

1                                   A bill to be entitled  
2           An act relating to rural development; creating  
3           the Florida Rural Heritage Act; providing  
4           legislative findings; providing definitions;  
5           providing for the designation of a Rural  
6           Heritage Area; providing for a community-based  
7           planning process; specifying guidelines for  
8           Rural Heritage Area plans; providing procedure  
9           for adoption of a plan; providing for economic  
10          incentives, reports, and technical assistance;  
11          creating the Rural Heritage Grant Program to  
12          assist local governments in adopting Rural  
13          Heritage Areas, to be administered by the  
14          Department of Community Affairs; providing for  
15          priority of funding; requiring the Department  
16          of Community Affairs to adopt rules; providing  
17          for development of a nature-and-heritage-based  
18          tourism business micro-loan program; providing  
19          for establishment of a revolving loan fund;  
20          providing for educational technology pilot  
21          programs to be established by the Department of  
22          Management Services; providing for agricultural  
23          diversification pilot projects to be  
24          administered by the Department of Agriculture  
25          and Consumer Services; providing for review and  
26          evaluation by the Office of Program Policy  
27          Analysis and Government Accountability;  
28          amending s. 163.3187, F.S.; providing  
29          conditions for adoption of local comprehensive  
30          plan amendments for rural activity centers and  
31          rural heritage areas; amending s. 187.201,

1 F.S.; modifying goals of the State  
2 Comprehensive Plan to include housing for  
3 specified persons in rural areas and  
4 development of nature-based tourism; providing  
5 a policy of fostering integrated and  
6 coordinated community planning efforts;  
7 providing support for rural communities in  
8 developing nature-and-heritage-based tourism  
9 enterprises; providing support for landowners  
10 who wish their lands to remain in agricultural  
11 use; amending s. 212.096, F.S.; providing a  
12 credit against sales tax for businesses located  
13 in an enterprise zone within a rural county or  
14 city as defined; amending s. 220.181, F.S.;  
15 providing enterprise-zone jobs credits for  
16 businesses within jurisdiction of a rural local  
17 government; amending s. 290.0055, F.S.;  
18 providing a condition for designating  
19 communities within the jurisdiction of a rural  
20 local government as an enterprise zone;  
21 amending s. 420.507, F.S.; modifying powers of  
22 the Florida Housing Finance Corporation;  
23 providing an appropriation; providing an  
24 effective date.

25  
26 Be It Enacted by the Legislature of the State of Florida:  
27

28 Section 1. Florida Rural Heritage Act.--  
29 (1) SHORT TITLE.--This section may be cited as the  
30 "Florida Rural Heritage Act."  
31 (2) FINDINGS.--The Legislature finds that:

1       (a) Fiscally and culturally strong rural communities  
2 are beneficial to regional and state economies and resources;  
3 are a method for reduction of future urban sprawl; encourage  
4 compact, efficient urban growth patterns; and should be  
5 promoted by state, regional, and local governments.

6       (b) The health and vibrancy of the state's rural areas  
7 benefit their respective regions and the state; conversely,  
8 the deterioration of those rural areas negatively impacts the  
9 surrounding area and the state.

10       (c) In recognition of the interwoven nature of the  
11 relationships among rural communities, agricultural lands,  
12 open space lands, urban centers, regions, and the state, the  
13 respective governments should establish a framework and work  
14 in partnership with communities and the private sector to  
15 revitalize rural areas.

16       (d) A state rural policy should guide the state,  
17 regional agencies, local governments, and the private sector  
18 in creating economic prosperity and preserving the unique  
19 rural character and heritage of the state's rural areas. The  
20 policy should encourage and assist local governments in  
21 addressing issues including adequate provision of  
22 infrastructure, affordable housing, human services, safe  
23 neighborhoods, agricultural profitability, educational  
24 facilities, sound land uses, health care, and economic  
25 diversification and development to sustain rural communities  
26 into the future.

27       (e) Successfully revitalizing and sustaining rural  
28 areas depends on addressing, through an integrated and  
29 coordinated community effort, a range of varied components  
30 essential to a healthy rural environment, including cultural,  
31 educational, recreational, economic, transportation, land use,

1 information technology, and social service delivery  
2 components.

