

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

309-2206-00

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 Florida Enterprise Zone 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 Enterprise Zone Program, and foreign  
16          offices; conforming terminology; requiring a  
17          report on activities funded under the Economic  
18          Development Incentives Account and the Economic  
19          Development Transportation Trust Fund;  
20          providing for Front Porch Florida requirements;  
21          directing the Office of Urban Opportunity to  
22          give priority to projects receiving certain  
23          federal grants; amending s. 163.2523, F.S.;  
24          providing allocation criteria for the Urban  
25          Infill and Redevelopment Grant Program;  
26          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.; revising an exemption from taxation for  
18 machinery and equipment used in  
19 silicon-technology production and research and  
20 development; making the exemption applicable to  
21 semiconductor-technology production and  
22 research and development; providing an  
23 exemption from taxation for building materials  
24 purchased for use in manufacturing or expanding  
25 clean rooms for semiconductor-manufacturing  
26 facilities; revising definitions; revising  
27 criteria and procedures; specifying that a  
28 sales tax exemption for certain repair and  
29 labor charges applies to industrial machinery  
30 and equipment used in the production and  
31 shipping of tangible personal property;

1           applying the exemption to SIC Industry Major  
2           Group Number 35; specifying that the sales tax  
3           exemption for industries in such group number  
4           is remedial in nature and applies  
5           retroactively; amending ss. 212.097, 212.098,  
6           F.S.; expanding the definition of the term  
7           "eligible business" under the Urban High-Crime  
8           Area Job Tax Credit Program and Rural Job Tax  
9           Credit Program to include certain businesses  
10          involved in motion picture production and  
11          allied services; amending s. 218.075, F.S.;  
12          expanding conditions under which the Department  
13          of Environmental Protection and water  
14          management districts shall reduce or waive  
15          certain fees for counties or municipalities;  
16          conforming to the definition of the term "rural  
17          community" used elsewhere in the Florida  
18          Statutes; amending s. 288.012, F.S.; revising  
19          the authority of the Office of Tourism, Trade,  
20          and Economic Development to establish foreign  
21          offices; providing for the office to approve  
22          the establishment and operation of such offices  
23          by Enterprise Florida, Inc., and the Florida  
24          Commission on Tourism; providing for foreign  
25          offices to submit updated operating plans and  
26          activity reports; amending s. 288.018, F.S.;  
27          providing for Enterprise Florida, Inc., to  
28          administer the Regional Rural Development  
29          Grants Program and make recommendations for  
30          approval by the Office of Tourism, Trade, and  
31          Economic Development; creating s. 288.064,

1 F.S.; expressing the intent of the Legislature  
2 to provide for efficient and effective delivery  
3 of assistance to rural communities; amending s.  
4 288.0655, F.S.; revising deadlines relating to  
5 implementation of the Rural Infrastructure  
6 Fund; amending s. 288.0656, F.S.; revising  
7 criteria for the Rural Economic Development  
8 Initiative; requiring certain communities to  
9 apply for rural designation; amending s.  
10 288.1088, F.S.; revising criteria and  
11 procedures related to the award of funds to  
12 certain target industries from the Quick Action  
13 Closing Fund; amending s. 288.1162, F.S.;  
14 providing for a specified direct-support  
15 organization to administer the professional  
16 sports franchises and spring training  
17 franchises facilities programs; providing for  
18 final approval of decisions under such programs  
19 by the Office of Tourism, Trade, and Economic  
20 Development; amending s. 288.1168, F.S.;  
21 deleting obsolete provisions relating to  
22 certification of the professional golf hall of  
23 fame; providing for a specified direct-support  
24 organization to administer that program;  
25 amending s. 288.1169, F.S.; providing for a  
26 specified direct-support organization to  
27 administer the certification program for the  
28 International Game Fish Association World  
29 Center facility; providing for annual  
30 verification of attendance and sales tax  
31 revenue projections; transferring, renumbering,

1 and amending s. 288.1185, F.S.; assigning  
2 administrative responsibility for the Recycling  
3 Markets Advisory Committee to the Department of  
4 Environmental Protection; amending s. 288.1223,  
5 F.S.; authorizing the Governor to designate a  
6 person to serve on the Florida Commission on  
7 Tourism and as the chair of the commission;  
8 amending s. 288.1226, F.S.; providing for the  
9 appointment of the president of the Florida  
10 Tourism Industry Marketing Corporation and  
11 specifying that the president serves at the  
12 pleasure of the Governor; limiting certain  
13 employee salaries unless such employees are  
14 covered by a performance contract; amending s.  
15 288.1229, F.S.; requiring an annual report on  
16 the status of specified sports projects;  
17 amending s. 288.1251, F.S.; renaming the Office  
18 of the Film Commissioner the Governor's Office  
19 of Film and Entertainment; renaming the Film  
20 Commissioner as the Commissioner of Film and  
21 Entertainment; authorizing receipt and  
22 expenditure of certain grants and donations;  
23 amending s. 288.1252, F.S.; renaming the  
24 Florida Film Advisory Council the Florida Film  
25 and Entertainment Advisory Council; amending s.  
26 288.1253, F.S., relating to travel and  
27 entertainment expenses; conforming terminology;  
28 amending s. 288.7011, F.S.; revising conditions  
29 under which certain assistance and support for  
30 a statewide certified development corporation  
31 shall cease; amending s. 288.901, F.S.;

1           correcting a cross-reference; providing that  
2           the Governor's designee may serve as  
3           chairperson of the board of directors of  
4           Enterprise Florida, Inc.; amending s. 288.9015,  
5           F.S.; requiring Enterprise Florida, Inc., to  
6           use specified programs to facilitate economic  
7           development; amending s. 288.980, F.S.;  
8           providing for Enterprise Florida, Inc., to  
9           administer defense grant programs and make  
10          recommendations to the Office of Tourism,  
11          Trade, and Economic Development on approval of  
12          grant awards; providing that certain  
13          defense-related grants may be awarded only from  
14          specifically appropriated funds; amending s.  
15          288.99, F.S.; assigning certain responsibility  
16          for ongoing administration of the Certified  
17          Capital Company Act to the Department of  
18          Banking and Finance; authorizing additional  
19          applications for certification as a certified  
20          capital company; amending s. 290.004, F.S.;  
21          repealing certain definitions under the  
22          enterprise zone program; defining the term  
23          "rural enterprise zone"; amending s. 290.0056,  
24          F.S.; providing for a reporting requirement for  
25          enterprise zone development agencies to  
26          Enterprise Florida, Inc.; amending s. 290.0058,  
27          F.S.; conforming to administration of the  
28          enterprise zone program by Enterprise Florida,  
29          Inc.; amending s. 290.0065, F.S.; providing for  
30          Enterprise Florida, Inc., to administer the  
31          enterprise zone program and make

1 recommendations to the Office of Tourism,  
2 Trade, and Economic Development; conforming  
3 references; amending s. 290.0066, F.S.;  
4 providing for Enterprise Florida, Inc., to make  
5 recommendations to the Office of Tourism,  
6 Trade, and Economic Development regarding  
7 revocations of enterprise zone designations;  
8 amending s. 290.00675, F.S.; providing for  
9 Enterprise Florida, Inc., to make  
10 recommendations to the Office of Tourism,  
11 Trade, and Economic Development regarding  
12 amendment of enterprise zone boundaries;  
13 creating s. 290.00676, F.S.; authorizing the  
14 Office of Tourism, Trade, and Economic  
15 Development to amend the boundaries of a rural  
16 enterprise zone and providing requirements with  
17 respect thereto; creating s. 290.00677, F.S.;  
18 modifying the employee residency requirements  
19 for the enterprise zone job credit against the  
20 sales tax and corporate income tax if the  
21 business is located in a rural enterprise zone;  
22 modifying the employee residency requirements  
23 for maximum exemptions or credits with respect  
24 to the sales tax credits for enterprise zone  
25 job creation, for building materials used in  
26 the rehabilitation of real property in an  
27 enterprise zone, for business property used in  
28 an enterprise zone, and for electrical energy  
29 used in an enterprise zone, and the corporate  
30 income tax enterprise zone job creation and  
31 property tax credits if the business is located

1 in a rural enterprise zone; providing  
2 application time limitations; providing an  
3 extended application period for certain  
4 businesses to claim tax incentives; amending s.  
5 290.00689, F.S.; conforming a cross-reference;  
6 revising the eligibility criteria for certain  
7 tax credits to include a review and  
8 recommendation by Enterprise Florida, Inc.;  
9 creating s. 290.00694, F.S.; authorizing the  
10 Office of Tourism, Trade, and Economic  
11 Development to designate rural champion  
12 communities as enterprise zones; providing  
13 requirements with respect thereto; amending s.  
14 290.009, F.S.; specifying that Enterprise  
15 Florida, Inc., shall serve as staff to the  
16 Enterprise Zone Interagency Coordinating  
17 Council; amending s. 290.014, F.S.; conforming  
18 cross-references; amending s. 290.046, F.S.;  
19 eliminating a limitation on the number of  
20 economic development grants that an eligible  
21 local government may receive under the Florida  
22 Small Cities Community Development Block Grant  
23 Program; specifying that cumulative grant  
24 awards may not exceed certain ceilings;  
25 amending s. 290.048, F.S.; authorizing the  
26 Department of Community Affairs to establish  
27 advisory committees relating to the Florida  
28 Small Cities Community Development Block Grant  
29 Program; repealing s. 290.049, F.S., relating  
30 to the Community Development Block Grant  
31 Advisory Council; amending s. 373.4149, F.S.;



1 removing the director of the Office of Tourism,  
2 Trade, and Economic Development from the  
3 membership of the Miami-Dade County Lake Belt  
4 Plan Implementation Committee; authorizing the  
5 Institute of Food and Agricultural Sciences to  
6 contract and receive money to support the  
7 Florida State Rural Development Council;  
8 requiring the Workforce Development Board of  
9 Enterprise Florida, Inc., to develop a policy  
10 authorizing placement of certain  
11 workforce-training clients in self-employment  
12 as a means of job placement; directing the  
13 Office of Tourism, Trade, and Economic  
14 Development and Enterprise Florida, Inc., to  
15 establish a unit responsible for forecasting  
16 and responding to certain economic development  
17 events; creating an Economic Development  
18 Leadership Council to provide leadership  
19 related to such events; requiring a report and  
20 recommendations; providing legislative intent;  
21 providing for creation and purpose of the  
22 Toolkit for Economic Development; defining the  
23 term "economically distressed"; requiring the  
24 appointment of liaisons from agencies and  
25 organizations; providing for requirements and  
26 duties; creating coordinating partners to serve  
27 as the program's executive committee; providing  
28 for duties and powers; providing for waivers of  
29 state-required matching-funds requirements;  
30 requiring an inventory of programs that help  
31 economically distressed communities; requiring

1           that the inventory be categorized; creating the  
2           Start-Up Initiative to promote the use of the  
3           inventory; providing for identification of  
4           communities; providing for solicitation of  
5           proposals; providing for proposal content;  
6           providing for review process and evaluation  
7           criteria; providing for funding; providing for  
8           the designation of communities of critical  
9           economic opportunity; providing an  
10          appropriation to the coordinating partners;  
11          providing for use of funds and certification;  
12          providing for reporting; providing for  
13          expiration; creating s. 288.1260, F.S.;  
14          creating the Front Porch Florida initiative;  
15          providing legislative intent; providing for  
16          purposes and principles of the program;  
17          creating liaisons to Front Porch Florida  
18          communities; providing for liaison requirements  
19          and duties; providing for use of the inventory  
20          of federal and state resources; providing for  
21          application requirements; providing for the  
22          formation of a Governor's Revitalization  
23          Council; providing for duties; providing for  
24          monitoring and reporting; creating s. 239.521,  
25          F.S.; providing intent; providing for  
26          development of a 2-year vocational and  
27          technical distance-learning curriculum for  
28          information-technology workers; providing for  
29          internship opportunities for high school and  
30          postsecondary information-technology vocational  
31          faculty and students in information-technology

1 businesses; providing a means for increasing  
2 the capability and accessibility of  
3 information-technology-training providers  
4 through state-of-the-art facilities; amending  
5 s. 240.311, F.S.; requiring the State Board of  
6 Community Colleges to identify training  
7 programs for broadband digital media  
8 specialists; requiring that such programs be  
9 added to lists for demand occupations under  
10 certain circumstances; amending s. 240.3341,  
11 F.S.; encouraging community colleges to  
12 establish incubator facilities for digital  
13 media content and technology development;  
14 creating s. 240.710, F.S.; requiring the Board  
15 of Regents to create a Digital Media Education  
16 Coordination Group; providing membership;  
17 providing purposes; requiring development of a  
18 plan; requiring submission of plans to the  
19 Legislature; requiring the Workforce  
20 Development Board to reserve funds for digital  
21 media industry training; providing direction on  
22 training; requiring the Workforce Development  
23 Board to develop a plan for the use of certain  
24 funds to enhance workforce of digital media  
25 related industries; providing direction on plan  
26 development; providing a contingent  
27 appropriation to the Digital Media Education  
28 Infrastructure Fund; providing requirements for  
29 contracting and use of funds; requiring  
30 Enterprise Florida, Inc., to convene a  
31 broadband digital media industries group;

1 requiring identification, designation, and  
2 priority of digital media sector in sector  
3 strategy; requiring Enterprise Florida, Inc.,  
4 to contract for establishment of digital media  
5 incubator; providing contract requirements;  
6 providing an appropriation; requiring industry  
7 participation in funding; providing direction  
8 for incubator location; requiring ITFlorida, in  
9 cooperation with Enterprise Florida, Inc., to  
10 prepare a marketing plan promoting the state to  
11 digital media industries; providing that  
12 certain provisions relating to digital media  
13 are subject to legislative appropriation;  
14 amending s. 331.367, F.S.; revising provisions  
15 with respect to the Spaceport Management  
16 Council; directing the council to submit  
17 recommendations; providing for the  
18 participation of federal officials; amending s.  
19 331.368, F.S.; expanding the purpose of the  
20 Florida Space Research Institute; revising the  
21 membership of the institute; prescribing  
22 additional duties of the institute; creating  
23 the Space Industry Workforce Initiative;  
24 requiring the Workforce Development Board of  
25 Enterprise Florida, Inc., to develop  
26 initiatives to address the workforce needs of  
27 the industry; prescribing criteria; requiring  
28 the board to convene industry representatives;  
29 requiring a report; creating s. 331.3685, F.S.;  
30 creating the Florida Space-Industry  
31 Research-Development Program to finance

1 space-related research projects and programs;  
2 providing for certain sales-tax collections to  
3 be retained by the Kennedy Space Center Visitor  
4 Complex and distributed to the Florida Space  
5 Research Institute; prescribing uses of such  
6 funds; requiring an annual accounting of such  
7 funds; providing for review of funding  
8 proposals by the Office of Tourism, Trade, and  
9 Economic Development; requiring a contract with  
10 the office governing distribution of funds  
11 under the program; amending s. 212.08, F.S.;  
12 providing for sales-tax collections from the  
13 Kennedy Space Center Visitor Complex to be  
14 retained by the complex and distributed to the  
15 Florida Space Research Institute; providing for  
16 reporting of sales to the Department of Revenue  
17 as prescribed by rules; amending s. 556.108,  
18 F.S.; providing for performing the demolition  
19 or excavation of single-family residential  
20 property; creating the Commission on Basic  
21 Research for the Future of Florida; prescribing  
22 membership of the commission; providing a  
23 purpose for the commission; requiring the use  
24 of state resources; providing for staffing,  
25 administration, and information sharing;  
26 requiring a report; repealing s. 288.039, F.S.,  
27 relating to the Employing and Training our  
28 Youths (ENTRY) program; repealing s.  
29 288.095(3)(c), F.S., relating to a required  
30 report on activities under the Economic  
31 Development Incentives Account of the Economic

1           Development Trust Fund; providing an effective  
2           date.

3  
4 Be It Enacted by the Legislature of the State of Florida:

5  
6           Section 1. Subsections (2) and (9) of section 14.2015,  
7 Florida Statutes, are amended to read:

8           14.2015 Office of Tourism, Trade, and Economic  
9 Development; creation; powers and duties.--

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

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

25           (b) Monitor the activities of public-private  
26 partnerships and state agencies in order to avoid duplication  
27 and promote coordinated and consistent implementation of  
28 programs in areas including, but not limited to, tourism;  
29 international trade and investment; business recruitment,  
30 creation, retention, and expansion; minority and small  
31 business development; and rural community development.

