Entries that support the planning,
25 preparation, construction, marketing, and financing of
26 residential, mixed-use, and commercial redevelopment, as well
27 as residential and business infrastructure projects. These
28 entries shall include, but are not limited to, the workforce
29 development programs that influence business decisions such as
30 the Quick-Response Training Program and Quick-Response

31

1 Training Program for Work and Gain Economic Self-sufficiency
2 (WAGES) participants.
3 (8) START-UP INITIATIVE.--
4 (a) Subject to legislative appropriation and the
5 provisions of this act, the Start-Up Initiative is created to
6 promote the use of the inventory, to boost a community's
7 efforts, and to ensure that federal funds do not go unexpended
8 or unobligated, or are not returned to federal agencies.
9 (b) The coordinating partners, in consultation with
10 the liaisons, local economic development organizations, and
11 regional workforce development boards, shall identify 15
12 communities, seven of which must be from the state's seven
13 largest counties, three of which must be from rural counties,
14 and five of which must be from other counties in the state.
15 These communities must be compact, congruent, and contiguous
16 census tracts that have high concentrations of needy families
17 who are current, former, or likely recipients of public
18 assistance. To the maximum extent possible, these communities
19 should coincide with federal empowerment zones, enterprise
20 communities, or similar designations; HOPE VI communities;
21 Front Porch Florida communities; enterprise zones established
22 under chapter 290 or chapter 370, Florida Statutes;
23 Neighborhood Improvement Districts established under chapter
24 163, Florida Statutes; community redevelopment areas
25 established under chapter 163, Florida Statutes; and Urban
26 High Crime Areas or Rural Job Tax Credit Areas established
27 under chapter 212, Florida Statutes.
28 (c) The coordinating partners shall solicit proposals
29 from Front Porch Advisory Committees, community-based
30 organizations, local governments, and neighborhood
31 associations located in the communities identified in

1 paragraph (b) and Front Porch communities. The coordinating
2 partners shall provide each applicant with the inventory and
3 recommendations on proposals that can be funded.

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

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

11 2. Specific evidence of community support for the
12 proposal from community-based organizations, local government,
13 regional workforce development boards, and local economic
14 development organizations;

15 3. Identification and commitment of local resources
16 for the proposal from community-based organizations, local
17 government, regional workforce development boards, and local
18 economic development organizations;

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

21 5. Identification of a local fiscal entity for
22 contracting, administration, and accountability.

23 (e) The coordinating partners shall appoint a liaison
24 to assist each community with the proposal and its
25 implementation, if awarded.

26 (f) The coordinating partners shall design an
27 impartial and competitive proposal-review process and
28 evaluation criteria. Based on the evaluation criteria, up to
29 nine communities shall be designated to participate in the
30 Start Up Initiative. Once a community is designated, the
31 coordinating partners and the community's liaison will work to

1 finalize the proposal, including the addition of funding
2 sources for each inventory entry. The finalized proposal shall
3 serve as the contract between the community and the Start-Up
4 Initiative. If sufficient funding does not exist for an entry
5 that is essential for the community's proposal or a community
6 is ineligible for a specific inventory entry, the coordinating
7 partners may allocate funding that is under their control to
8 fulfill the entry. The proposal must be operational within 3
9 months after approval.

10 (g) Proposals that would mainly result in
11 gentrification of the community, that would not employ a
12 preponderance of residents, and that predominately create
13 residences or businesses that are beyond the anticipated
14 income level of the working residents of the community are not
15 eligible.

16 (h) Proposal awards shall be obligated for federal
17 funding purposes, and shall be considered appropriated for
18 purposes of section 216.301, Florida Statutes. The
19 coordinating partners may allocate funding that is under their
20 control to fund this initiative. Any funding appropriated to
21 assist needy families, or to promote job placement and
22 employment retention, which is in excess of revenues necessary
23 to fulfill the appropriated purpose, and which may not be
24 obligated during the budget year, may be allocated to this
25 initiative to support an approved proposal.

26 (i) Any federal funds must be used for purposes
27 consistent with applicable federal law; however, the
28 coordinating partners, with the assistance of the Department
29 of Children and Family Services, shall aggressively pursue
30 innovative uses of federal funds to support projects that
31 train community leaders, upgrade individuals skills, promote

1 safety, clean up communities, beautify neighborhoods,
2 encourage small business, stimulate employment, increase
3 educational opportunity, promote community partnering, advance
4 community redevelopment, and upgrade housing because it
5 assists needy families, promoting self-sufficiency and job
6 retention.