3 (f) Identification of rural activity centers and of  
4 strategies to promote economic prosperity while protecting  
5 rural character are recognized as important components and  
6 useful mechanisms to promote and sustain rural areas. State  
7 and regional entities and local governments should provide  
8 incentives to promote community-based processes to identify  
9 such centers and strategies. Existing programs and incentives  
10 should be integrated to the extent possible to promote sound  
11 rural development and to achieve the goals of the state rural  
12 policy.

13 (g) Full funding for rural transportation and water  
14 infrastructure needs, rural schools, health care services, and  
15 information technology are important investments by the state  
16 in the overall health of its rural communities, and are  
17 integral components of a state rural policy.

18 (h) Many rural local governments are hindered by  
19 limited staff and capacity in their efforts to secure  
20 available resources. A state rural policy should assist local  
21 governments in identifying and accessing needed resources for  
22 which they are eligible, and should promote creative ways to  
23 maximize the efficiency of rural local governments' existing  
24 staff and other resources.

25 (i) Agriculture plays an integral role in the economy,  
26 ecology, and culture of the state's rural areas and of the  
27 state as a whole. At the same time, the state is losing  
28 agricultural lands to development at a rapid rate. A state  
29 rural policy should assist state agencies and local  
30 governments in creating and marketing tools for increasing the  
31

1 profitability of agricultural land uses and other incentives  
2 for conserving the state's agricultural lands.

3 (j) In recognition that approximately one-half of all  
4 visitors to this state include a nature-based experience in  
5 their vacation, a state rural policy should encourage the  
6 development of a nature-and-heritage-based tourism industry  
7 that meets this growing public demand, protects the state's  
8 natural and cultural resources, and contributes to economic  
9 prosperity, especially in the state's rural communities.

10 (3) DEFINITIONS.--As used in this section, the term:

11 (a) "Local government" means any county or  
12 municipality.

13 (b) "Rural Activity Center" means an area or areas  
14 designated by a local government where:

15 1. The area is located within a Rural Heritage Area.

16 2. Public services, including water services,  
17 transportation infrastructure, schools, and recreation are  
18 already available or are scheduled to be provided in an  
19 adopted 5-year schedule of capital improvements, and the area  
20 has historically served as a commercial business center or  
21 site of public buildings for surrounding rural residents.

22 3. The area may consist of or include state community  
23 redevelopment areas, brownfields, enterprise zones, or  
24 Mainstreet programs, federal Empowerment Zones, Enterprise  
25 Communities, Champion Communities, or Brownfield Showcase  
26 Communities.

27  
28 The Rural Activity Center will serve and be developed as a  
29 "town center," promoting compact, efficient development within  
30 the Rural Activity Center, and allowing lower density  
31

1 development that retains rural character within the remaining  
2 portions of the designated Rural Heritage Area.

3 (c) "Rural Heritage Area" means an area or areas  
4 designated by a local government or governments through  
5 interlocal agreement where:

6 1. More than 50 percent of the land within the  
7 designated area is in agricultural, open space, recreational,  
8 or other non-developed uses;

9 2. The designated area fits the definition of, or  
10 falls within an area that fits the definition of, a rural  
11 county, rural municipality, or rural community as defined in  
12 section 288.106, Florida Statutes;

13 3. The area may comprise a single rural county as  
14 defined in section 288.106, Florida Statutes, a multi-county  
15 area, or a sub-county area that is rural in nature and meets  
16 the above land-use, demographic, economic, and definitional  
17 criteria. If a sub-county area, it may comprise one or more  
18 rural municipalities, as defined in section 288.106, Florida  
19 Statutes, and may include unincorporated areas between or  
20 surrounding the rural municipalities provided that all parts  
21 of the designated area meet the above criteria.

22 (4) DESIGNATION OF A RURAL HERITAGE AREA.--

23 (a) A local government, or local governments through  
24 interlocal agreement, may designate a geographic area or areas  
25 within the applicable jurisdiction as a Rural Heritage Area  
26 for the purpose of convening a community-based holistic  
27 planning process to identify community problems and assets,  
28 create a vision for the area's future, and formulate a  
29 strategic plan for implementing asset-based solutions to the  
30 problems identified.