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

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

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

24 (f)1. Administer ~~the Florida Enterprise Zone Act under~~  
25 ~~ss. 290.001-290.016,~~ the community contribution tax credit  
26 program under ss. 220.183 and 624.5105, the tax refund program  
27 for qualified target industry businesses under s. 288.106, the  
28 tax-refund program for qualified defense contractors under s.  
29 288.1045, contracts for transportation projects under s.  
30 288.063, ~~the sports franchise facility program under s.~~  
31 ~~288.1162,~~ the professional golf hall of fame facility program

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

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

31



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

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

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

27           (j) Adopt rules, as necessary, to carry out its  
28 functions in connection with the administration of the  
29 Qualified Target Industry program, the Qualified Defense  
30 Contractor program, the Certified Capital Company Act, the  
31

1 Enterprise Zone program, and the Florida First Business Bond  
2 pool.

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

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

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

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

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

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

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

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

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

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

26 163.2523 Grant program.--An Urban Infill and  
27 Redevelopment Assistance Grant Program is created for local  
28 governments. A local government may allocate grant money to  
29 special districts, including community redevelopment agencies,  
30 and nonprofit community development organizations to implement  
31 projects consistent with an adopted urban infill and

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

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

30 420.5087 State Apartment Incentive Loan  
31 Program.--There is hereby created the State Apartment

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

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

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

17 1. Tenant income and demographic targeting objectives  
18 of the corporation.

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

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

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

28 a. Twenty percent of the units in the project for  
29 persons or families who have incomes that do not exceed 50  
30 percent of the state or local median income, whichever is  
31 higher; or

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

6           5. Provision for tenant counseling.

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

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

15           8. Local government contributions and local government  
16 comprehensive planning and activities that promote affordable  
17 housing.

18           9. Project feasibility.

19           10. Economic viability of the project.

20           11. Commitment of first mortgage financing.

21           12. Sponsor's prior experience.

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

23           14. Projects that directly implement or assist  
24 welfare-to-work transitioning.

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

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

29           420.5089 HOME Investment Partnership Program; HOME  
30 fund.--

31

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

6           (a) Demographic targeting objectives of the  
7 corporation.

8           (b) Corporation portfolio diversification.

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

12           (d) Leveraging of HOME funds.

13           (e) Local matching funds.

14           (f) The project's feasibility and long-term economic  
15 viability.

16           (g) Demonstrated capacity of the proposed project's  
17 development team.

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

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

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

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

26           420.5093 State Housing Tax Credit Program.--

27           (3) The corporation shall adopt allocation procedures  
28 that will ensure the maximum use of available tax credits in  
29 order to encourage development of low-income housing and  
30 associated mixed-use projects in urban areas, taking into  
31 consideration the timeliness of the application, the location

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

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

11 420.5099 Allocation of the low-income housing tax  
12 credit.--

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

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

27 159.705 Powers of the authority.--The authority is  
28 authorized and empowered:

29 (10) Other provisions of law to the contrary  
30 notwithstanding, to acquire by lease, without consideration,  
31 purchase, or option any lands owned, administered, managed,



1 controlled, supervised, or otherwise protected by the state or  
2 any of its agencies, departments, boards, or commissions for  
3 the purpose of establishing a research and development park,  
4 subject to being first designated a research and development  
5 authority under the provisions of ss. 159.701-159.7095. The  
6 authority may cooperate with state and local political  
7 subdivisions and with private profit and nonprofit entities to  
8 implement the public purposes set out in s. 159.701. Such  
9 cooperation may include agreements for the use of the  
10 resources of state and local political subdivisions, agencies,  
11 or entities on a fee-for-service basis or on a cost-recovery  
12 basis. A project that is located in a research and development  
13 park and is financed pursuant to the provisions of the Florida  
14 Industrial Development Financing Act may be operated by a  
15 research and development authority, a state university, a  
16 Florida community college, or a governmental agency, provided  
17 that the purpose and operation of such project is consistent  
18 with the purposes and policies enumerated in ss.  
19 159.701-159.7095.

20 Section 8. Section 159.8083, Florida Statutes, is  
21 amended to read:

22 159.8083 Florida First Business allocation pool.--The  
23 Florida First Business allocation pool is hereby established.  
24 The Florida First Business allocation pool shall be available  
25 solely to provide written confirmation for private activity  
26 bonds to finance Florida First Business projects recommended  
27 by Enterprise Florida, Inc., and certified by the Office of  
28 Tourism, Trade, and Economic Development as eligible to  
29 receive a written confirmation. Allocations from such pool  
30 shall be awarded statewide pursuant to procedures specified in  
31 s. 159.805, except that the provisions of s. 159.805(2), (3),

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

1 finance Florida First Business projects and that such projects  
2 are feasible and financially solvent.

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

5 163.3164 Definitions.--As used in this act:

6 (6) "Development" has the meaning given it in s.  
7 380.04 and the exemption given it in s. 380.04(3).

8 Section 10. Paragraph (j) of subsection (5) and  
9 paragraph (eee) of subsection (7) of section 212.08, Florida  
10 Statutes, are amended to read:

11 212.08 Sales, rental, use, consumption, distribution,  
12 and storage tax; specified exemptions.--The sale at retail,  
13 the rental, the use, the consumption, the distribution, and  
14 the storage to be used or consumed in this state of the  
15 following are hereby specifically exempt from the tax imposed  
16 by this chapter.

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

18 (j) Machinery and equipment used in semiconductor  
19 ~~silicon~~ technology production and research and development.--

20 1. Industrial machinery and equipment purchased for  
21 use in semiconductor ~~silicon~~ technology facilities certified  
22 under subparagraph 6.5-to manufacture, process, compound, or  
23 produce semiconductor ~~silicon~~ technology products for sale or  
24 for use by these facilities are exempt from the tax imposed by  
25 this chapter.

26 2. Machinery and equipment are exempt from the tax  
27 imposed by this chapter if purchased for use predominately in  
28 semiconductor ~~silicon~~ wafer research and development  
29 activities in a semiconductor ~~silicon~~ technology research and  
30 development facility certified under subparagraph 6.5-

31

1           3. Building materials purchased for use in  
2 manufacturing or expanding clean rooms in  
3 semiconductor-manufacturing facilities are exempt from the tax  
4 imposed by this chapter.

5           ~~4.3.~~ In addition to meeting the criteria mandated by  
6 subparagraph 1., ~~or~~ subparagraph 2., or subparagraph 3., a  
7 business must be certified by the Office of Tourism, Trade,  
8 and Economic Development as authorized in this paragraph in  
9 order to qualify for exemption under this paragraph.

10           ~~5.4.~~ For items purchased tax exempt pursuant to this  
11 paragraph, possession of a written certification from the  
12 purchaser, certifying the purchaser's entitlement to exemption  
13 pursuant to this paragraph, relieves the seller of the  
14 responsibility of collecting the tax on the sale of such  
15 items, and the department shall look solely to the purchaser  
16 for recovery of tax if it determines that the purchaser was  
17 not entitled to the exemption.

18           ~~6.5-a.~~ To be eligible to receive the exemption  
19 provided by subparagraph 1., ~~or~~ subparagraph 2., or  
20 subparagraph 3., a qualifying business entity shall apply to  
21 Enterprise Florida, Inc. The application shall be developed by  
22 the Office of Tourism, Trade, and Economic Development in  
23 consultation with Enterprise Florida, Inc.

24           b. Enterprise Florida, Inc., shall review each  
25 submitted application and information and determine whether or  
26 not the application is complete within 5 working days. Once an  
27 application is complete, Enterprise Florida, Inc., shall,  
28 within 10 working days, evaluate the application and recommend  
29 approval or disapproval of the application to the Office of  
30 Tourism, Trade, and Economic Development.

31

1           c. Upon receipt of the application and recommendation  
2 from Enterprise Florida, Inc., the Office of Tourism, Trade,  
3 and Economic Development shall certify within 5 working days  
4 those applicants who are found to meet the requirements of  
5 this section and notify the applicant, Enterprise Florida,  
6 Inc., and the department of the certification. If the Office  
7 of Tourism, Trade, and Economic Development finds that the  
8 applicant does not meet the requirements of this section, it  
9 shall notify the applicant and Enterprise Florida, Inc.,  
10 within 10 working days that the application for certification  
11 has been denied and the reasons for denial. The Office of  
12 Tourism, Trade, and Economic Development has final approval  
13 authority for certification under this section.

14           ~~7.6.a. A business certified to receive this exemption~~  
15 may apply once each year for the exemption.

16           ~~b. The first claim submitted by a business may include~~  
17 ~~all eligible expenditures made after the date the business was~~  
18 ~~certified.~~

19           ~~b.c. To apply for the annual exemption, the business~~  
20 ~~shall submit a claim to the Office of Tourism, Trade, and~~  
21 ~~Economic Development, which claim indicates and documents the~~  
22 ~~sales and use taxes otherwise payable on eligible machinery~~  
23 ~~and equipment. The application claim must also indicate, for~~  
24 program evaluation purposes only, the average number of  
25 full-time equivalent employees at the facility over the  
26 preceding calendar year, the average wage and benefits paid to  
27 those employees over the preceding calendar year, ~~and the~~  
28 total investment made in real and tangible personal property  
29 over the preceding calendar year, and the total value of  
30 tax-exempt purchases and taxes exempted during the previous  
31 year or, for the first claim submitted, since the date of

1 ~~certification~~. The department shall assist the Office of  
2 Tourism, Trade, and Economic Development in evaluating and  
3 verifying information provided in the application for  
4 exemption.

5 ~~c.d.~~ The Office of Tourism, Trade, and Economic  
6 Development may use the information reported on the  
7 application ~~claims~~ for evaluation purposes only and shall  
8 prepare an annual report on the exemption program and its cost  
9 and impact. The annual report for the preceding fiscal year  
10 shall be submitted to the Governor, the President of the  
11 Senate, and the Speaker of the House of Representatives by  
12 September 30 of each fiscal year. This report may be submitted  
13 in conjunction with the annual report required in s.  
14 288.095(3)(c).

15 ~~8.7.~~ A business certified to receive this exemption  
16 may elect to designate one or more state universities or  
17 community colleges as recipients of up to 100 percent of the  
18 amount of the exemption for which they may qualify. To receive  
19 these funds, the institution must agree to match the funds so  
20 earned with equivalent cash, programs, services, or other  
21 in-kind support on a one-to-one basis in the pursuit of  
22 research and development projects as requested by the  
23 certified business. The rights to any patents, royalties, or  
24 real or intellectual property must be vested in the business  
25 unless otherwise agreed to by the business and the university  
26 or community college.

27 ~~9.8.~~ As used in this paragraph, the term:

28 a. "Predominately" means at least 50 percent of the  
29 time in qualifying research and development.

30 b. "Research and development" means basic and applied  
31 research in the science or engineering, as well as the design,

1 development, and testing of prototypes or processes of new or  
2 improved products. Research and development does not include  
3 market research, routine consumer product testing, sales  
4 research, research in the social sciences or psychology,  
5 nontechnological activities, or technical services.

6 c. "Semiconductor ~~Silicon~~ technology products" means  
7 raw semiconductor ~~silicon~~ wafers or semiconductor thin films  
8 that are transformed into semiconductor memory or logic  
9 wafers, including wafers containing mixed memory and logic  
10 circuits; related assembly and test operations; active-matrix  
11 flat panel displays; semiconductor chips; semiconductor  
12 lasers; optoelectronic elements;and related semiconductor  
13 ~~silicon~~ technology products as determined by the Office of  
14 Tourism, Trade, and Economic Development.

15 d. "Clean rooms" means manufacturing facilities  
16 enclosed in a manner that meets the clean manufacturing  
17 requirements necessary for high-technology  
18 semiconductor-manufacturing environments.

19 (7) MISCELLANEOUS EXEMPTIONS.--

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

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

29 2. This exemption applies only to industries  
30 classified under SIC Industry Major Group Numbers 10, 12, 13,  
31 14, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,

1 35,36, 37, 38, and 39 and Industry Group Number 212. As used  
2 in this subparagraph, "SIC" means those classifications  
3 contained in the Standard Industrial Classification Manual,  
4 1987, as published by the Office of Management and Budget,  
5 Executive Office of the President.

6 3. This exemption shall be applied as follows:

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

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

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

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

15

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

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

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

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

30 (2) As used in this section, the term:  
31



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

1 that area must be based on the date of application for the  
2 credit under this section. Commonly owned and controlled  
3 entities are to be considered a single business entity.

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

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

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

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

30  
31

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

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

7           3. Highest percentage of reported index crimes that  
8 are violent in nature;

9           4. Highest overall index crime volume for the area;  
10 and

11           5. Highest overall index crime rate for the geographic  
12 area.

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

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

25           212.098 Rural Job Tax Credit Program.--

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

27           (a) "Eligible business" means any sole proprietorship,  
28 firm, partnership, or corporation that is located in a  
29 qualified county and is predominantly engaged in, or is  
30 headquarters for a business predominantly engaged in,  
31 activities usually provided for consideration by firms

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

29 (b) "Qualified employee" means any employee of an  
30 eligible business who performs duties in connection with the  
31 operations of the business on a regular, full-time basis for

1 an average of at least 36 hours per week for at least 3 months  
2 within the qualified county in which the eligible business is  
3 located. An owner or partner of the eligible business is not a  
4 qualified employee.

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

12 1. Highest unemployment rate for the most recent  
13 36-month period.

14 2. Lowest per capita income for the most recent  
15 36-month period.

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

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

21  
22 Tier-one qualified counties are those ranked 1 through 5 and  
23 represent the state's least-developed counties according to  
24 this ranking. Tier-two qualified counties are those ranked 6  
25 through 10, and tier-three counties are those ranked 11  
26 through 17. Notwithstanding this definition, "qualified  
27 county" also means a county that contains an area that has  
28 been designated as a federal Enterprise Community pursuant to  
29 the 1999 Agricultural Appropriations Act. Such a designated  
30 area shall be ranked in tier three until the areas are  
31

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

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

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

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

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

31

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

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

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

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

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

14  
15 The permit applicant must be the governing body of a county or  
16 municipality or a third party under contract with a county or  
17 municipality and the project for which the fee reduction or  
18 waiver is sought must serve a public purpose. If a permit  
19 processing fee is reduced, the total fee shall not exceed  
20 \$100.

21 Section 15. Section 288.012, Florida Statutes, is  
22 amended to read:

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

1 provision of services at these offices can be enhanced through  
2 cooperative agreements or strategic alliances between state  
3 entities, local entities, foreign entities, and private  
4 businesses.

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

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

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

28 (c) By September 1, 1997, the Office of Tourism,  
29 Trade, and Economic Development shall develop a plan for the  
30 disposition of the current foreign offices and the development  
31 and location of additional foreign offices. The plan shall



1 include, but is not limited to, a determination of the level  
2 of funding needed to operate the current offices and any  
3 additional offices and whether any of the current offices need  
4 to be closed or relocated. Enterprise Florida, Inc., the  
5 Florida Tourism Commission, the Florida Ports Council, the  
6 Department of State, the Department of Citrus, and the  
7 Department of Agriculture shall assist the Office of Tourism,  
8 Trade, and Economic Development in the preparation of the  
9 plan. All parties shall cooperate on the disposition or  
10 establishment of the offices and ensure that needed space,  
11 technical assistance, and support services are provided to  
12 such entities at such foreign offices.