7 (j) The coordinating partners shall adopt procedures
8 for the Start-Up Initiative and may, if necessary, adopt,
9 through the Department of Community Affairs, emergency rules
10 to govern the submission of proposals, the evaluation of
11 proposals, the initiative awards, and the implementation
12 procedures for administration of awards.

13 (9) COMMUNITIES OF CRITICAL ECONOMIC OPPORTUNITY.--The
14 coordinating partners may recommend to the Governor up to
15 three communities of critical economic opportunity. A
16 community of critical economic opportunity must be a community
17 that is economically distressed, that presents a unique
18 economic development opportunity, and that will create more
19 than 1,000 jobs over a 5-year period. The Governor may, by
20 executive order, designate up to three communities of critical
21 economic opportunity which will establish these areas as
22 priority assignments for the liaisons and coordinating
23 partners as well as to allow the Governor, acting through
24 them, to waive criteria, requirements, or similar provisions
25 of any economic development incentive. Such incentives shall
26 include, but not be limited to: the Qualified Target Industry
27 Tax Refund Program under section 288.106, Florida Statutes,
28 the Quick Response Training Program under section 288.047,
29 Florida Statutes, the WAGES Quick Response Training Program
30 under section 288.047(10), Florida Statutes, transportation
31 projects under section 288.063, Florida Statutes, the

1 brownfield redevelopment bonus refund under section 288.107,
2 Florida Statutes, and the job and employment tax credit
3 programs. Designation as a community of critical economic
4 opportunity under this subsection shall be contingent upon the
5 execution of a memorandum or agreement among the coordinating
6 partners; the governing body of the county; and the governing
7 bodies of any municipalities to be included within an area of
8 critical economic opportunity. Such agreement shall specify
9 the terms and conditions of the designation, including, but
10 not limited to, the duties and responsibilities of the county
11 and any participating municipalities to take actions designed
12 to facilitate the retention and expansion of existing
13 businesses in the area, as well as the recruitment of new
14 businesses to the area.

15 (10) FUNDING.--

16 (a) To implement the provisions of this act, the
17 coordinating partners are authorized and appropriated up to
18 \$25 million from Temporary Assistance for Needy Families
19 (TANF) Block Grant through the TANF administrative entity at
20 the Department of Management Services.

21 (b) Any expenditure from the TANF Block Grant shall be
22 in accordance with the requirements and limitations of Title
23 IV of the Social Security Act, as amended, or any other
24 applicable federal requirement or limitation in law. Prior to
25 any expenditure of such funds, the Workforce Development Board
26 of Enterprise Florida, Inc., and the secretary of the
27 Department of Children and Family Services, or his or her
28 designee, shall certify that controls are in place to ensure
29 that such funds are expended and reported in accordance with
30 the requirements and limitations of federal law. It shall be
31 the responsibility of any entity to which funds are awarded to

1 obtain the required certification prior to any expenditure of
2 funds.

3 (11) REPORTING.--

4 The Office of Program Policy Analysis and Government
5 Accountability and the coordinating partners, shall develop
6 measures and criteria by October 1, 2001, for evaluating the
7 effectiveness of the Toolkit for Economic Development
8 including the liaisons, coordinating partners, waivers and
9 matching options, inventory, Start-Up Initiative, and
10 Communities of Critical Economic Opportunity. The Office of
11 Program Policy and Government Accountability shall submit to
12 the Governor, the President of the Senate, and the Speaker of
13 the House of Representatives, by January 1, 2002, a report
14 detailing the progress that the Toolkit for Economic
15 Development has made toward achievement of established
16 measures.

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

18 Section 55. Section 288.1260, Florida Statutes, is
19 created to read:

20 288.1260 Front Porch Florida Initiative.--

21 (1) LEGISLATIVE INTENT.--The Legislature finds that
22 the State of Florida has many communities that, in times of
23 general fiscal prosperity, have not experienced the same
24 levels of economic fulfillment as other areas of our state.
25 These neighborhoods and communities are often found in the
26 urban core areas of our cities, and have been the recipients
27 of top down imposed state and federal programs that have
28 lacked a comprehensive approach to revitalization. The
29 Legislature further finds that these distressed urban cores
30 have often had a narrow set of solutions imposed on them

31

1 without regard to the unique nature of the problems that face
2 each neighborhood.