31

1       (b) A local government, or local governments through  
2 interlocal agreement, may designate a geographic area or areas  
3 within the applicable jurisdiction and within a designated  
4 Rural Heritage Area as a Rural Activity Center for the purpose  
5 of targeting economic development, job creation, housing,  
6 transportation and other infrastructure, neighborhood  
7 revitalization and preservation, the promotion of rural land  
8 preservation, and the employment of land-use incentives to  
9 encourage mixed-use development that will revitalize the Rural  
10 Activity Center area as a functioning downtown that can serve  
11 residents of surrounding rural areas.

12       (c) Designation of a Rural Heritage Area or Rural  
13 Activity Center does not exempt the local government from the  
14 process required under chapter 163, Florida Statutes, for  
15 amending the comprehensive plan within the designated area.

16       (5) COMMUNITY-BASED PLANNING PROCESS.--

17       (a) As part of the designation of the Rural Heritage  
18 Area and the preparation of a Rural Heritage Area plan, a  
19 community participation process must be implemented in each  
20 proposed Rural Heritage Area. The process must involve  
21 stakeholders including, but not limited to, community-based  
22 organizations; neighborhood associations; educational, health  
23 care, and religious organizations; area residents, including  
24 low-income residents; appropriate local government  
25 representatives; local school boards; and, when appropriate,  
26 institutions of higher education.

27       (b) The objective of the community participation  
28 process is to produce an integrated plan that benefits the  
29 community as a whole, and to encourage residents within the  
30 designated area to participate in the design and  
31 implementation of the Rural Heritage Area plan, including the

1 visioning of the area's future, before prioritizing and  
2 optimizing scarce resources. The planning process must be  
3 collaborative and holistic and must address, at a minimum,  
4 economic development including the nature-and-heritage-based  
5 tourism industry, land use, affordable housing,  
6 infrastructure, education, health care, public safety,  
7 financial capacity, both public and private, information  
8 technology, workforce development, ecological conservation,  
9 social equity, the role of agriculture in the local economy if  
10 applicable, and, the role of local government.

11 (c) In lieu of preparing a new plan, the local  
12 government may demonstrate that an existing plan or  
13 combination of plans includes the factors listed in paragraph  
14 (d), or amend such existing plans to include the factors  
15 listed in paragraph (d), including the community-based  
16 planning process. If the area constitutes or contains a  
17 federally designated Empowerment Zone, Enterprise Community,  
18 or Champion Community, the plan and planning process done in  
19 application for that designation will serve to meet the  
20 requirements of the community-based planning process, and will  
21 allow the community to apply for implementation grants under  
22 the Rural Heritage Grant program that are based on such plan.

23 (d) A local government seeking to designate a  
24 geographic area as a Rural Heritage Area shall propose a plan  
25 that describes means of promoting economic prosperity and  
26 preserving the unique rural character of the area. The plan  
27 must demonstrate the local government's and community's  
28 commitment to comprehensively addressing the problems within  
29 the Rural Heritage Area and identify activities, programs, and  
30 resources that can help accomplish locally identified goals  
31 such as improved educational opportunities; economic



1 diversification and development; the future of agricultural  
2 land uses in the planning area; provision of infrastructure  
3 needs, including information technology infrastructure;  
4 prioritizing, pooling, and leveraging scarce resources; and  
5 mixed-use planning for Rural Activity Centers to improve both  
6 the residential and commercial quality of life in the area.

7 The plan must also:

8 1. Contain a map depicting the Rural Heritage Area or  
9 areas, and Rural Activity Center if applicable, to be included  
10 within the designation.

11 2. Contain interlocal agreements, as appropriate,  
12 among participating local governments and any regional or  
13 nonprofit organizations which express the entities' commitment  
14 to collectively designating the area and to coordinated  
15 implementation efforts based on the plan.

16 3. Identify any existing enterprise zones, community  
17 redevelopment areas, community development districts,  
18 brownfield areas, downtown redevelopment districts, safe  
19 neighborhood improvement districts, historic preservation  
20 districts, and empowerment zones located within the area  
21 proposed for designation.