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

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

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

28 (c) Provisions for access to information for Florida  
29 businesses through the Florida Trade Data Center. Each  
30 foreign office shall obtain and forward trade leads and  
31

1 inquiries to the center on a regular basis as called for in  
2 the plan pursuant to paragraph (1)(c).

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

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

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

26 (3) By October 1 of each year, each foreign office  
27 shall submit to Enterprise Florida, Inc., or the Florida  
28 Commission on Tourism ~~the Office of Tourism, Trade, and~~  
29 ~~Economic Development~~ a complete and detailed report on its  
30 activities and accomplishments during the preceding fiscal  
31

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

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

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

16           (c) As used in this subsection, the term "plan of  
17 operation" means the plan developed pursuant to subsection  
18 (2).

19           (d) Upon final action by the Governor with respect to  
20 a request to exercise the exemption authorized in this  
21 subsection, the Office of Tourism, Trade, and Economic  
22 Development shall report such action, along with the original  
23 request and any modifications thereto, to the President of the  
24 Senate and the Speaker of the House of Representatives within  
25 30 days.

26           (5) Where feasible and appropriate, and subject to s.  
27 288.1224(10), foreign offices established and operated under  
28 this section may provide one-stop access to the economic  
29 development, trade, and tourism information, services, and  
30 programs of the state. Where feasible and appropriate, and  
31

1 subject to s. 288.1224(10), such offices may also be  
2 collocated with other foreign offices of the state.

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

16 Section 16. Section 288.018, Florida Statutes, is  
17 amended to read:

18 288.018 Regional Rural Development Grants Program.--

19 (1) Enterprise Florida, Inc., shall administer ~~The~~  
20 ~~Office of Tourism, Trade, and Economic Development shall~~  
21 ~~establish~~ a matching grant program to provide funding to  
22 regionally based economic development organizations  
23 representing rural counties and communities for the purpose of  
24 building the professional capacity of their organizations.  
25 Upon recommendation by Enterprise Florida, Inc., the Office of  
26 Tourism, Trade, and Economic Development is authorized to  
27 approve, on an annual basis, grants to such regionally based  
28 economic development organizations. The maximum amount an  
29 organization may receive in any year will be \$35,000, or  
30 \$100,000 in a rural area of critical economic concern  
31 recommended by the Rural Economic Development Initiative and

1 designated by the Governor, and must be matched each year by  
2 an equivalent amount of nonstate resources.

3 (2) In recommending the awards for funding, Enterprise  
4 Florida, Inc., ~~approving the participants, the Office of~~  
5 ~~Tourism, Trade, and Economic Development~~ shall consider the  
6 demonstrated need of the applicant for assistance and require  
7 the following:

8 (a) Documentation of official commitments of support  
9 from each of the units of local government represented by the  
10 regional organization.

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

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

16 (d) Demonstration that the organization is in  
17 existence and actively involved in economic development  
18 activities serving the region.

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

22 (3) The Office of Tourism, Trade, and Economic  
23 Development may approve awards ~~expend~~ up to a total of  
24 \$600,000 each fiscal year from funds appropriated to the Rural  
25 Community Development Revolving Loan Fund for the purposes  
26 outlined in this section.

27 Section 17. Section 288.064, Florida Statutes, is  
28 created to read:

29 288.064 Legislative intent on rural economic  
30 development.--

31

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

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

27           (3) It is the intent of the Legislature to provide for  
28 the most efficient and effective delivery of programs of  
29 assistance and support to rural communities, including the  
30 use, where appropriate, of regulatory flexibility through  
31 multiagency coordination and adequate funding. The Legislature

1 determines and declares that the provision of such assistance  
2 and support in this manner fulfills an important state  
3 interest.

4 Section 18. Paragraph (d) of subsection (2) and  
5 subsection (4) of section 288.0655, Florida Statutes, are  
6 amended to read:

7 288.0655 Rural Infrastructure Fund.--

8 (2)

9 (d) By September 1, 2000 ~~1999~~, the office shall pursue  
10 execution of a memorandum of agreement with the United States  
11 Department of Agriculture under which state funds available  
12 through the Rural Infrastructure Fund may be advanced, in  
13 excess of the prescribed state share, for a project that has  
14 received from the department a preliminary determination of  
15 eligibility for federal financial support. State funds in  
16 excess of the prescribed state share which are advanced  
17 pursuant to this paragraph and the memorandum of agreement  
18 shall be reimbursed when funds are awarded under an  
19 application for federal funding.

20 (4) By September 1, 2000 ~~1999~~, the office shall, in  
21 consultation with the organizations listed in subsection (3),  
22 and other organizations, develop guidelines and criteria  
23 governing submission of applications for funding, review and  
24 evaluation of such applications, and approval of funding under  
25 this section. The office shall consider factors including, but  
26 not limited to, the project's potential for enhanced job  
27 creation or increased capital investment, the demonstration of  
28 local public and private commitment, the location of the  
29 project in an enterprise zone, the location of the project in  
30 a community development corporation service area ~~as defined in~~  
31 ~~s. 290.035(2)~~, the location of the project in a county



1 designated under s. 212.097, the unemployment rate of the  
2 surrounding area, and the poverty rate of the community.

3 Section 19. Subsection (2) of section 288.0656,  
4 Florida Statutes, is amended and subsection (9) is added to  
5 that section to read:

6 288.0656 Rural Economic Development Initiative.--

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

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

17 (b) "Rural community" means:

- 18 1. A county with a population of 75,000 or less.
- 19 2. A county with a population of 100,000 or less that  
20 is contiguous to a county with a population of 75,000 or less.
- 21 3. A municipality within a county described in  
22 subparagraph 1. or subparagraph 2.

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

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

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

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

26 Section 20. Section 288.1088, Florida Statutes, is  
27 amended to read:

28 288.1088 Quick Action Closing Fund.--

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

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

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

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

29 (3)(a) Enterprise Florida, Inc., shall evaluate  
30 individual proposals for target-industry businesses  
31 ~~high-impact business facilities~~ and forward recommendations

1 regarding the use of moneys in the fund for such projects  
2 ~~facilities~~ to the director of the Office of Tourism, Trade,  
3 and Economic Development. Such evaluation and recommendation  
4 must include, but need not be limited to:

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

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

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

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

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

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

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

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

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

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

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

30 (1) The direct-support organization authorized under  
31 s. 288.1229 ~~Office of Tourism, Trade, and Economic Development~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

3 Section 22. Section 288.1168, Florida Statutes, is  
4 amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

31

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

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

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

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

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

19 Section 23. Section 288.1169, Florida Statutes, is  
20 amended to read:

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

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

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

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

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

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

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

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

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

31

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

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

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

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

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

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

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

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

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



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

10 Section 24. Section 288.1185, Florida Statutes, is  
11 transferred, renumbered as section 403.7155, Florida Statutes,  
12 and amended to read:

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

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

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

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

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

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

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

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

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

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

31

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

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

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

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

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

27           2. Pursuing expanded end uses for recycled materials.

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

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

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

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

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

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

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

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

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

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

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

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

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

31

1           Section 26. Paragraph (f) of subsection (5) of section  
2 288.1226, Florida Statutes, is amended to read:

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

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

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

24           Section 27. Subsection (10) is added to section  
25 288.1229, Florida Statutes, to read:

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

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

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

11 Section 28. Section 288.1251, Florida Statutes, is  
12 amended to read:

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

16 (1) CREATION.--

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

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

30  
31

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

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

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

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

12           (2) POWERS AND DUTIES.--

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

31

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

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

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

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

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

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

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

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

31

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

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

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

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

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

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

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

3 Section 29. Section 288.1252, Florida Statutes, is  
4 amended to read:

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

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

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

18 (3) MEMBERSHIP.--

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

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

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

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

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

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

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

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

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

31

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

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

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

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

10 (4) MEETINGS; ORGANIZATION.--

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 Section 30. Section 288.1253, Florida Statutes, is  
8 amended to read:

9 288.1253 Travel and entertainment expenses.--

10 (1) As used in this section:

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

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

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

31



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

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

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

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

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

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

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

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

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

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

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

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

10 Section 31. Section 288.7011, Florida Statutes, is  
11 amended to read:

12 288.7011 Assistance to certified development  
13 corporation.--The Office of Tourism, Trade, and Economic  
14 Development is authorized to enter into contracts with a  
15 nonprofit, statewide development corporation certified  
16 pursuant to s. 503 of the Small Business Investment Act of  
17 1958, as amended, to permit such corporation to locate and  
18 contract for administrative and technical staff assistance and  
19 support, including, without limitation, assistance to the  
20 development corporation in the packaging and servicing of  
21 loans for the purpose of stimulating and expanding the  
22 availability of private equity capital and long-term loans to  
23 small businesses. Such assistance and support will cease when  
24 the corporation has received state support in an amount the  
25 equivalent of \$250,000 per year over a 4-year ~~5-year~~ period  
26 beginning July 1, 1997. Any contract between the office and  
27 such corporation shall specify that the records of the  
28 corporation must be available for audit by the office and by  
29 the Auditor General.

30 Section 32. Subsections (2) and (7) of section  
31 288.901, Florida Statutes, are amended to read:

1           288.901 Enterprise Florida, Inc.; creation;  
2 membership; organization; meetings; disclosure.--

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

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

28           Section 33. Subsection (2) of section 288.9015,  
29 Florida Statutes, is amended to read:

30           288.9015 Enterprise Florida, Inc.; purpose; duties.--  
31

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

20           Section 34. Section 288.980, Florida Statutes, is  
21 amended to read:

22           288.980 Military base retention; legislative intent;  
23 grants program.--

24           (1)(a) It is the intent of this state to provide the  
25 necessary means to assist communities with military  
26 installations that would be adversely affected by federal base  
27 realignment or closure actions. It is further the intent to  
28 encourage communities to initiate a coordinated program of  
29 response and plan of action in advance of future actions of  
30 the federal Base Realignment and Closure Commission. It is  
31 critical that closure-vulnerable communities develop such a

1 program to preserve affected military installations. The  
2 Legislature hereby recognizes that the state needs to  
3 coordinate all efforts that can facilitate the retention of  
4 all remaining military installations in the state. The  
5 Legislature, therefore, declares that providing such  
6 assistance to support the defense-related initiatives within  
7 this section is a public purpose for which public money may be  
8 used.

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

20 (2)(a) The Office of Tourism, Trade, and Economic  
21 Development is authorized to award grants based upon the  
22 recommendation of Enterprise Florida, Inc., and for  
23 administration by Enterprise Florida, Inc., from funds  
24 specifically appropriated ~~any funds available~~ to it to support  
25 activities related to the retention of military installations  
26 potentially affected by federal base closure or realignment.

27 (b) The term "activities" as used in this section  
28 means studies, presentations, analyses, plans, and modeling.  
29 Staff salaries are not considered an "activity" for which  
30 grant funds may be awarded. Travel costs and costs incidental  
31

1 thereto incurred by a grant recipient shall be considered an  
2 "activity" for which grant funds may be awarded.

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

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

13 2. Agree to match at least 30 percent of any grant  
14 awarded.

15 3. Prepare a coordinated program or plan of action  
16 delineating how the eligible project will be administered and  
17 accomplished.

18 4. Provide documentation describing the potential for  
19 realignment or closure of a military installation located in  
20 the applicant's community and the adverse impacts such  
21 realignment or closure will have on the applicant's community.

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

25 1. The relative value of the particular military  
26 installation in terms of its importance to the local and state  
27 economy relative to other military installations vulnerable to  
28 closure.

29 2. The potential job displacement within the local  
30 community should the military installation be closed.

31



1           3. The potential adverse impact on industries and  
2 technologies which service the military installation.

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

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

24           (b) The Florida Defense Implementation Grant Program,  
25 through which funds shall be made available to  
26 defense-dependent communities to implement the diversification  
27 strategies developed pursuant to paragraph (a). Eligible  
28 applicants include defense-dependent counties and cities, and  
29 local economic development councils located within such  
30 communities. Grant awards may not exceed \$100,000 per  
31

1 applicant and shall be available on a competitive basis.

2 Awards shall be matched on a one-to-one basis.

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

10

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

19 (4)(a) The Defense-Related Business Adjustment Program  
20 is ~~hereby~~ created. Enterprise Florida, Inc., ~~The Director of~~  
21 ~~the Office of Tourism, Trade, and Economic Development~~ shall  
22 coordinate the development of the Defense-Related Business  
23 Adjustment Program. Funds shall be available to assist  
24 defense-related companies in the creation of increased  
25 commercial technology development through investments in  
26 technology. Such technology must have a direct impact on  
27 critical state needs for the purpose of generating  
28 investment-grade technologies and encouraging the partnership  
29 of the private sector and government defense-related business  
30 adjustment. The following areas shall receive precedence in  
31 consideration for funding commercial technology development:

1 law enforcement or corrections, environmental protection,  
2 transportation, education, and health care. Travel and costs  
3 incidental thereto, and staff salaries, are not considered an  
4 "activity" for which grant funds may be awarded.

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

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

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

16 3. Prepare a coordinated program or plan delineating  
17 how the funds will be administered.

18 4. Provide documentation describing how  
19 defense-related realignment or closure will adversely impact  
20 defense-related companies.

21 (5) The Retention of Military Installations Program is  
22 created. The Director of the Office of Tourism, Trade, and  
23 Economic Development shall coordinate and implement this  
24 program. The sum of \$1.2 million is appropriated from the  
25 General Revenue Fund for fiscal year 1999-2000 to the Office  
26 of Tourism, Trade, and Economic Development to implement this  
27 program for military installations located in counties with a  
28 population greater than 824,000. The funds shall be used to  
29 assist military installations potentially affected by federal  
30 base closure or realignment in covering current operating  
31 costs in an effort to retain the installation in this state.

1 An eligible military installation for this program shall  
2 include a provider of simulation solutions for war-fighting  
3 experimentation, testing, and training which employs at least  
4 500 civilian and military employees and has been operating in  
5 the state for a period of more than 10 years.

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

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

18 (8) Enterprise Florida, Inc.,~~The Office of Tourism,~~  
19 ~~Trade, and Economic Development~~ shall develop ~~establish~~  
20 guidelines to implement and carry out the purpose and intent  
21 of this section. The Office of Tourism, Trade, and Economic  
22 Development must approve the guidelines before their  
23 implementation.

24 Section 35. Subsections (8) and (12), paragraph (h) of  
25 subsection (10), and paragraph (b) of subsection (14) of  
26 section 288.99, Florida Statutes, are amended, and subsection  
27 (15) is added to that section, to read:

28 288.99 Certified Capital Company Act.--

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

30 (a) On an annual basis, on or before December 31, each  
31 certified capital company shall file with the department and

1 the office, in consultation with the office ~~department~~, on a  
2 form prescribed by the office, for each calendar year:

3 1. The total dollar amount the certified capital  
4 company received from certified investors, the identity of the  
5 certified investors, and the amount received from each  
6 certified investor during the calendar year.

7 2. The total dollar amount the certified capital  
8 company invested and the amount invested in qualified  
9 businesses, together with the identity and location of those  
10 businesses and the amount invested in each qualified business.

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

18 (b) The form shall be verified by one or more  
19 principals of the certified capital company submitting the  
20 form. Verification shall be accomplished as provided in s.  
21 92.525(1)(b) and subject to the provisions of s. 92.525(3).

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

25 1. That the businesses in which certified capital has  
26 been invested by the certified capital company are in fact  
27 qualified businesses, and that the amount of certified capital  
28 invested by the certified capital company is as represented in  
29 the form.

30 2. The amount of certified capital invested in the  
31 certified capital company by the certified investors.

1           3. The amount of premium tax credit available to  
2 certified investors.