3 (2) CREATION.--The Front Porch Florida initiative will
4 be a community-based effort, giving residents the power to
5 define the causes of their problems and harnessing the
6 collective power of individual neighborhoods to craft unique
7 solutions to these problems. The Front Porch Florida
8 initiative is created to provide a comprehensive,
9 community-based approach to neighborhood revitalization in
10 Florida, engaging the resources of the state as a facilitator
11 for community solutions and a civic switchboard to match
12 communities with resources.

13 (3) PRINCIPLES.--The Front Porch Florida initiative is
14 built upon the following principles:

15 (a) Urban revitalization begins in Florida's
16 neighborhoods and not in state government. The resources for
17 solving some of their problems may reside in part in state and
18 local government, but the solutions to the unique challenges
19 of each neighborhood must come from citizens who live in these
20 neighborhoods.

21 (b) Expanded business opportunities and access to
22 capital are critical to sustaining any urban renewal efforts.
23 There must be a multi-faceted commitment of fiscal resources
24 and increased business opportunities that stimulates
25 entrepreneurship in urban core neighborhoods.

26 (c) Government cannot raise expectations beyond its
27 capacity to deliver. State and local governments have roles in
28 our urban cores, but government is not the panacea.

29 (d) An effective state urban policy must support
30 existing efforts and work with the on-going activities of
31 local communities, mayors, and municipalities. The state must

1 also leverage faith-based and community-based groups into the
2 equation in a way that has never been tried before. Churches,
3 ministers, pastors, rabbis, and other community leaders are
4 often the greatest agents of improvement in our urban cores.
5 They must be empowered to be involved in Front Porch Florida
6 to the greatest extent possible.

7 (4) LIAISONS TO FRONT PORCH FLORIDA COMMUNITIES.--No
8 later than August 1, 2000, the head of each of the following
9 agencies or organizations shall designate a high-level staff
10 person from within the agency or organization to serve as the
11 Front Porch Florida liaison to the Front Porch Florida "A"

12 Team:

- 13 1. Department of Community Affairs;
- 14 2. Department of Law Enforcement;
- 15 3. Department of Juvenile Justice;
- 16 4. Department of Corrections;
- 17 5. Department of Transportation;
- 18 6. Department of Environmental Protection;
- 19 7. Department of Agriculture and Consumer Services;
- 20 8. Department of State;
- 21 9. Department of Health;
- 22 10. Department of Children and Family Services;
- 23 11. Department of Labor and Employment Security;
- 24 12. Department of Education;
- 25 13. Department of Military Affairs;
- 26 14. Institute of Food and Agricultural Sciences;
- 27 15. Enterprise Florida, Inc.;
- 28 16. Workforce Development Board of Enterprise Florida,
29 Inc.; and
- 30 17. Executive Office of the Governor.

1 Each Front Porch Florida liaison must have comprehensive
2 knowledge of his or her agency's functions. This person shall
3 be the primary point of contact for his or her agency on
4 issues and projects relating to economically distressed
5 communities, shall ensure a prompt effective response to
6 problems arising with regard to community issues, and shall
7 assist in the identification of opportunities for preferential
8 awards of program funds to facilitate the civic switchboard
9 function of Front Porch Florida.

10 (5) INVENTORY.--Front Porch Florida communities shall
11 use the inventory of federal and state resources developed as
12 part of the Toolkit for Economic Development to facilitate
13 solutions to their unique challenges.

14 (6) SELECTION OF FRONT PORCH FLORIDA COMMUNITIES.--

15 (a) The Office of Urban Opportunity, created in
16 section 14.2015(9)(a), Florida Statutes, will solicit
17 applications from Florida communities that wish to be
18 designated as Front Porch Florida communities. The application
19 should specify the boundaries of the nominated area, quantify
20 the need for revitalization, demonstrate a history of
21 grass-roots activities in the neighborhood, and identify the
22 resources within each community that will contribute to their
23 success as Front Porch Florida communities.