22 4. Identify a memorandum of understanding between the  
23 district school board and the local government jurisdiction  
24 regarding public school facilities located within the Rural  
25 Heritage Area to identify how the school board will enhance  
26 public school facilities and programs in the designated area.

27 5. Explain how projects identified in the plan forward  
28 the goals of creating economic prosperity for area residents  
29 and preserving the rural character and heritage of the  
30 planning area. Projects may include land acquisition;  
31 demolition, construction, or renovation of structures;

1 purchase of conservation easements or development rights on  
2 agricultural, conservation or recreational lands; job-training  
3 programs; investments in educational technologies; capacity  
4 building through existing or new nonprofit organizations;  
5 creation, enhancement, or marketing of nature, agricultural,  
6 or heritage-based tourism or recreational facilities; or  
7 improvement of the delivery of health care services to rural  
8 residents.

9 6. Identify the geographic locations for projects  
10 identified through the community participation process and  
11 explain how such projects will be implemented.

12 7. Identify how the local government intends to  
13 implement and enhance affordable housing programs as defined  
14 in section 420.602, Florida Statutes, including economic and  
15 community development programs administered by the Department  
16 of Community Affairs and the Florida Housing Finance  
17 Corporation within the Rural Heritage Area.

18 8. If applicable, provide guidelines for the adoption  
19 of land-development regulations specific to the Rural Heritage  
20 Area which provide for the use or purchase of conservation  
21 easements, purchase or transfer of development rights, or the  
22 use of other means available to local governments under  
23 section 704.06, Florida Statutes, for the purpose of  
24 preserving agricultural lands.

25 9. If applicable, identify and adopt a package of  
26 financial and local government incentives which the local  
27 government will offer for new development, expansion or  
28 renovation of existing development, and redevelopment within  
29 any designated Rural Activity Center. Examples of such  
30 incentives include:

31 a. Waiver of license and permit fees.

1           b. Waiver of delinquent taxes or fees to promote the  
2 return of property to productive use.

3           c. Expedited permitting.

4           d. Prioritization of infrastructure spending within  
5 the Rural Heritage Area and Rural Activity Center.

6           10. Identify how activities and incentives within the  
7 Rural Heritage Area or Rural Activity Center will be  
8 coordinated and what administrative mechanism the local  
9 government will use for the coordination and monitoring of  
10 Rural Heritage Area plan implementation.

11           11. Provide a list of stakeholders participating in  
12 the community planning process, consistent with the list  
13 provided in paragraph (a).

14           12. Identify goals, objectives, performance measures,  
15 and baseline data on conditions for evaluating the success of  
16 the local government, community-based organizations, and other  
17 stakeholders in implementing the Rural Heritage Area plan and  
18 in improving economic prosperity and preserving rural  
19 character.

20           (e) The Regional Planning Council covering the  
21 geographic location of the Rural Heritage Area, or other  
22 appropriate nonprofit, university-based, or for-profit  
23 organizations, may assist the local government in convening  
24 the community-based planning process and in preparing the  
25 Rural Heritage Area plan provided that the process and  
26 resulting plan meet all other requirements as described in  
27 this section.

28           (f) After the preparation of a Rural Heritage Area  
29 plan or the designation of an existing plan, the local  
30 government must adopt the plan by ordinance. Notice for the  
31 public hearing on the ordinance must be in the form

1 established in section 166.041(3)(c)2., Florida Statutes, for  
2 municipalities and section 125.66(4)(b)2., Florida Statutes,  
3 for counties.

4 (g) For a local government to designate a Rural  
5 Heritage Area or Rural Activity Center, it must amend its  
6 comprehensive land-use plan under section 163.3187, Florida  
7 Statutes, to delineate the Rural Heritage Area within the  
8 future land-use element of its comprehensive plan. An  
9 amendment to the local comprehensive plan to designate a Rural  
10 Heritage Area or Rural Activity Center is exempt from the  
11 twice-a-year amendment limitation of section 163.3187, Florida  
12 Statutes.