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

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

11           (10) DECERTIFICATION.--

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

16           (12) REPORTING REQUIREMENTS.--The office shall report  
17 annually ~~on an annual basis~~ to the Governor, the President of  
18 the Senate, and the Speaker of the House of Representatives on  
19 or before April 1:

20           (a) The total dollar amount each certified capital  
21 company received from all certified investors and any other  
22 investor, the identity of the certified investors, and the  
23 total amount of premium tax credit used by each certified  
24 investor for the previous calendar year.

25           (b) The total dollar amount invested by each certified  
26 capital company and that portion invested in qualified  
27 businesses, the identity and location of those businesses, the  
28 amount invested in each qualified business, and the total  
29 number of permanent, full-time jobs created or retained by  
30 each qualified business.

31

1 (c) The return for the state as a result of the  
2 certified capital company investments, including the extent to  
3 which:

4 1. Certified capital company investments have  
5 contributed to employment growth.

6 2. The wage level of businesses in which certified  
7 capital companies have invested exceed the average wage for  
8 the county in which the jobs are located.

9 3. The investments of the certified capital companies  
10 in qualified businesses have contributed to expanding or  
11 diversifying the economic base of the state.

12 (14) RULEMAKING AUTHORITY.--

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

19 (15) ADDITIONAL CERTIFICATIONS.--Notwithstanding the  
20 dates established in paragraphs (4)(b), (c), and (e), an  
21 applicant for certification as a certified capital company may  
22 file an application of the type specified in paragraph (4)(b)  
23 to become a "certified capital company" under this section  
24 between July 1, 2000, and September 1, 2000, in the manner  
25 prescribed in subsection (4).

26 Section 36. Section 290.004, Florida Statutes, is  
27 amended to read:

28 290.004 Definitions.--As used in ss. 290.001-290.016:

29 (1) "Community investment corporation" means a black  
30 business investment corporation, a certified development  
31 corporation, a small business investment corporation, or other

1 similar entity incorporated under Florida law that has limited  
2 its investment policy to making investments solely in minority  
3 business enterprises.

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

5 (2)(3) "Director" means the director of the Office of  
6 Tourism, Trade, and Economic Development.

7 (3)(4) "Governing body" means the council or other  
8 legislative body charged with governing the county or  
9 municipality.

10 (4)(5) "Interagency coordinating council" means the  
11 Enterprise Zone Interagency Coordinating Council created  
12 pursuant to s. 290.009.

13 (5)(6) "Minority business enterprise" has the same  
14 meaning as in s. 288.703.

15 (6)(7) "Office" means the Office of Tourism, Trade,  
16 and Economic Development.

17 (7) "Rural enterprise zone" means an enterprise zone  
18 that is nominated by a county having a population of 75,000 or  
19 fewer, or a county having a population of 100,000 or fewer  
20 which is contiguous to a county having a population of 75,000  
21 or fewer, or by a municipality in such a county, or by such a  
22 county and one or more municipalities. An enterprise zone  
23 designated in accordance with s. 370.28 shall be considered a  
24 rural enterprise zone.

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

26 (8)(9) "Small business" has the same meaning as in s.  
27 288.703.

28 Section 37. Subsections (11) and (12) of section  
29 290.0056, Florida Statutes, are amended to read:

30 290.0056 Enterprise zone development agency.--

31



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

5           (a) Its operations and accomplishments during the  
6 fiscal year.

7           (b) The accomplishments and progress concerning the  
8 implementation of the strategic plan.

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

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

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

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

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

22           Section 38. Subsection (5) of section 290.0058,  
23 Florida Statutes, is amended to read:

24           290.0058 Tests of pervasive poverty, unemployment, and  
25 general distress.--

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

31

1           Section 39. Subsections (1), (4), (5), (6), (7), and  
2 (9) of section 290.0065, Florida Statutes, are amended to  
3 read:

4           290.0065 State designation of enterprise zones.--

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

23           (4)(a) Notwithstanding s. 290.0055, any area existing  
24 as a state enterprise zone as of the effective date of this  
25 section and originally approved through a joint application  
26 from a county and municipality, or through an application from  
27 a county as defined in s. 125.011(1), shall be redesignated as  
28 a state enterprise zone upon the creation of an enterprise  
29 zone development agency pursuant to s. 290.0056 and the  
30 completion of a strategic plan pursuant to s. 290.0057. Any  
31 area redesignated pursuant to this subsection, other than an

1 area located in a county defined in s. 125.011(1), may be  
2 relocated or modified by the appropriate governmental bodies.  
3 Such relocation or modification shall be identified in the  
4 strategic plan and shall meet the requirements for designation  
5 as established by s. 290.005. Any relocation or modification  
6 shall be submitted on or before June 1, 1996.

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

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

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

23 (a) An area designated as an urban empowerment zone or  
24 urban enterprise community pursuant to Title XIII of the  
25 Omnibus Budget Reconciliation Act of 1993 or the Taxpayer  
26 Relief Act of 1997 shall be designated a state enterprise zone  
27 by the office ~~department~~ upon completion of the requirements  
28 set out in paragraph (d), except in the case of a county as  
29 defined in s. 125.011(1) which, notwithstanding s. 290.0055,  
30 may incorporate and include such designated urban empowerment  
31 zone or urban enterprise community areas within the boundaries

1 of its state enterprise zones without any limitation as to  
2 size.

3 (b) An area designated as a rural empowerment zone or  
4 rural enterprise community pursuant to Title XIII of the  
5 Omnibus Budget Reconciliation Act of 1993 or the 1999  
6 Agricultural Appropriations Act shall be designated a state  
7 enterprise zone by the office ~~department~~ upon completion of  
8 the requirements set out in paragraph (d).

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

13 (d) Prior to recommending that the office designate  
14 ~~designating~~ such areas as state enterprise zones, Enterprise  
15 Florida, Inc., ~~the department~~ shall ensure that the governing  
16 body having jurisdiction over the zone submits the strategic  
17 plan required pursuant to 7 C.F.R. part 25 or 24 C.F.R. part  
18 597 to Enterprise Florida, Inc. ~~the department~~, and creates an  
19 enterprise zone development agency pursuant to s. 290.0056.

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

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

31

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

4           (c) Such guidelines may ~~rules shall~~ provide for the  
5 evaluation of the strategic plan and local fiscal and  
6 regulatory incentives for effectiveness, including how the  
7 following key principles will be implemented by the governing  
8 body or bodies:

9           1. Economic opportunity, including job creation within  
10 the community and throughout the region, as well as  
11 entrepreneurial initiatives, small business expansion, and  
12 training for jobs that offer upward mobility.

13           2. Sustainable community development that advances the  
14 creation of livable and vibrant communities through  
15 comprehensive approaches that coordinate economic, physical,  
16 community, and human development.

17           3. Community-based partnerships involving the  
18 participation of all segments of the community.

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

26           5. Local fiscal and regulatory incentives enacted  
27 pursuant to s. 290.0057(1)(e). These incentives should induce  
28 economic revitalization, including job creation and small  
29 business expansion.

30           (d) Such guidelines may ~~rules shall~~ provide methods  
31 for evaluating the prospects for new investment and economic

1 development in the area, including a review and evaluation of  
2 any previous state enterprise zones located in the area.

3 (7) Upon approval by the director ~~secretary~~ of a  
4 resolution authorizing an area to be an enterprise zone  
5 pursuant to this section, the office ~~department~~ shall assign a  
6 unique identifying number to that resolution. The office  
7 ~~department~~ shall provide the Department of Revenue and  
8 Enterprise Florida, Inc., with a copy of each resolution  
9 approved, together with its identifying number.

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

17 Section 40. Subsection (1) of section 290.0066,  
18 Florida Statutes, is amended to read:

19 290.0066 Revocation of enterprise zone designation.--

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

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

26 (b) Have not complied substantially with the strategic  
27 plan.

28 Section 41. Section 290.00675, Florida Statutes, is  
29 amended to read:

30 290.00675 Amendment of certain enterprise zone  
31 boundaries.--Notwithstanding any other provisions of law, upon

1 recommendation by Enterprise Florida, Inc., the Office of  
2 Tourism, Trade, and Economic Development may amend the  
3 boundaries of an area designated as an enterprise zone in a  
4 community having a population of 235,000 persons but less than  
5 245,000, so long as the area does not increase the overall  
6 size of the zone by greater than 25 acres and the increased  
7 area is contiguous to the existing enterprise zone. The  
8 amendment must also be consistent with the limitations imposed  
9 by s. 290.0055 upon establishment of the enterprise zone.

10 Section 42. Section 290.00676, Florida Statutes, is  
11 created to read:

12 290.00676 Amendment of rural enterprise zone  
13 boundaries.--Notwithstanding any other provision of law, upon  
14 recommendation by Enterprise Florida, Inc., the Office of  
15 Tourism, Trade, and Economic Development may amend the  
16 boundaries of a rural enterprise zone. For purposes of  
17 boundary amendments, an enterprise zone designated under s.  
18 370.28 shall be considered a rural enterprise zone and is  
19 eligible for amendment of its boundaries. Boundary amendments  
20 authorized by this section are subject to the following  
21 requirements:

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

24 (2) The amendment may increase the number of  
25 noncontiguous areas by one, if that noncontiguous area has  
26 zero population. For purposes of this subsection, the  
27 pervasive poverty criteria may be set aside for the addition  
28 of a noncontiguous parcel.

29 (3) The local enterprise zone development agency must  
30 request the amendment from Enterprise Florida, Inc., prior to  
31 December 30, 2000. The request must contain maps and

1 sufficient information to allow the office to determine the  
2 number of noncontiguous areas and the total size of the rural  
3 enterprise zone.

4 Section 43. Section 290.00677, Florida Statutes, is  
5 created to read:

6 290.00677 Rural enterprise zones; special  
7 qualifications.--

8 (1) Notwithstanding the enterprise zone residency  
9 requirements set out in ss. 212.096(1)(c) and 220.03(1)(q),  
10 businesses located in rural enterprise zones may receive the  
11 credit provided under s. 212.096 or s. 220.181 for hiring any  
12 person within the jurisdiction of a rural county, as defined  
13 by s. 288.106(2)(r). All other provisions of ss. 212.096,  
14 220.03(1)(q), and 220.181 apply to such businesses.

15 (2) Notwithstanding the requirement specified in ss.  
16 212.08(5)(g)5., (5)(h)5., and (15)(a), 212.096(2)(b)1.,  
17 220.181(1)(a)1., and 220.182(1)(b) that no less than 20  
18 percent of a business's employees, excluding temporary and  
19 part-time employees, must be residents of an enterprise zone  
20 for the business to qualify for the maximum exemption or  
21 credit provided in ss. 212.08(5)(g) and (h) and (15),  
22 212.096(2)(b)1., 220.181(1)(a)1., and 220.182, a business that  
23 is located in a rural enterprise zone shall be qualified for  
24 those maximum exemptions or credits if no less than 20 percent  
25 of such employees of the business are residents of a rural  
26 county, as defined by s. 288.106(2)(r). All other provisions  
27 of ss. 212.08(5)(g) and (h) and (15), 212.096, 220.181, and  
28 220.182 apply to such business.

29 (3) Notwithstanding the time limitations contained in  
30 chapters 212 and 220, a business eligible to receive tax  
31 credits under this section from January 1, 2000, to June 1,



1 2000, must submit an application for the tax credits by  
2 December 1, 2000. All other requirements of the enterprise  
3 zone program apply to such a business.

4 Section 44. Section 290.00689, Florida Statutes, is  
5 amended to read:

6 290.00689 Designation of enterprise zone pilot project  
7 area.--

8 (1) The Office of Tourism, Trade, and Economic  
9 Development shall designate one pilot project area within one  
10 state enterprise zone. The Office of Tourism, Trade, and  
11 Economic Development shall select a pilot project area by July  
12 1, 1999, which meets the following qualifications:

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

16 (b) The local government having jurisdiction over the  
17 enterprise zone grants economic development ad valorem tax  
18 exemptions in the enterprise zone pursuant to s. 196.1995, and  
19 electrical energy public service tax exemptions pursuant to s.  
20 166.231(8).

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

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

1           (e) The pilot project area contains a diverse cluster  
2 or grouping of facilities or space for a mix of retail,  
3 restaurant, or service related businesses necessary to an  
4 overall revitalization of surrounding neighborhoods through  
5 community involvement, investment, and enhancement of  
6 employment markets.

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

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

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

29           (d) In order to be eligible to apply to Enterprise  
30 Florida, Inc., ~~the Office of Tourism, Trade, and Economic~~  
31

1 ~~Development~~ for tax credits under this section a business  
2 must:

3       1. Have entered into a contract with the developer of  
4 the diverse cluster or grouping of facilities or space located  
5 in the pilot project area, governing lease of commercial space  
6 in a facility.

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

9       3. Be a business predominantly engaged in activities  
10 usually provided for consideration by firms classified under  
11 the Standard Industrial Classification Manual Industry Number  
12 5311, Industry Number 5399, or Industry Number 7832.

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

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

26       (g) Upon the recommendation of Enterprise Florida,  
27 Inc.,the decision of the director shall be in writing, and,  
28 if approved, ~~the application~~ shall state the maximum credits  
29 allowable to the business. A copy of the decision shall be  
30 transmitted to Enterprise Florida, Inc., and to the executive  
31

1 director of the Department of Revenue, who shall apply such  
2 credits to the tax liabilities of the business firm.

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

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

11 (3)~~(4)~~ The Department of Revenue shall adopt any rules  
12 necessary to ensure the orderly implementation and  
13 administration of this section.

14 (4)~~(5)~~ For purposes of this section, "business" and  
15 "taxable year" shall have the same meaning as in s. 220.03.

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

1           ~~(6)(7)~~ This section shall stand repealed on June 30,  
2 2010, and any designation made pursuant to this section shall  
3 be revoked on that date.

4           Section 45. Section 290.00694, Florida Statutes, is  
5 created to read:

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

21           Section 46. Section 290.009, Florida Statutes, is  
22 amended to read:

23           290.009 Enterprise Zone Interagency Coordinating  
24 Council.--

25           (1) There is created within the Office of Tourism,  
26 Trade, and Economic Development the Enterprise Zone  
27 Interagency Coordinating Council. The council shall be  
28 composed of the secretaries or executive directors, or their  
29 designees, of the Department of Community Affairs, the Office  
30 of Tourism, Trade, and Economic Development, the Department of  
31 Children and Family Services, the Department of Health, the

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

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

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

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

18 (c) Assist in the selection of designated enterprise  
19 zones for participation in the enterprise zone linked deposit  
20 program pursuant to s. 290.0075.

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

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

27 Section 47. Section 290.014, Florida Statutes, is  
28 amended to read:

29 290.014 Annual reports on enterprise zones.--

30 (1) By February 1 of each year, the Department of  
31 Revenue shall submit an annual report to Enterprise Florida,

1 ~~Inc., the Office of Tourism, Trade, and Economic Development~~  
2 detailing the usage and revenue impact by county of the state  
3 incentives listed in s. 290.007.

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

15 Section 48. Subsection (2) of section 290.046, Florida  
16 Statutes, is amended to read:

17 290.046 Applications for grants; procedures;  
18 requirements.--

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

27 (b) Except as provided in paragraph (c), each eligible  
28 local government may apply during each ~~up to three times in~~  
29 ~~any one~~ annual funding cycle for grants ~~a grant~~ under the  
30 economic development program category but shall receive  
31 cumulative awards no more than the applicable grant ceiling

1 established by the department ~~one such grant~~ per annual  
2 funding cycle under s. 290.047(2). Applications for grants  
3 under the economic development program category may be  
4 submitted at any time during the annual funding cycle, and  
5 such grants shall be awarded no less frequently than three  
6 times per funding cycle. The department shall establish  
7 minimum criteria pertaining to the number of jobs created for  
8 persons of low or moderate income, the degree of private  
9 sector financial commitment, and the economic feasibility of  
10 the proposed project and shall establish any other criteria  
11 the department deems appropriate. Assistance to a private,  
12 for-profit business may not be provided from a grant award  
13 unless sufficient evidence exists to demonstrate that without  
14 such public assistance the creation or retention of such jobs  
15 would not occur.