24 (b) Successful applications for designation may
25 include strategies for expanding business opportunities and
26 access to capital, closing the gap in education, building upon
27 the activities of faith-based and community-based groups,
28 providing affordable, quality housing, strengthening public
29 safety, and creating a healthy environment.

30 (c) Upon designation as a Front Porch Florida
31 community, the neighborhood will form a Governor's

1 Revitalization Council, comprised of partners and stakeholders
2 in each community. Each council should be representative of
3 the broad diversity and interests in the community and should
4 include residents, neighborhood associations, faith-based
5 organizations, and community-based organizations. Each council
6 should also develop partnerships with local government, law
7 enforcement agencies, lenders, schools, and health care
8 providers. Each council will prepare a specialized
9 Neighborhood Action Plan that will assist the Office of Urban
10 Opportunity in identifying and garnering the resources that
11 are needed to help successfully implement community
12 revitalization.

13 (7) MONITORING AND REPORTING.--The Office of Urban
14 Opportunity shall require each designated Front Porch Florida
15 community to submit a monthly report which details the
16 activities and accomplishments of the neighborhood. On a
17 quarterly basis, each designated community must submit a
18 report that specifically addresses the elements of each
19 Neighborhood Action Plan to determine progress toward
20 achieving stated goals. The community's Governor's
21 Revitalization Council will submit an annual progress report
22 as part of their recertification process in order to maintain
23 designation as a Front Porch Florida community.

24 Section 56. Present subsections (4) through (8) of
25 section 240.311, Florida Statutes, are redesignated as
26 subsections (5) through (9), respectively, and a new
27 subsection (4) is added to that section to read:

28 240.311 State Board of Community Colleges; powers and
29 duties.--

30 (4) The State Board of Community Colleges shall
31 identify, using the Critical Jobs Initiative, the occupational

1 forecasting process, or any other compatible mechanism, a
2 collection of programs designed to train broadband digital
3 media specialists. Programs identified by the board shall be
4 added to the statewide lists for demand occupations, if they
5 meet the high-skill/high-wage criteria as established by the
6 Workforce Estimating Conference created under s. 216.136(10).

7 Section 57. Subsection (5) is added to section
8 240.3341, Florida Statutes, to read:

9 240.3341 Incubator facilities for small business
10 concerns.--

11 (5) Community colleges are encouraged to establish
12 incubator facilities through which emerging small businesses
13 supportive of the development of content and technology for
14 digital broadband media and digital broadcasting may be
15 served.

16 Section 58. Section 240.710, Florida Statutes, is
17 created to read:

18 240.710 Digital Media Education Coordination Group.--

19 (1) The Board of Regents shall create a Digital Media
20 Education Coordination Group composed of representatives of
21 the universities within the State University System which
22 shall work in conjunction with the State Board of Community
23 Colleges and the Articulation Coordinating Committee on the
24 development of a plan to enhance Florida's ability to meet the
25 current and future workforce needs of the digital media
26 industry. The following purposes of the group shall be
27 included in its plan-development process:

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

31

1 (b) Addressing strategies to improve opportunities for
2 interdisciplinary study and research within the emerging field
3 of digital media through the development of tracts in existing
4 degree programs, new interdisciplinary degree programs, and
5 interdisciplinary research centers; and

6 (c) Addressing the sharing of resources among
7 universities in such a way as to allow a student to take
8 courses from multiple departments or multiple educational
9 institutions in pursuit of competency, certification, and
10 degrees in digital information and media technology.

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

14 (3) In addition to the elements of the plan governed
15 by the purposes described in subsection (1), the plan shall
16 include, to the maximum extent practicable, the coordination
17 of educational resources to be provided by distance learning
18 and shall facilitate, to the maximum extent, possible
19 articulation and transfer of credits between community
20 colleges and the state universities. The plan must address
21 student enrollment in affected programs with emphasis on
22 enrollment beginning as early as the Fall Term in 2001.

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

26 Section 59. The Workforce Development Board of
27 Enterprise Florida, Inc., should reserve up to \$1 million of
28 funds dedicated in Fiscal Year 2000-2001 for Incumbent Worker
29 Training for the digital media industry. Training may be
30 provided by public or private training providers for broadband
31 digital media jobs listed on the Occupational Forecast List

1 developed by the Workforce Estimating Conference or the
2 Targeted Occupations List of the Workforce Development Board.
3 Programs that operate outside the normal semester time periods
4 and coordinate the use of industry and public resources should
5 be given priority status for such reserved funds.