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

30 2. Local governments with an open economic development  
31 community development block grant contract or contracts whose



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

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

24 Section 49. Subsection (7) is added to section  
25 290.048, Florida Statutes, to read:

26 290.048 General powers of Department of Community  
27 Affairs under ss. 290.0401-290.049.--The department has all  
28 the powers necessary or appropriate to carry out the purposes  
29 and provisions of the program, including the power to:

30 (7) Establish advisory committees and solicit  
31 participation in the design, implementation, and evaluation of

1 the program and its linkages with other housing, community  
2 development, and economic development resources.

3 Section 50. Section 290.049, Florida Statutes, is  
4 repealed.

5 Section 51. Subsection (6) of section 373.4149,  
6 Florida Statutes, is amended to read:

7 373.4149 Miami-Dade County Lake Belt Plan.--

8 (6) The Miami-Dade County Lake Belt Plan  
9 Implementation Committee shall be appointed by the governing  
10 board of the South Florida Water Management District to  
11 develop a strategy for the design and implementation of the  
12 Miami-Dade County Lake Belt Plan. The committee shall consist  
13 of the chair of the governing board of the South Florida Water  
14 Management District, who shall serve as chair of the  
15 committee, the policy director of Environmental and Growth  
16 Management in the office of the Governor, the secretary of the  
17 Department of Environmental Protection, the director of the  
18 Division of Water Facilities or its successor division within  
19 the Department of Environmental Protection, ~~the director of~~  
20 ~~the Office of Tourism, Trade, and Economic Development within~~  
21 ~~the office of the Governor,~~ the secretary of the Department of  
22 Community Affairs, the executive director of the Game and  
23 Freshwater Fish Commission, the director of the Department of  
24 Environmental Resource Management of Miami-Dade County, the  
25 director of the Miami-Dade County Water and Sewer Department,  
26 the Director of Planning in Miami-Dade County, a  
27 representative of the Friends of the Everglades, a  
28 representative of the Florida Audubon Society, a  
29 representative of the Florida chapter of the Sierra Club, four  
30 representatives of the nonmining private landowners within the  
31 Miami-Dade County Lake Belt Area, and four representatives

1 from the limestone mining industry to be appointed by the  
2 governing board of the South Florida Water Management  
3 District. Two ex officio seats on the committee will be filled  
4 by one member of the Florida House of Representatives to be  
5 selected by the Speaker of the House of Representatives from  
6 among representatives whose districts, or some portion of  
7 whose districts, are included within the geographical scope of  
8 the committee as described in subsection (3), and one member  
9 of the Florida Senate to be selected by the President of the  
10 Senate from among senators whose districts, or some portion of  
11 whose districts, are included within the geographical scope of  
12 the committee as described in subsection (3). The committee  
13 may appoint other ex officio members, as needed, by a majority  
14 vote of all committee members. A committee member may  
15 designate in writing an alternate member who, in the member's  
16 absence, may participate and vote in committee meetings.

17       Section 52. The Institute of Food and Agricultural  
18 Sciences at the University of Florida is authorized to enter  
19 into contracts with the U.S. Department of Agriculture and may  
20 receive grants of money to support the Florida State Rural  
21 Development Council.

22       Section 53. The Workforce Development Board of  
23 Enterprise Florida, Inc., shall develop, in consultation with  
24 the State Board of Community Colleges and the Division of  
25 Workforce Development of the Department of Education, a policy  
26 authorizing the placement of Workforce Investment Act clients  
27 and other training program clients in self-employment as a  
28 means job placement. Notwithstanding any other provision of  
29 law, such policy shall define the conditions necessary,  
30 including documentation of income, for self-employment to  
31

1 qualify as job placement for Workforce Investment Act programs  
2 and Workforce Development Education Fund programs.

3 Section 54. Extraordinary economic development  
4 opportunities and threats; responsibilities of the Office of  
5 Tourism, Trade, and Economic Development and Enterprise  
6 Florida, Inc.; creation of Economic Development Leadership  
7 Council.--

8 (1) The Office of Tourism, Trade, and Economic  
9 Development, in conjunction with Enterprise Florida, Inc.,  
10 shall establish a unit within the office responsible for  
11 forecasting extraordinary economic development opportunities  
12 and extraordinary economic development threats with the  
13 potential to affect significantly the economy of the state.  
14 The unit also shall be responsible for coordinating  
15 development and implementation of an action plan to address,  
16 in a proactive manner, such opportunities or threats. The unit  
17 shall be composed of staff members from the office and from  
18 Enterprise Florida, Inc., who are designated by the director  
19 of the office and the president of Enterprise Florida, Inc.

20 (2) For the purposes of this section, the term  
21 "extraordinary economic development opportunity" includes an  
22 economic development project, whether associated with the  
23 expansion of an existing business in the state or the location  
24 of a new business to the state, which has the potential to  
25 result in the creation of at least 500 jobs in the state or a  
26 cumulative investment in the state of at least \$100 million.  
27 The term "extraordinary economic development threat" includes  
28 the potential loss of at least 500 jobs in the state because  
29 of the reorganization, closure, or relocation out of the state  
30 by an existing business in the state.

31

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

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

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

8           (c) Reviewing and understanding trade publications for  
9 business sectors that are strategically important to the state  
10 economy;

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

15           (e) Preparing contingency plans to enable the state to  
16 respond rapidly and effectively to extraordinary economic  
17 development opportunities or threats;

18           (f) Documenting lessons learned from extraordinary  
19 economic development opportunities and threats once they have  
20 occurred; and

21           (g) Working with local and regional economic  
22 development organizations to forecast extraordinary economic  
23 development opportunities and threats.

24           (4) There is created the Economic Development  
25 Leadership Council, which shall be responsible for providing  
26 state leadership in response to an extraordinary economic  
27 development opportunity or an extraordinary economic  
28 development threat.

29           (a) The council shall be composed of the following  
30 members;

31           1. The Governor;

1           2. The President of the Senate;  
2           3. The Speaker of the House of Representatives;  
3           4. The director of the Office of Tourism, Trade, and  
4 Economic Development; and  
5           5. The president of Enterprise Florida, Inc.  
6           (b) The council shall convene at the recommendation of  
7 the director of the Office of Tourism, Trade, and Economic  
8 Development. Staff of the forecast unit within the office  
9 shall serve as staff to the council. The forecast unit within  
10 the office shall inform the council about the extraordinary  
11 economic development opportunity or threat and shall seek the  
12 advice of the council members on development and  
13 implementation of a plan of action to address the opportunity  
14 or threat. Staff of the forecast unit shall maintain the  
15 confidentiality provided under section 288.075, Florida  
16 Statutes.  
17           (5) By January 31, 2001, the Office of Tourism, Trade,  
18 and Economic Development, in conjunction with Enterprise  
19 Florida, Inc., shall submit a report to the Governor, the  
20 President of the Senate, and the Speaker of the House of  
21 Representatives which includes specific recommendations for  
22 vesting the Economic Development Leadership Council with  
23 powers to respond to an extraordinary economic development  
24 opportunity or an extraordinary economic development threat.  
25           Section 55. Toolkit for Economic Development.--  
26           (1) LEGISLATIVE INTENT.--The Legislature finds that  
27 the state has numerous economically distressed communities  
28 with a high proportion of needy families who are current or  
29 former recipients of public assistance or who are at risk of  
30 becoming dependent upon public assistance. The Legislature  
31 also finds that the existence of safe and strong communities

1 with prosperous economies is crucial to reduce dependence on  
2 public assistance and to promote employment retention and  
3 self-sufficiency. It is the intent of the Legislature to  
4 reduce reliance on public assistance, to promote employment  
5 retention, and to increase self-sufficiency by providing  
6 easily accessed and useable tools that support local  
7 initiatives that create economically prosperous communities  
8 for needy families.

9 (2) CREATION; PURPOSE.--There is created a program to  
10 be known as the "Toolkit for Economic Development," the  
11 purpose of which is to enable economically distressed  
12 communities to access easily, and use effectively, federal and  
13 state tools to improve conditions in the communities and  
14 thereby help needy families in the communities avoid public  
15 assistance, retain employment, and become self-sufficient.

16 (3) DEFINITIONS.--For the purposes of this section, a  
17 community is "economically distressed" if the community is  
18 experiencing conditions affecting its economic viability and  
19 hampering the self-sufficiency of its residents, including,  
20 but not limited to, low per capita income, low property  
21 values, high unemployment, high under-employment, low weekly  
22 wages compared to the state average, low housing values  
23 compared to the state or area average, high percentage of the  
24 population receiving public assistance, high poverty levels  
25 compared to the state average, and high percentage of needy  
26 families.

27 (4) LIAISONS.--

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

- 1           1. Office of Tourism, Trade, and Economic Development;
- 2           2. Office of Urban Opportunity;
- 3           3. Department of Community Affairs;
- 4           4. Department of Law Enforcement;
- 5           5. Department of Juvenile Justice;
- 6           6. Department of Transportation;
- 7           7. Department of Environmental Protection;
- 8           8. Department of Agriculture and Consumer Services;
- 9           9. Department of State;
- 10          10. Department of Health;
- 11          11. Department of Children and Family Services;
- 12          12. Department of Corrections;
- 13          13. Department of Labor and Employment Security;
- 14          14. Department of Education;
- 15          15. Department of Military Affairs;
- 16          16. Florida Housing Finance Corporation;
- 17          17. Institute of Food and Agricultural Sciences;
- 18          18. Institute on Urban Policy and Commerce;
- 19          19. Florida Tourism Industry Marketing Corporation;
- 20          20. Enterprise Florida, Inc.;
- 21          21. Workforce Development Board of Enterprise Florida,
- 22          Inc.;
- 23          22. Executive Office of the Governor; and
- 24          23. Any other agencies or organizations as determined
- 25          by the coordinating partners.
- 26                 (b) An alternate for each designee shall also be
- 27          chosen, and the names of the designees and alternates shall be
- 28          sent to the coordinating partners, which shall convene the
- 29          liaisons as necessary.
- 30                 (c) Each liaison must have a comprehensive knowledge
- 31          of the functions, whether regulatory or service-based, of his



1 or her agency or organization. The liaison shall be the  
2 primary contact for the agency or organization for the Toolkit  
3 for Economic Development, assisting in expediting proposal  
4 review, resolving problems, promoting flexible assistance, and  
5 identifying opportunities for support within the agency or  
6 organization.

7 (d) As deemed necessary by the coordinating partners,  
8 liaisons shall review proposals from economically distressed  
9 communities to determine if they would be properly referred or  
10 submitted to their agencies or organizations. If such referral  
11 and submittal is appropriate, the liaison shall then assist  
12 the community as an ombudsman.

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

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

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

1           (5) COORDINATING PARTNERS.--

2           (a) The liaisons from the WAGES State Board of  
3 Directors, or its successor organization, the Office of Urban  
4 Opportunity, the Department of Community Affairs, Enterprise  
5 Florida, Inc., and the Workforce Development Board of  
6 Enterprise Florida, Inc., shall serve as the coordinating  
7 partners of the Toolkit for Economic Development and act as an  
8 executive committee for the liaisons. The coordinating  
9 partners shall review any request from a Front Porch Community  
10 and shall provide whatever assistance that this section can  
11 afford to them.

12           (b) From time to time, the coordinating partners may  
13 recommend to the head of an agency or organization, approval  
14 of a project that in the unanimous judgment of the  
15 coordinating partners will have an extraordinary positive  
16 impact on an economically distressed community. Upon such  
17 recommendation, the head of an agency or organization shall  
18 give priority consideration for approval of such project.

19           (6) MATCHING-FUNDS OPTIONS.--Notwithstanding any other  
20 provision of law, an agency or organization may waive any  
21 state-required matching-funds requirements at the request of  
22 the coordinating partners. This waiver is contingent upon the  
23 determination by the coordinating partners that the community  
24 is fully committed to the success of a project, but lacks the  
25 community resources to meet match requirements. In-kind  
26 matches shall be allowed and applied as matching-funds  
27 utilizing the same determination criteria. The coordinating  
28 partners must unanimously endorse each request to an agency or  
29 organization. Any funds appropriated to the coordinating  
30 partners may be used to meet matching-funds requirements or

31

1 fees for federal, state, or foundation application  
2 requirements.

3 (7) INVENTORY.--The coordinating partners shall  
4 develop, in consultation with the liaisons, an inventory of  
5 recommended federal and state tax credits, incentives,  
6 inducements, programs, opportunities, demonstrations or pilot  
7 programs, grants, and other resources available through the  
8 agencies and organizations which could assist Front Porch  
9 Florida or economically distressed communities. Each entry in  
10 the inventory must include a summary; a contact person; a  
11 simple description of the application process and a timetable;  
12 a profile of funding awards and funds availability; and a  
13 complexity ranking. The inventory shall be organized into  
14 seven categories, including:

15 (a) Leadership.--Entries that promote the skills and  
16 capacities of local leaders, volunteers, organizations, and  
17 employees that work on other categories of the inventory.  
18 These entries shall include, but are not limited to, grants;  
19 scholarships; Individual Training Accounts; Retention  
20 Incentive Training Account programs; and other programs that  
21 build the resident capacity to create a better community.  
22 These entries shall include educational-based institutes that  
23 can assist with research, consulting, technical assistance,  
24 capacity building, training, and program assistance to  
25 communities.

26 (b) Safety.--Entries that increase safety and reduce  
27 crime. These entries shall include, but are not limited to,  
28 the training and employment of public safety employees and  
29 volunteers; establishing safer businesses and neighborhoods;  
30 training residents in safety practices; organizing safety  
31 networks and cooperatives; improving lighting; improving the

1 safety of homes, buildings, and streets; and providing for  
2 community police and safety projects, including those designed  
3 to protect youth in the community. Other entries may be  
4 included that reinforce community and local law enforcement.

5 (c) Clean Up.--Entries that support clean up and  
6 enhancement projects that quickly create visible improvements  
7 in neighborhoods, including the demolition of drug havens and  
8 abandoned buildings. These entries shall include, but are not  
9 limited to, projects that plan, design, or implement clean up  
10 strategies; main street redevelopment; and renovation  
11 projects. These entries may also include planning and  
12 implementation for larger neighborhood revitalization and  
13 economic development projects.

14 (d) Business.--Entries that support small business  
15 development, including, but not limited to, attraction of  
16 national franchises; micro-loans; guaranteed commercial loans;  
17 technical assistance; self-employment; linked deposit; loan  
18 loss reserves; business incubators; and other activities that  
19 support the market economy.

20 (e) Schools.--Entries that upgrade schools through  
21 repair or renovation, as well as training and employment  
22 entries to assist with school transportation, services, and  
23 security. These entries shall include, but are not limited to,  
24 programs that enable school-based childcare; before, after,  
25 and summer school programs; programs that broaden the use of  
26 school facilities as a hub and haven within the community;  
27 scholarships; and grant programs that assist families and  
28 individuals to complete and enhance their education.

29 (f) Partners.--Entries that provide tax credits,  
30 incentives, and other inducements to businesses that  
31 contribute to community projects, such as the community

1 contribution tax credit under sections 220.183 and 624.5105,  
2 Florida Statutes. These entries shall include any programs  
3 that help raise federal or foundation grant funds.

4 (g) Redevelopment.--Entries that support the planning,  
5 preparation, construction, marketing, and financing of  
6 residential, mixed-use, and commercial redevelopment, as well  
7 as residential and business infrastructure projects. These  
8 entries shall include, but are not limited to, the workforce  
9 development programs that influence business decisions such as  
10 the Quick-Response Training Program and Quick-Response  
11 Training Program for Work and Gain Economic Self-sufficiency  
12 (WAGES) participants.

13 (8) START-UP INITIATIVE.--

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

19 (b) The coordinating partners, in consultation with  
20 the liaisons, local economic development organizations, and  
21 regional workforce development boards, shall identify 15  
22 communities, seven of which must be from the state's seven  
23 largest counties, three of which must be from rural counties,  
24 and five of which must be from other counties in the state.  
25 These communities must be compact, congruent, and contiguous  
26 census tracts that have high concentrations of needy families  
27 who are current, former, or likely recipients of public  
28 assistance. To the maximum extent possible, these communities  
29 should coincide with federal empowerment zones, enterprise  
30 communities, or similar designations; HOPE VI communities;  
31 Front Porch Florida communities; enterprise zones established

1 under chapter 290 or chapter 370, Florida Statutes;  
2 Neighborhood Improvement Districts established under chapter  
3 163, Florida Statutes; community redevelopment areas  
4 established under chapter 163, Florida Statutes; and Urban  
5 High Crime Areas or Rural Job Tax Credit Areas established  
6 under chapter 212, Florida Statutes.

7 (c) The coordinating partners shall solicit proposals  
8 from Front Porch Advisory Committees, community-based  
9 organizations, local governments, and neighborhood  
10 associations located in the communities identified in  
11 paragraph (b) and Front Porch communities. The coordinating  
12 partners shall provide each applicant with the inventory and  
13 recommendations on proposals that can be funded.

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

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

21 2. Specific evidence of community support for the  
22 proposal from community-based organizations, local government,  
23 regional workforce development boards, and local economic  
24 development organizations;

25 3. Identification and commitment of local resources  
26 for the proposal from community-based organizations, local  
27 government, regional workforce development boards, and local  
28 economic development organizations;

29 4. Identification of the specific entity or person  
30 responsible for coordinating the community's proposal; and  
31

1           5. Identification of a local fiscal entity for  
2 contracting, administration, and accountability.

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

6           (f) The coordinating partners shall design an  
7 impartial and competitive proposal-review process and  
8 evaluation criteria. Based on the evaluation criteria, up to  
9 nine communities shall be designated to participate in the  
10 Start Up Initiative. Once a community is designated, the  
11 coordinating partners and the community's liaison will work to  
12 finalize the proposal, including the addition of funding  
13 sources for each inventory entry. The finalized proposal shall  
14 serve as the contract between the community and the Start-Up  
15 Initiative. If sufficient funding does not exist for an entry  
16 that is essential for the community's proposal or a community  
17 is ineligible for a specific inventory entry, the coordinating  
18 partners may allocate funding that is under their control to  
19 fulfill the entry. The proposal must be operational within 3  
20 months after approval.

21           (g) Proposals that would mainly result in  
22 gentrification of the community, that would not employ a  
23 preponderance of residents, and that predominately create  
24 residences or businesses that are beyond the anticipated  
25 income level of the working residents of the community are not  
26 eligible.

27           (h) Proposal awards shall be obligated for federal  
28 funding purposes, and shall be considered appropriated for  
29 purposes of section 216.301, Florida Statutes. The  
30 coordinating partners may allocate funding that is under their  
31 control to fund this initiative. Any funding appropriated to

1 assist needy families, or to promote job placement and  
2 employment retention, which is in excess of revenues necessary  
3 to fulfill the appropriated purpose, and which may not be  
4 obligated during the budget year, may be allocated to this  
5 initiative to support an approved proposal.

6 (i) Any federal funds must be used for purposes  
7 consistent with applicable federal law; however, the  
8 coordinating partners, with the assistance of the Department  
9 of Children and Family Services, shall aggressively pursue  
10 innovative uses of federal funds to support projects that  
11 train community leaders, upgrade individuals skills, promote  
12 safety, clean up communities, beautify neighborhoods,  
13 encourage small business, stimulate employment, increase  
14 educational opportunity, promote community partnering, advance  
15 community redevelopment, and upgrade housing because it  
16 assists needy families, promoting self-sufficiency and job  
17 retention.

18 (j) The coordinating partners shall adopt procedures  
19 for the Start-Up Initiative and may, if necessary, adopt,  
20 through the Department of Community Affairs, emergency rules  
21 to govern the submission of proposals, the evaluation of  
22 proposals, the initiative awards, and the implementation  
23 procedures for administration of awards.

24 (9) COMMUNITIES OF CRITICAL ECONOMIC OPPORTUNITY.--The  
25 coordinating partners may recommend to the Governor up to  
26 three communities of critical economic opportunity. A  
27 community of critical economic opportunity must be a community  
28 that is economically distressed, that presents a unique  
29 economic development opportunity, and that will create more  
30 than 1,000 jobs over a 5-year period. The Governor may, by  
31 executive order, designate up to three communities of critical



1 economic opportunity which will establish these areas as  
2 priority assignments for the liaisons and coordinating  
3 partners as well as to allow the Governor, acting through  
4 them, to waive criteria, requirements, or similar provisions  
5 of any economic development incentive. Such incentives shall  
6 include, but not be limited to: the Qualified Target Industry  
7 Tax Refund Program under section 288.106, Florida Statutes,  
8 the Quick Response Training Program under section 288.047,  
9 Florida Statutes, the WAGES Quick Response Training Program  
10 under section 288.047(10), Florida Statutes, transportation  
11 projects under section 288.063, Florida Statutes, the  
12 brownfield redevelopment bonus refund under section 288.107,  
13 Florida Statutes, and the job and employment tax credit  
14 programs. Designation as a community of critical economic  
15 opportunity under this subsection shall be contingent upon the  
16 execution of a memorandum or agreement among the coordinating  
17 partners; the governing body of the county; and the governing  
18 bodies of any municipalities to be included within an area of  
19 critical economic opportunity. Such agreement shall specify  
20 the terms and conditions of the designation, including, but  
21 not limited to, the duties and responsibilities of the county  
22 and any participating municipalities to take actions designed  
23 to facilitate the retention and expansion of existing  
24 businesses in the area, as well as the recruitment of new  
25 businesses to the area.

26 (10) FUNDING.--

27 (a) To implement the provisions of this act, the  
28 coordinating partners are authorized to spend, contingent on a  
29 specific appropriation, up to \$25 million from the Temporary  
30 Assistance for Needy Families (TANF) Block Grant through the  
31

1 TANF administrative entity at the Department of Management  
2 Services.

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

16 (11) REPORTING.--The Office of Program Policy Analysis  
17 and Government Accountability and the coordinating partners,  
18 shall develop measures and criteria by October 1, 2001, for  
19 evaluating the effectiveness of the Toolkit for Economic  
20 Development including the liaisons, coordinating partners,  
21 waivers and matching options, inventory, Start-Up Initiative,  
22 and Communities of Critical Economic Opportunity. The Office  
23 of Program Policy and Government Accountability shall submit  
24 to the Governor, the President of the Senate, and the Speaker  
25 of the House of Representatives, by January 1, 2002, a report  
26 detailing the progress that the Toolkit for Economic  
27 Development has made toward achievement of established  
28 measures.

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

30 Section 56. Section 288.1260, Florida Statutes, is  
31 created to read:

1           288.1260 Front Porch Florida Initiative.--  
2           (1) LEGISLATIVE INTENT.--The Legislature finds that  
3 the State of Florida has many communities that, in times of  
4 general fiscal prosperity, have not experienced the same  
5 levels of economic fulfillment as other areas of our state.  
6 These neighborhoods and communities are often found in the  
7 urban core areas of our cities, and have been the recipients  
8 of top down imposed state and federal programs that have  
9 lacked a comprehensive approach to revitalization. The  
10 Legislature further finds that these distressed urban cores  
11 have often had a narrow set of solutions imposed on them  
12 without regard to the unique nature of the problems that face  
13 each neighborhood.

14           (2) CREATION.--The Front Porch Florida initiative will  
15 be a community-based effort, giving residents the power to  
16 define the causes of their problems and harnessing the  
17 collective power of individual neighborhoods to craft unique  
18 solutions to these problems. The Front Porch Florida  
19 initiative is created to provide a comprehensive,  
20 community-based approach to neighborhood revitalization in  
21 Florida, engaging the resources of the state as a facilitator  
22 for community solutions and a civic switchboard to match  
23 communities with resources.

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

26           (a) Urban revitalization begins in Florida's  
27 neighborhoods and not in state government. The resources for  
28 solving some of their problems may reside in part in state and  
29 local government, but the solutions to the unique challenges  
30 of each neighborhood must come from citizens who live in these  
31 neighborhoods.

1           (b) Expanded business opportunities and access to  
2 capital are critical to sustaining any urban renewal efforts.  
3 There must be a multi-faceted commitment of fiscal resources  
4 and increased business opportunities that stimulates  
5 entrepreneurship in urban core neighborhoods.

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

9           (d) An effective state urban policy must support  
10 existing efforts and work with the on-going activities of  
11 local communities, mayors, and municipalities. The state must  
12 also leverage faith-based and community-based groups into the  
13 equation in a way that has never been tried before. Churches,  
14 ministers, pastors, rabbis, and other community leaders are  
15 often the greatest agents of improvement in our urban cores.  
16 They must be empowered to be involved in Front Porch Florida  
17 to the greatest extent possible.

18           (4) LIAISONS TO FRONT PORCH FLORIDA COMMUNITIES.--No  
19 later than August 1, 2000, the head of each of the following  
20 agencies or organizations shall designate a high-level staff  
21 person from within the agency or organization to serve as the  
22 Front Porch Florida liaison to the Front Porch Florida "A"  
23 Team:

- 24           1. Department of Community Affairs;
- 25           2. Department of Law Enforcement;
- 26           3. Department of Juvenile Justice;
- 27           4. Department of Corrections;
- 28           5. Department of Transportation;
- 29           6. Department of Environmental Protection;
- 30           7. Department of Agriculture and Consumer Services;
- 31           8. Department of State;

- 1           9. Department of Health;  
2           10. Department of Children and Family Services;  
3           11. Department of Labor and Employment Security;  
4           12. Department of Education;  
5           13. Department of Military Affairs;  
6           14. Institute of Food and Agricultural Sciences;  
7           15. Enterprise Florida, Inc.;  
8           16. Workforce Development Board of Enterprise Florida,  
9 Inc.; and  
10           17. Executive Office of the Governor.  
11

12 Each Front Porch Florida liaison must have comprehensive  
13 knowledge of his or her agency's functions. This person shall  
14 be the primary point of contact for his or her agency on  
15 issues and projects relating to economically distressed  
16 communities, shall ensure a prompt effective response to  
17 problems arising with regard to community issues, and shall  
18 assist in the identification of opportunities for preferential  
19 awards of program funds to facilitate the civic switchboard  
20 function of Front Porch Florida.

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

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

26           (a) The Office of Urban Opportunity, created in  
27 section 14.2015(9)(a), Florida Statutes, will solicit  
28 applications from Florida communities that wish to be  
29 designated as Front Porch Florida communities. The application  
30 should specify the boundaries of the nominated area, quantify  
31 the need for revitalization, demonstrate a history of

1 grass-roots activities in the neighborhood, and identify the  
2 resources within each community that will contribute to their  
3 success as Front Porch Florida communities.

4 (b) Successful applications for designation may  
5 include strategies for expanding business opportunities and  
6 access to capital, closing the gap in education, building upon  
7 the activities of faith-based and community-based groups,  
8 providing affordable, quality housing, strengthening public  
9 safety, and creating a healthy environment.

10 (c) Upon designation as a Front Porch Florida  
11 community, the neighborhood will form a Governor's  
12 Revitalization Council, comprised of partners and stakeholders  
13 in each community. Each council should be representative of  
14 the broad diversity and interests in the community and should  
15 include residents, neighborhood associations, faith-based  
16 organizations, and community-based organizations. Each council  
17 should also develop partnerships with local government, law  
18 enforcement agencies, lenders, schools, and health care  
19 providers. Each council will prepare a specialized  
20 Neighborhood Action Plan that will assist the Office of Urban  
21 Opportunity in identifying and garnering the resources that  
22 are needed to help successfully implement community  
23 revitalization.

24 (7) MONITORING AND REPORTING.--The Office of Urban  
25 Opportunity shall require each designated Front Porch Florida  
26 community to submit a monthly report which details the  
27 activities and accomplishments of the neighborhood. On a  
28 quarterly basis, each designated community must submit a  
29 report that specifically addresses the elements of each  
30 Neighborhood Action Plan to determine progress toward  
31 achieving stated goals. The community's Governor's

1 Revitalization Council will submit an annual progress report  
2 as part of their recertification process in order to maintain  
3 designation as a Front Porch Florida community.

4 Section 57. Section 239.521, Florida Statutes, is  
5 created to read:

6 239.521 Information-technology workforce-development  
7 projects.--The Legislature recognizes that  
8 information-technology industries are adding substantial  
9 numbers of high-paying, high-technology jobs in the state. The  
10 Legislature also recognizes the important contribution of this  
11 industry as one of the targeted industries vital to the  
12 state's current and future economic growth. The Legislature  
13 further recognizes that information-technology industries are  
14 in need of a highly skilled workforce to meet the growing  
15 demands of the industry as well as to address the needs of  
16 additional information-technology companies relocating to the  
17 state. The Information Technology Development Task Force,  
18 appointed by the 1999 Florida Legislature for the study of key  
19 issues in the development of the state's economy, recommended  
20 several means for further supporting this valued industry.  
21 Therefore, it is the intent of the Legislature that the  
22 following initiatives be funded to support the workforce needs  
23 of this growing industry consistent with recognized needs of  
24 the state.

25 (1) COMPREHENSIVE DISTANCE-LEARNING CURRICULUM  
26 INITIATIVES.--

27 (a) The Legislature recognizes that there are multiple  
28 levels of employee competencies embedded within the various  
29 information-technology-industry jobs. Using these competencies  
30 as the basis of a curriculum for training incumbent workers to  
31 develop additional skills and potential workers to develop

1 entry-level skills, the Legislature intends that a  
2 comprehensive vocational-certificate or 2-year  
3 distance-learning curriculum be developed.

4 (b) The comprehensive distance-learning initiative  
5 involves the State Technology Office and the State Board of  
6 Community Colleges acting through the Florida Community  
7 College Distance Learning Consortium to ensure that the  
8 curriculum is up-to-date, responsive to industry's changing  
9 needs, and delivered in the most cost-effective manner  
10 possible. The development of the distance-learning curriculum  
11 for statewide dissemination is to be co-built by industry  
12 content experts and educational providers. The process should  
13 coordinate the existing efforts of individual institutions and  
14 consortiums into a combined, comprehensive, and cohesive  
15 methodology for providing training through the use of  
16 technology and should involve:

17 1. A statewide review of existing distance-learning  
18 courses;

19 2. Evaluation and purchase of appropriate  
20 off-the-shelf products to be licensed for use on a statewide  
21 basis; and

22 3. Development of missing competency training using  
23 multi-media methodologies.

24 (c) The comprehensive distance-learning curriculum  
25 developed under this subsection will be by one or more  
26 institutions or consortiums. Participation in this project  
27 will be competitively based and approved by the State Board of  
28 Community Colleges based upon recommendations of the Florida  
29 Community College Distance Learning Consortium. Participants  
30 must meet the following criteria:

31



1           1. Experience in providing training for  
2 information-technology companies.

3           2. Availability of technical infrastructure to support  
4 this project.

5           3. Endorsement from information-technology  
6 economic-development agencies and local information-technology  
7 business commitments to be actively involved.

8           4. Demonstrated multi-media course and program  
9 development capabilities.

10           5. Existing consortium efforts.

11           6. Availability of local support.

12           (d) Contingent on a specific appropriation, these  
13 funds must be used to support, among others, salaries,  
14 licensing commercial courseware, purchasing existing  
15 courseware and equipment, and related course-development  
16 expenses.