6 Section 60. The Workforce Development Board of
7 Enterprise Florida, Inc., shall by August 31, 2000, develop a
8 plan for the use of Targeted Assistance to Needy Families
9 funds, Workforce Investment Act funds, Quick Response funds,
10 Incumbent Worker Training funds, and other training-related
11 resources to enhance the workforce of digital-media-related
12 industries. The plan must provide the industries with a
13 program to train and assess the status of industry workforce
14 readiness for the digital era and should be done in
15 conjunction with the broadcast and cable industries.

16 Section 61. There is created in the Office of Tourism,
17 Trade, and Economic Development within the Executive Office of
18 the Governor a Digital Media Education Infrastructure Fund for
19 the purpose of upgrading the quality of media labs associated
20 with university programs, community college programs and other
21 educational resources in order to assist in meeting current
22 and future workforce training needs for the digital media
23 industry. There is appropriated to the fund from the General
24 Revenue Fund \$1 million for fiscal year 2000-2001, to be used
25 for those purposes. The Office of Tourism, Trade, and
26 Economic Development shall be responsible for contracting with
27 eligible entities for receipt of funds. Such funds must be
28 spent according to the priorities established by the industry
29 sector group on broadband digital media established by
30 Enterprise Florida, Inc., and must be matched by industry
31 contributions.

1 Section 62. Enterprise Florida, Inc., shall convene an
2 organizational meeting for industries involved in broadband
3 digital media to organize and facilitate future activities of
4 associated industry groups or facilitate the ongoing
5 activities of a similar group. Enterprise Florida, Inc., shall
6 make all necessary preparations to identify and designate a
7 digital-media sector as part of its sector strategy and
8 identify the sector as a priority recruitment/retention set of
9 industries.

10 Section 63. (1) Enterprise Florida, Inc., shall award
11 a contract for the establishment of a digital media incubator
12 to encourage companies developing content and technology for
13 digital broadband media and digital broadcasting to locate and
14 develop their businesses in Florida. Qualifications of an
15 applicant for a contract as a digital media incubator shall at
16 a minimum include the following:

17 (a) Demonstrated expertise in developing content and
18 technology for digital broadband media and digital
19 broadcasting;

20 (b) Demonstrated ability in venture capital
21 fund-raising;

22 (c) Demonstrated expertise in the development of
23 digital media businesses; and

24 (d) Demonstrated ability in coordinating public and
25 private educational institutions and business entities in
26 digital technology joint business ventures. The awarding of
27 the contract must follow the procedures outlined in chapter
28 287, Florida Statutes.

29 (2) There is appropriated the sum of \$2 million from
30 the General Revenue Fund to Enterprise Florida, Inc., for the
31 purpose of providing operational and investment seed funding

1 to encourage the financial and strategic participation of
2 venture capital firms, corporate and institutional sponsors,
3 and targeted start-up companies in the establishment of the
4 digital incubator. Initial state investment in the incubator
5 must be matched with contributions from the industry with
6 participating industry partners, including, but not limited
7 to, venture capitalists, digital media manufacturers, and
8 digital media content providers.

9 (3) Maximized leveraging of funds must be a priority
10 consideration in the location of the digital media incubator.
11 Consideration must be given to collocation of the incubator
12 with an existing state of the art media lab or an upgraded or
13 newly created media lab funded through the Digital Media
14 Education Infrastructure Fund in the Office of Tourism, Trade,
15 and Economic Development.

16 Section 64. ITFlorida, in consultation with Enterprise
17 Florida, Inc., shall develop a marketing plan to promote the
18 state as digital-media-friendly, as a digital-media-ready
19 environment, and as a national leader in the development and
20 distribution of broadband digital media content, technology,
21 and education. The marketing plan must identify critical roles
22 for various public and private partners and establish a
23 marketing timeline and goals. The plan must be completed by
24 December 31, 2000.

25 Section 65. The provisions of this act relating to
26 workforce or economic development for digital media are
27 subject to legislative appropriation.