17           (2) INFORMATION TECHNOLOGY INTERNSHIP OPPORTUNITIES  
18 FOR FACULTY AND STUDENTS.--

19           (a) The Legislature recognizes that the preparedness  
20 of both high school and postsecondary education students  
21 emerging from an educational experience ready to enter the  
22 information-technology workplace is dependent upon the quality  
23 of instruction provided by faculty and information-technology  
24 business interaction with their program of study. The  
25 Legislature further recognizes that faculty at high school and  
26 postsecondary school levels are better able to integrate  
27 technology and current business standards into the curriculum  
28 if they can verify from personal experience and knowledge the  
29 importance of these for students' future success. Faculty also  
30 require the ability to continuously update their knowledge and  
31 skills as technology changes, and faculty will be able to

1 increase their skills and knowledge from structured internship  
2 opportunities within information-technology businesses.  
3 Further, students gain increased knowledge and skills from  
4 on-the-job training and direct work experience in a structured  
5 internship opportunity. The Legislature, therefore, creates  
6 the Information Technology Internship Program to encourage and  
7 support information-technology-program faculty and student  
8 internships with direct exposure to information-technology  
9 industries. The Legislature further intends that the program  
10 will provide a minimum of 200 faculty and 200 student  
11 internships at various locations across the state.

12 (b) Local faculty and student internship initiatives  
13 will be selected to be part of this project by the State  
14 Technology Office, based on the following criteria:

15 1. Information-technology businesses providing faculty  
16 and student internships will pay 50 percent of the salary for  
17 each intern as well as provide workers' compensation benefits.

18 2. Economic-development agencies such as chambers of  
19 commerce, economic-development commissions, or regional  
20 consortia will be eligible to apply and serve as a local  
21 fiscal agent for the program.

22 3. Establishment of qualifying criteria and process  
23 for matching faculty and students with business-internship  
24 opportunities.

25 4. Priority will be given to existing local efforts  
26 that have proven successful and can be duplicated statewide.

27 5. Projects may be combined with federal tax-relief  
28 efforts encouraging educational internship programs.

29 (c) Salaries and other conditions of work shall be set  
30 by the Commissioner of Education, the Executive Director of

31

1 the Florida Community College System, and the Chancellor of  
2 the State University System.

3 (d) The Division of Workforce Development of the  
4 Department of Education shall assume administrative  
5 responsibility and act as fiscal agent for the  
6 information-technology internships.

7 (e) Contingent on a specific appropriation, these  
8 funds must be used to support programs established under this  
9 subsection on a statewide basis.

10 (3) INFORMATION-TECHNOLOGY-TRAINING  
11 FACILITY-IMPROVEMENT-STRATEGY INITIATIVES.--

12 (a) The Legislature recognizes that  
13 information-technology businesses need increased numbers of  
14 highly skilled workers. The shortage of a qualified labor  
15 force has become a barrier to this dynamic industry's  
16 continued growth in the state. The limited numbers of highly  
17 skilled incumbent workers constantly need to update skills in  
18 response to the evolving technologies and in order to move to  
19 higher-paid positions within the industry. These incumbent  
20 workers require a continuous work-and-learn cycle to maintain  
21 their knowledge of new technologies and tools. Businesses  
22 demand cutting-edge training opportunities for their employees  
23 in order to meet the constantly changing globally competitive  
24 marketplace. The Legislature recognizes that increased  
25 accessibility and quality facilities are required to address  
26 the increasing efforts of educational institutions to respond  
27 to information-technology businesses and that  
28 information-technology-training providers are expected to have  
29 appropriate facilities to address the needs of this dynamic  
30 industry. The Legislature further recognizes that additional  
31 high-tech labs are required to provide the training for

1 computer-systems engineers, software developers, and related  
2 cutting-edge job types. These labs are more expensive than  
3 regular facilities because of the additional infrastructure  
4 and continuous turnover of equipment in response to changes in  
5 global technology. Therefore, it is the intent of the  
6 Legislature to provide a process and funding for appropriate  
7 and needed information-technology-training-facility upgrades.

8 (b) The State Board of Community Colleges will  
9 administer funds appropriated under paragraph (c) for  
10 distribution on a competitive basis by October 1 of each year  
11 to support approved projects. Projects may address upgrading  
12 current facilities, planning new facilities, and combining the  
13 efforts of institutions to serve the information-technology  
14 business sector through state-of-the-art training facilities  
15 designated to address the multi-media needs of this industry.  
16 The projects would be competitively selected based on the  
17 following criteria:

18 1. A concentration of information-technology  
19 industries and workers in the service area.

20 2. Other local funding initiatives or federal funding  
21 of an equal value to the state funds requested. These funds  
22 must demonstrate a synergistic effort to support  
23 information-technology industries.

24 3. Priority may be given to projects, including  
25 partnership effort between two or more educational  
26 institutions, so that a broader range of educational services  
27 may be provided for information-technology industries.

28 4. Priorities may be given to projects that include  
29 partnerships with a local municipality, county, or  
30 economic-development agency as a way of demonstrating a  
31 synergy of efforts to support this industry.

1           (c) Contingent on a specific appropriation, these  
2 funds must be used to support two or more projects approved  
3 under this subsection.

4           Section 58. Present subsections (4) through (8) of  
5 section 240.311, Florida Statutes, are redesignated as  
6 subsections (5) through (9), respectively, and a new  
7 subsection (4) is added to that section to read:

8           240.311 State Board of Community Colleges; powers and  
9 duties.--

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

18           Section 59. Subsection (5) is added to section  
19 240.3341, Florida Statutes, to read:

20           240.3341 Incubator facilities for small business  
21 concerns.--

22           (5) Community colleges are encouraged to establish  
23 incubator facilities through which emerging small businesses  
24 supportive of the development of content and technology for  
25 digital broadband media and digital broadcasting may be  
26 served.

27           Section 60. Section 240.710, Florida Statutes, is  
28 created to read:

29           240.710 Digital Media Education Coordination Group.--

30           (1) The Board of Regents shall create a Digital Media  
31 Education Coordination Group composed of representatives of

1 the universities within the State University System which  
2 shall work in conjunction with the State Board of Community  
3 Colleges and the Articulation Coordinating Committee on the  
4 development of a plan to enhance Florida's ability to meet the  
5 current and future workforce needs of the digital media  
6 industry. The following purposes of the group shall be  
7 included in its plan-development process:

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

11 (b) Addressing strategies to improve opportunities for  
12 interdisciplinary study and research within the emerging field  
13 of digital media through the development of tracts in existing  
14 degree programs, new interdisciplinary degree programs, and  
15 interdisciplinary research centers; and

16 (c) Addressing the sharing of resources among  
17 universities in such a way as to allow a student to take  
18 courses from multiple departments or multiple educational  
19 institutions in pursuit of competency, certification, and  
20 degrees in digital information and media technology.

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

24 (3) In addition to the elements of the plan governed  
25 by the purposes described in subsection (1), the plan shall  
26 include, to the maximum extent practicable, the coordination  
27 of educational resources to be provided by distance learning  
28 and shall facilitate, to the maximum extent, possible  
29 articulation and transfer of credits between community  
30 colleges and the state universities. The plan must address  
31

1 student enrollment in affected programs with emphasis on  
2 enrollment beginning as early as the Fall Term in 2001.

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

6 Section 61. The Workforce Development Board of  
7 Enterprise Florida, Inc., should reserve up to \$1 million of  
8 funds dedicated in Fiscal Year 2000-2001 for Incumbent Worker  
9 Training for the digital media industry. Training may be  
10 provided by public or private training providers for broadband  
11 digital media jobs listed on the Occupational Forecast List  
12 developed by the Workforce Estimating Conference or the  
13 Targeted Occupations List of the Workforce Development Board.  
14 Programs that operate outside the normal semester time periods  
15 and coordinate the use of industry and public resources should  
16 be given priority status for such reserved funds.

17 Section 62. The Workforce Development Board of  
18 Enterprise Florida, Inc., shall by August 31, 2000, develop a  
19 plan for the use of Targeted Assistance to Needy Families  
20 funds, Workforce Investment Act funds, Quick Response funds,  
21 Incumbent Worker Training funds, and other training-related  
22 resources to enhance the workforce of digital-media-related  
23 industries. The plan must provide the industries with a  
24 program to train and assess the status of industry workforce  
25 readiness for the digital era and should be done in  
26 conjunction with the broadcast and cable industries.

27 Section 63. The sum of \$1 million is appropriated from  
28 the General Revenue Fund to the Digital Media Education  
29 Infrastructure Fund for the 2000-2001 fiscal year, provided  
30 such infrastructure fund is enacted into law as a result of  
31 action taken during the 2000 Regular Session of the

1 Legislature. The Office of Tourism, Trade, and Economic  
2 Development shall be responsible for contracting with eligible  
3 entities for receipt of such funds. The funds must be spent  
4 according to the priorities established by the industry sector  
5 group on broadband digital media established by Enterprise  
6 Florida, Inc., and must be matched by industry contributions.

7 Section 64. Enterprise Florida, Inc., shall convene an  
8 organizational meeting for industries involved in broadband  
9 digital media to organize and facilitate future activities of  
10 associated industry groups or facilitate the ongoing  
11 activities of a similar group. Enterprise Florida, Inc., shall  
12 make all necessary preparations to identify and designate a  
13 digital-media sector as part of its sector strategy and  
14 identify the sector as a priority recruitment/retention set of  
15 industries.

16 Section 65. (1) Enterprise Florida, Inc., shall award  
17 a contract for the establishment of a digital media incubator  
18 to encourage companies developing content and technology for  
19 digital broadband media and digital broadcasting to locate and  
20 develop their businesses in Florida. Qualifications of an  
21 applicant for a contract as a digital media incubator shall at  
22 a minimum include the following:

23 (a) Demonstrated expertise in developing content and  
24 technology for digital broadband media and digital  
25 broadcasting;

26 (b) Demonstrated ability in venture capital  
27 fund-raising;

28 (c) Demonstrated expertise in the development of  
29 digital media businesses; and

30 (d) Demonstrated ability in coordinating public and  
31 private educational institutions and business entities in



1 digital technology joint business ventures. The awarding of  
2 the contract must follow the procedures outlined in chapter  
3 287, Florida Statutes.

4 (2) There is appropriated the sum of \$2 million from  
5 the General Revenue Fund to Enterprise Florida, Inc., for the  
6 purpose of providing operational and investment seed funding  
7 to encourage the financial and strategic participation of  
8 venture capital firms, corporate and institutional sponsors,  
9 and targeted start-up companies in the establishment of the  
10 digital incubator. Initial state investment in the incubator  
11 must be matched with contributions from the industry with  
12 participating industry partners, including, but not limited  
13 to, venture capitalists, digital media manufacturers, and  
14 digital media content providers.

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

22 Section 66. ITFlorida, in consultation with Enterprise  
23 Florida, Inc., shall develop a marketing plan to promote the  
24 state as digital-media-friendly, as a digital-media-ready  
25 environment, and as a national leader in the development and  
26 distribution of broadband digital media content, technology,  
27 and education. The marketing plan must identify critical roles  
28 for various public and private partners and establish a  
29 marketing timeline and goals. The plan must be completed by  
30 December 31, 2000.

31

1           Section 67. The provisions of this act relating to  
2 workforce or economic development for digital media are  
3 subject to legislative appropriation.

4           Section 68. Section 331.367, Florida Statutes, is  
5 amended to read:

6           331.367 Spaceport Management Council.--

7           (1) The Spaceport Management Council is created within  
8 the Spaceport Florida Authority to provide intergovernmental  
9 coordination and to develop recommendations on projects and  
10 activities to ~~that will~~ increase the operability and  
11 capabilities of Florida's space launch facilities, increase  
12 statewide space-related industry and opportunities, and  
13 promote space education, ~~and~~ research, and technology  
14 development within the state. The council shall work to create  
15 ~~develop~~ integrated facility and programmatic development plans  
16 to address commercial, state, and federal requirements and to  
17 identify appropriate private, state, and federal resources to  
18 implement these plans.

19           (2) The council shall make recommendations regarding:

20           (a) The development of a spaceport master plan.

21           (b) The projects and levels of commercial financing  
22 required from the Florida Commercial Space Financing  
23 Corporation created by s. 331.407.

24           (c) In consultation with the Florida Space Research  
25 Institute, development and expansion of space-related  
26 education and research facilities and programs within Florida,  
27 including recommendations to be provided to the State  
28 University System, the Division of Community Colleges, and the  
29 Department of Education.

30           (d) The regulation of spaceports and federal and state  
31 policy.

1           (e) Appropriate levels of governmental and private  
2 funding for sustainable Florida's approach to the Federal  
3 ~~Government regarding requests for funding of space~~  
4 ~~development.~~

5           (f) The council shall submit its recommendations to  
6 the Governor and Lieutenant Governor, and provide copies to  
7 the Secretary of Transportation, the director of the Office of  
8 Tourism, Trade, and Economic Development, the associate  
9 administrator for Space Transportation in the United States  
10 Department of Transportation, the administrator of the  
11 National Aeronautics and Space Administration, and the Deputy  
12 Assistant Secretary of the Air Force for Space Plans and  
13 Policy.

14           (3)(a) The council shall consist of an executive  
15 board, which shall consist of representatives of governmental  
16 organizations with responsibilities for developing or  
17 operating space transportation facilities, and a Space  
18 Industry Committee, which shall consist of representatives of  
19 Florida's space industry.

20           (b) The following individuals or their designees shall  
21 serve on the executive board:

22           1. The executive director of the Spaceport Florida  
23 Authority ~~or his or her designee.~~

24           2. ~~The director of the John F. Kennedy Space Center or~~  
25 ~~his or her designee.~~

26           3. ~~The Commander of the United States Air Force 45th~~  
27 ~~Space Wing or his or her designee.~~

28           4. ~~The Commander of the Naval Ordnance Test Unit or~~  
29 ~~his or her designee.~~

30           2.5. The Secretary of Transportation ~~or his or her~~  
31 ~~designee.~~

1           ~~3.6.~~ The president of Enterprise Florida, Inc., ~~or his~~  
2 ~~or her designee,~~ as an ex officio nonvoting member.

3           ~~4.7.~~ The director of the Office of Tourism, Trade, and  
4 Economic Development ~~or his or her designee,~~ as an ex officio  
5 nonvoting member.

6           (c)1. Participation by the federal agencies having  
7 space-related missions in Florida will contribute to council  
8 effectiveness, and the following installation heads or their  
9 designees may serve as official liaisons to the council: the  
10 director of the John F. Kennedy Space Center, the Commander of  
11 the 45th Space Wing, and the Commander of the Naval Ordnance  
12 Test Unit.

13           2. Federal liaison officials will be invited to attend  
14 all council meetings, provide federal agency views on issues  
15 before the council, and present issues of concern and make  
16 recommendations to the council.

17           3. The council will recognize that the role of federal  
18 liaison officials is limited by federal statutes and other  
19 constraints, and that determination of such limitation is a  
20 federal function.

21           4. The fiduciary responsibility of the official  
22 liaisons shall remain at all times with their respective  
23 agencies.

24           5. To the extent the advice or recommendations of the  
25 official liaisons are not adopted or incorporated into the  
26 final recommendations of the council, the official liaisons  
27 may append to such final recommendations their advice,  
28 recommendations, or opinions.

29           ~~(4)~~ Each member shall be appointed to serve for a  
30 3-year term, beginning July 1. Initial appointments shall be  
31

1 ~~made no later than 60 days after the effective date of this~~  
2 ~~act.~~

3 ~~(5) The executive board shall hold its initial meeting~~  
4 ~~no later than 30 days after the members have been appointed.~~  
5 ~~The Space Industry Committee shall hold its initial meeting no~~  
6 ~~later than 60 days after the members have been appointed.~~

7 ~~(6) All council members must be residents of the~~  
8 ~~state.~~

9 (4)~~(7)~~ The executive board ~~council~~ shall adopt bylaws  
10 governing the manner in which the business of the council  
11 shall be conducted. The bylaws shall specify the procedure by  
12 which the chairperson of the council is elected.