28 Section 66. (1) Effective upon this act becoming a
29 law, the Commission on Basic Research for the Future of
30 Florida is hereby established. All members of the commission
31 shall be appointed prior to August 1, 2000, and the commission

1 shall hold its first meeting no later than September 1, 2000.
2 The commission shall be composed of 13 members who represent a
3 broad range of experience in basic scientific research and
4 possess an appreciation of the importance of basic scientific
5 research to the future of Florida. Members shall include
6 performers and users of research from public and private
7 universities, the armed forces, defense and high technology
8 businesses, and other interested nongovernmental
9 organizations. Five members shall be appointed to the
10 commission by the Governor, four members shall be appointed by
11 the President of the Senate, and four members shall be
12 appointed by the Speaker of the House of Representatives. The
13 Governor shall name one of the appointees as chair of the
14 commission. Members of the commission shall serve 4-year
15 terms, except that two of the initial appointees by the
16 Governor, by the President of the Senate, and by the Speaker
17 of the House of Representatives shall be appointed for 2-year
18 terms. Members of the commission are eligible for
19 reappointment.

20 (2) The purpose of the commission is to serve as an
21 economic development tool to increase the scientific research
22 dollars allocated to the state by the Federal Government. The
23 commission shall:

24 (a) Focus attention on the importance of improving the
25 state's basic science research infrastructure;

26 (b) Provide advice to scientific research driven
27 stakeholders;

28 (c) Assist in the development of long-range strategies
29 for increasing the state's share of scientific research
30 dollars from all sources; and

31

1 (d) Raise public awareness of the importance of basic
2 scientific research to the future of the state.

3 (3) The commission shall use the resources of the
4 state in implementing the work of the commission, including,
5 but not limited to, the Institute for Science and Health
6 Policy at the University of Florida and similar public and
7 private research groups. The commission shall coordinate with,
8 and not duplicate the efforts of, other scientific
9 research-related organizations.

10 (4) The commission shall consult with Enterprise
11 Florida, Inc., to ensure that economic development
12 considerations are factored into the work of the commission.

13 (5) The commission shall be located in the Executive
14 Office of the Governor and staff of the office shall serve as
15 staff for the commission.

16 (6) Members of the commission shall serve without
17 compensation but will be entitled to per diem and travel
18 expenses pursuant to section 112.061, Florida Statutes, while
19 in the performance of their duties.

20 (7) The commission may procure information and
21 assistance from any officer or agency of the state or any
22 subdivision thereof. All such officials and agencies shall
23 give the commission all relevant information and assistance on
24 any matter within their knowledge or control.

25 (8) By February 1 of each year, the commission shall
26 submit a report to the Governor, the President of the Senate,
27 and the Speaker of the House of Representatives. The report
28 shall outline activities of the commission and provide
29 specific recommendations for consideration by the Governor and
30 Legislature which are designed to increase the state's share
31 of scientific research dollars.

1 Section 67. Section 288.039 and paragraph (c) of
2 subsection (3) of section 288.095, Florida Statutes, are
3 repealed.

4 Section 68. This act shall take effect July 1, 2000.

5
6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 CS/SB 2548

9 This CS/CS differs from the CS in that it:

10 requires the Front Porch Program, the Urban Infill and
11 Redevelopment Program, the State Apartment Incentive Loan
12 Program, the HOME Investment Partnership Program, and the
13 State Housing Tax Credit Programs give priority to applicants
14 that are receiving HOPE IV grants from the federal Department
15 of Housing & Urban Development;

16 specifies that projects located in a research and development
17 park may be operated by the research and development
18 authority, a state university, community college, or state
19 agency, under certain conditions;

20 clarifies that the definition for development includes certain
21 exemptions provided elsewhere in the statutes;

22 repeals the sales tax on labor charges for the repair of and
23 incorporated into, industrial shipping, machinery and
24 equipment;

25 authorizes DCA to establish advisory committees and solicit
26 participation in the design, implementation, and evaluation of
27 urban development programs, and its linkages with other
28 housing, community development, and economic development
29 resources;

30 repeals s. 290.049, F.S., which establishes DCA's Community
31 Development Block Grant Advisory Council;

clarifies the administration of the "Toolkit for Economic
Development" program (TED), revises the "Lifeline" component
of TED, and establishes authority to designate areas of
critical economic opportunity;

codifies the Front Porch Florida program; and

creates the Commission on Basic Research for the Future of
Florida.