13 (5)~~(8)~~ The council shall provide infrastructure and  
14 program requirements and develop other information to be  
15 utilized in a 5-year spaceport master plan. The council shall  
16 define goals and objectives concerning the development of  
17 spaceport facilities and an intermodal transportation system  
18 consistent with the goals of the Florida Transportation Plan  
19 developed pursuant to s. 339.155.

20 (6)~~(9)~~ The council shall provide requirements and  
21 other information to be utilized in the development of a  
22 5-year Spaceport Economic Development Plan, defining the goals  
23 and objectives of the council concerning the development of  
24 facilities for space manufacturing, research and technology  
25 development, and education ~~educational facilities.~~

26 (7)~~(10)~~ The council shall meet at the call of its  
27 chairperson, at the request of a majority of its membership,  
28 or at such times as may be prescribed in its bylaws. However,  
29 the council must meet at least semiannually. ~~A majority of~~  
30 ~~voting members of the council constitutes a quorum for the~~  
31 ~~purpose of transacting the business of the council.~~ A majority

1 vote ~~of the majority~~ of the ~~voting~~ members present and voting  
2 is sufficient for any action of the council, unless the bylaws  
3 of the council require a greater vote for a particular action.

4 Section 69. Section 331.368, Florida Statutes, is  
5 amended to read:

6 331.368 Florida Space Research Institute.--

7 (1) There is created the Florida Space Research  
8 Institute, the purpose of which is to serve as an  
9 industry-driven center for research, leveraging the state's  
10 resources in a collaborative effort to support Florida's space  
11 industry and its expansion, diversification, and transition to  
12 commercialization.

13 (2) The institute shall operate as a public/private  
14 partnership under the direction of a board composed ~~comprised~~  
15 of:

16 (a) A representative of the Spaceport Florida  
17 Authority.

18 (b) A representative of Enterprise Florida, Inc.

19 (c) A representative of the Florida Aviation Aerospace  
20 Alliance.

21 (d) A representative of the Florida Space Business  
22 Roundtable.

23 (e) Additional private-sector representatives from the  
24 space industry selected collaboratively by the core members  
25 specified in paragraphs (a)-(d). The additional space industry  
26 representatives under this paragraph must comprise the  
27 majority of members of the board and must be from geographic  
28 regions throughout the state.

29 (f) Two representatives from the educational community  
30 who are selected collaboratively by the core members specified  
31 in paragraphs (a)-(d) and who are engaged in research or

1 instruction related to the space industry. One representative  
2 must be from a community college and one representative must  
3 be from a public or private university.

4  
5 Annually, the members of the board shall select one of the  
6 members to serve as chair, who shall be responsible for  
7 convening and leading meetings of the board.~~representatives~~  
8 ~~of the Spaceport Florida Authority, Enterprise Florida, Inc.,~~  
9 ~~the Florida Aviation and Aerospace Alliance, and four~~  
10 ~~additional space industry representatives selected by the core~~  
11 ~~membership of the board.~~

12 (3) The board of the Florida Space Research Institute  
13 shall:

14 (a) Set the strategic direction for the space-related  
15 institute, including research priorities of the state and its  
16 space-related businesses, the scope of research projects for  
17 the institute, and the timeframes for completion.

18 (b) Invite the participation of public and private  
19 universities, including, but not limited to, the University of  
20 Central Florida, the University of Florida, the University of  
21 South Florida, Florida State University, Florida Institute of  
22 Technology, and the University of Miami.

23 (c) Select a lead university to:

24 1. Serve as coordinator of research and as the  
25 administrative entity of the institute;

26 2. Support the institute's development of a statewide  
27 space research agenda and programs; and

28 3. Develop, and update as necessary, a report  
29 recommending ways that the state's public and private  
30 universities can work in partnership to support the state's  
31

1 space-industry requirements, which report must be completed by  
2 December 15, 2000.

3 (d) Establish a partnership with the state Workforce  
4 Development Board, or its successor entity, under which the  
5 institute coordinates the workforce-training requirements  
6 identified by the space industry and supports development of  
7 workforce-training initiatives to meet such requirements,  
8 using training providers approved by the board or its  
9 successor entity.

10 (e) Co-manage, with the National Aeronautics and Space  
11 Administration, operation of a Space Experiment Research and  
12 Processing Laboratory, if such a facility is constructed on  
13 land of the John F. Kennedy Space Center. Subject to the terms  
14 of an agreement with the National Aeronautics and Space  
15 Administration (NASA), the institute may coordinate access for  
16 public and private universities in the state to the laboratory  
17 and may coordinate access for NASA to the off-site resources  
18 of such universities.

19 (f) Develop initiatives to foster the participation of  
20 the state's space industry in the International Space Station  
21 and to help the state maintain and enhance its competitive  
22 position in the commercial space-transportation industry.

23 (g) Pursue partnerships with the National Aeronautics  
24 and Space Administration to coordinate and conduct research in  
25 fields, including, but not limited to, environmental  
26 monitoring; agriculture; aquatics; resource reutilization  
27 technologies for long-duration space missions; and spaceport  
28 technologies which support current or next-generation launch  
29 vehicles and range systems.

30 (h) Pursue partnerships with the National Aeronautics  
31 and Space Administration for the conduct of space-related



1 research using computer technology to connect experts in a  
2 given field of science who are in disparate locations and to  
3 perform research experiments in a real-time, virtual  
4 environment.

5 (4) By December 15 ~~±~~ of each year, the institute shall  
6 submit a report of its activities and accomplishments for the  
7 ~~prior fiscal~~ year to the Governor, the President of the  
8 Senate, and the Speaker of the House of Representatives. The  
9 report shall also include recommendations regarding actions  
10 the state should take to enhance the development of  
11 space-related businesses, including:

12 (a) Future research activities.

13 (b) The development of capital and technology  
14 assistance to new and expanding industries.

15 (c) The removal of regulatory impediments.

16 (d) The establishment of business development  
17 incentives.

18 (e) The initiation of education and training programs  
19 to ensure a skilled workforce.

20 Section 70. Space Industry Workforce Initiative.--

21 (1) The Legislature finds that the space industry is  
22 critical to the economic future of the state and that the  
23 competitiveness of the industry in the state depends upon the  
24 development and maintenance of a qualified workforce. The  
25 Legislature further finds that the space industry in this  
26 state has diverse and complex workforce needs, including, but  
27 not limited to, the need for qualified entry-level workers,  
28 the need to upgrade the skills of technician-level incumbent  
29 workers, and the need to ensure continuing education  
30 opportunities for workers with advanced educational degrees.  
31 It is the intent of the Legislature to support programs

1 designed to address the workforce development needs of the  
2 space industry in this state.

3 (2) The Workforce Development Board of Enterprise  
4 Florida, Inc., or its successor entity, shall coordinate  
5 development of a Space Industry Workforce Initiative in  
6 partnership with the Florida Space Research Institute, the  
7 institute's consortium of public and private universities,  
8 community colleges, and other training providers approved by  
9 the board. The purpose of the initiative is to use or revise  
10 existing programs and to develop innovative new programs to  
11 address the workforce needs of the space industry.

12 (3) The initiative shall emphasize:

13 (a) Curricula content and timeframes developed with  
14 industry participation and endorsed by the industry;

15 (b) Programs that certify persons completing training  
16 as meeting industry-approved standards or competencies;

17 (c) Use of distance-learning and computer-based  
18 training modules as appropriate and feasible;

19 (d) Industry solicitation of public and private  
20 universities to develop continuing education programs at the  
21 master's and doctoral levels;

22 (e) Agreements with the National Aeronautics and Space  
23 Administration to replicate on a national level successful  
24 training programs developed through the initiative; and

25 (f) Leveraging of state and federal workforce funds.

26 (4) The Workforce Development Board of Enterprise  
27 Florida, Inc., or its successor entity, with the assistance of  
28 the Florida Space Research Institute, shall convene  
29 representatives from the space industry to identify the  
30 priority training and education needs of the industry and to  
31 appoint a team to design programs to meet such priority needs.

1           (5) The Workforce Development Board of Enterprise  
2 Florida, Inc., or its successor entity, as part of its  
3 statutorily prescribed annual report to the Legislature, shall  
4 provide recommendations for policies, programs, and funding to  
5 enhance the workforce needs of the space industry.

6           Section 71. Section 331.3685, Florida Statutes, is  
7 created to read:

8           331.3685 Florida Space-Industry Research-Development  
9 Program.--

10           (1) There is created the Florida Space-Industry  
11 Research-Development Program within the Florida Space Research  
12 Institute to finance space-industry research and other support  
13 projects and programs that will improve the statewide  
14 development of space-related economic and academic  
15 opportunities.

16           (2) State taxes imposed pursuant to chapter 212 which  
17 are collected at the Kennedy Space Center Visitor Complex  
18 shall be retained by the complex and distributed to the  
19 Florida Space Research Institute as provided by s. 212.08(18)  
20 and shall be used to fund the Florida Space-Industry  
21 Research-Development Program. As part of the annual report  
22 under s. 331.368(4), the institute shall submit a complete  
23 accounting each year of funds distributed and expended under  
24 this program. Any funds distributed in a given fiscal year  
25 that are not obligated by the end of that fiscal year shall  
26 revert to the General Revenue Fund.

27           (3) Program funds shall be used to support activities  
28 authorized under s. 331.368 and this section. The Office of  
29 Tourism, Trade, and Economic Development shall review and  
30 certify funding proposals for consistency with s. 331.368 and  
31 this section.

1           (4) The Office of Tourism, Trade, and Economic  
2 Development shall execute a contract with the Florida Space  
3 Research Institute prescribing guidelines and procedures  
4 governing the use of, and accountability for, funds  
5 distributed under s. 212.08(18).

6           Section 72. Subsection (18) is added to section  
7 212.08, Florida Statutes, to read:

8           212.08 Sales, rental, use, consumption, distribution,  
9 and storage tax; specified exemptions.--The sale at retail,  
10 the rental, the use, the consumption, the distribution, and  
11 the storage to be used or consumed in this state of the  
12 following are hereby specifically exempt from the tax imposed  
13 by this chapter.

14           (18) SALES GENERATED BY KENNEDY SPACE CENTER VISITOR  
15 COMPLEX.--The Kennedy Space Center Visitor Complex shall  
16 retain proceeds of sales taxes generated by the complex and  
17 distribute such proceeds to the Florida Space Research  
18 Institute for use as prescribed in s. 331.3685. The complex  
19 shall report sales to the Department of Revenue but shall  
20 remit the tax revenues directly to the Florida Space Research  
21 Institute in a manner prescribed by rules adopted by the  
22 department.

23           Section 73. Subsection (1) of section 556.108, Florida  
24 Statutes, is amended to read:

25           556.108 Exemptions.--The notification requirements  
26 provided in s. 556.105(1) do not apply to:

27           (1) Any excavation or demolition performed by the  
28 owner of single-family residential property, or for such owner  
29 by a member operator or an agent of a member operator, when  
30 such excavation or demolition is made entirely on such land  
31 and only up to a depth of 10 inches, provided that due care is

1 used and that there is no encroachment on any member  
2 operator's right-of-way, easement, or permitted use.

3       Section 74. (1) Effective upon this act becoming a  
4 law, the Commission on Basic Research for the Future of  
5 Florida is hereby established. All members of the commission  
6 shall be appointed prior to August 1, 2000, and the commission  
7 shall hold its first meeting no later than September 1, 2000.  
8 The commission shall be composed of 13 members who represent a  
9 broad range of experience in basic scientific research and  
10 possess an appreciation of the importance of basic scientific  
11 research to the future of Florida. Members shall include  
12 performers and users of research from public and private  
13 universities, the armed forces, defense and high technology  
14 businesses, and other interested nongovernmental  
15 organizations. Five members shall be appointed to the  
16 commission by the Governor, four members shall be appointed by  
17 the President of the Senate, and four members shall be  
18 appointed by the Speaker of the House of Representatives. The  
19 Governor shall name one of the appointees as chair of the  
20 commission. Members of the commission shall serve 4-year  
21 terms, except that two of the initial appointees by the  
22 Governor, by the President of the Senate, and by the Speaker  
23 of the House of Representatives shall be appointed for 2-year  
24 terms. Members of the commission are eligible for  
25 reappointment.

26       (2) The purpose of the commission is to serve as an  
27 economic development tool to increase the scientific research  
28 dollars allocated to the state by the Federal Government. The  
29 commission shall:

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

1           (b) Provide advice to scientific research driven  
2 stakeholders;

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

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

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

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

18           (5) The commission shall be located in the Executive  
19 Office of the Governor and staff of the office shall serve as  
20 staff for the commission.

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

25           (7) The commission may procure information and  
26 assistance from any officer or agency of the state or any  
27 subdivision thereof. All such officials and agencies shall  
28 give the commission all relevant information and assistance on  
29 any matter within their knowledge or control.

30           (8) By February 1 of each year, the commission shall  
31 submit a report to the Governor, the President of the Senate,

1 and the Speaker of the House of Representatives. The report  
2 shall outline activities of the commission and provide  
3 specific recommendations for consideration by the Governor and  
4 Legislature which are designed to increase the state's share  
5 of scientific research dollars.

6 Section 75. Section 288.039 and paragraph (c) of  
7 subsection (3) of section 288.095, Florida Statutes, are  
8 repealed.

9 Section 76. This act shall take effect July 1, 2000.

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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                                   COMMITTEE SUBSTITUTE FOR  
3                                   CS/CS/SB 2548

4 Withdraws a provision amending the Capital Investment Tax  
5 Credit Program.

6 Extends implementation deadlines for the Rural Infrastructure  
7 Fund.

8 Reduces the number of years for which the Legislature commits  
9 to support the Florida First Capital Finance Corporation.

10 Removes from the bill a provision stating that at-large  
11 members of the board of Enterprise Florida, Inc., have no  
12 voting rights.

13 Specifies that defense-grants must be made from funds  
14 specifically appropriated by the Legislature.

15 Clarifies the roles of the Office of Tourism, Trade, and  
16 Economic Development and the Department of Banking over who  
17 will administer the Certified Capital Company Act.

18 Allows for additional applicants to be certified under the  
19 Certified Capital Company Act.

20 Provides that the \$25 million in the bill for the Toolkit for  
21 Economic Development program is contingent upon specific  
22 appropriation.

23 Removes a provision that may have had the affect of creating a  
24 trust fund for the Digital Media Education Infrastructure  
25 Fund.

26 Expands an exemption for owners of single family residences to  
27 include member operators of the Sunshine State One-Call  
28 corporation to excavate on the owners property without calling  
29 the One-Call Center for facility location.

30 Revises the application of the sales tax exemption provided  
31 for machinery and equipment used in silicon technology  
production and research and development by replacing the term  
"silicon" with the term "semiconductor," including a sales tax  
exemption for building materials purchased for use in  
manufacturing or expanding "clean rooms."

Provides for the development of a comprehensive vocational  
certificate or 2-year distance learning curriculum; creating  
an information technology internship program for faculty and  
students of information technology programs; creating a  
process whereby educational institutions can compete for funds  
to upgrade or build information technology training  
facilities.

Clarifies the role of the Spaceport Management Council in the  
council's working relationship with federal and state  
agencies;

Revises the membership of the Florida Space Research Institute



1 to add a representative from the Florida Space Business  
2 Roundtable, and to add two representatives from the academic  
3 community; directing the Workforce Development Board to  
4 partner with the institute for the establishment of a Space  
5 Industry Workforce Initiative to develop innovative programs  
6 to address the diverse workforce needs of the space industry;  
7 redirecting sales taxes from the Kennedy Space Center to the  
8 institute for the Florida Space Industry Research Development  
9 Program to finance space industry research, and other support  
10 projects and programs; and  
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Expands responsibilities of the institute to include:  
partnering with the state workforce board; co-managing the  
Space Experiment Research and Processing Laboratory; fostering  
the participation of the space industry in the International  
SpaceStation; and partnering with the National Aeronautics and  
Space Administration (NASA) on cutting-edge research, emerging  
research fields, collaborative-distributive learning  
environments, and virtual experiments.