13 (6) ECONOMIC INCENTIVES, REPORTS, TECHNICAL  
14 ASSISTANCE.--

15 (a) A local government with an adopted Rural Heritage  
16 Area plan or a plan employed in lieu thereof may issue revenue  
17 bonds under section 163.385, Florida Statutes, and employ tax  
18 increment financing under section 163.387, Florida Statutes,  
19 for the purpose of financing the implementation of the plan as  
20 appropriate, particularly within designated Rural Activity  
21 Centers.

22 (b) A local government with an adopted Rural Heritage  
23 Area plan or a plan employed in lieu thereof may exercise the  
24 powers granted under section 163.514, Florida Statutes, for  
25 community redevelopment neighborhood improvement districts,  
26 including the authority to levy special assessments as  
27 appropriate, particularly within designated Rural Activity  
28 Centers.

29 (c) State agencies that provide funding for  
30 infrastructure, cost-reimbursement, grants, or loans to local  
31 governments, including the Department of Environmental

1 Protection (Clean Water State Revolving Fund, Drinking Water  
2 Revolving Loan Trust Fund, and the State of Florida Pollution  
3 Control Bond Program); the Department of Community Affairs  
4 (Economic Development and Housing Program, Florida Communities  
5 Trust); the Florida Housing Finance Corporation; and the  
6 Department of Transportation, shall report to the President of  
7 the Senate and the Speaker of the House of Representatives by  
8 January 1, 2002, regarding statutory and rule changes  
9 necessary to give Rural Heritage Areas identified by local  
10 governments that have completed the community-based planning  
11 process an elevated priority in infrastructure funding, loan,  
12 and grant programs.

13 (d) State agencies that provide funding to local  
14 governments shall identify grant programs for which local  
15 government cash match requirements will be waived or replaced  
16 by in-kind match, which can include the creation of a  
17 permanent Resource Development staff position within the local  
18 government to work on accessing a variety of grants, and loan  
19 programs for which repayment will be forgiven, for rural local  
20 government applicants that have successfully completed the  
21 Rural Heritage Area grant program community planning process.  
22 Agencies shall report to the President of the Senate and the  
23 Speaker of the House of Representatives by September 1, 2001,  
24 on programs identified, statutory or rule changes needed, and  
25 cost of implementation.

26 (e) The Rural Economic Development Initiative (REDI),  
27 as described in section 288.0656, Florida Statutes, shall work  
28 with state agencies and other organizations that provide  
29 loans, grants, or technical assistance of any kind to the  
30 state's rural communities, to update, maintain, and distribute  
31 semiannually to every rural county and city government as

1 defined in section 288.106, Florida Statutes, the Rural  
2 Resource Directory, which describes resources, including  
3 federal resources, which are available to rural local  
4 governments and how to access them. The publication must  
5 include statutory provisions that enable local governments to  
6 raise or direct revenues toward the goals of promoting  
7 economic prosperity while preserving rural character. To the  
8 extent possible, REDI shall provide, or shall work through the  
9 Regional Planning Councils, the Small County Technical  
10 Assistance Program, the Local Government Financial Technical  
11 Assistance Program, the State University System, or other  
12 relevant organizations to provide, technical assistance to all  
13 rural local governments to access these resources.

14 (f) Provision by REDI or other organizations  
15 identified in paragraph (e) of technical assistance in  
16 accessing available resources as described in paragraph (e) is  
17 an automatic result of successful completion of the Rural  
18 Heritage Area community planning process.

19 (g) REDI shall work with the Florida State Rural  
20 Development Council and state agencies to develop a simple,  
21 uniform grant application form for use by local government  
22 grant applicants. To the extent feasible, such a uniform  
23 application process should incorporate the sharing of known  
24 information about local governments among state government  
25 agencies in order to maximize the efficiency of local  
26 governments' efforts to secure available resources. The  
27 uniform grant application must be adopted for use by state  
28 agencies by July 1, 2002.

29 (7) GRANT PROGRAM.--

30 (a) A Rural Heritage Grant Program is created to  
31 assist local governments in adopting Rural Heritage Areas,

1 completing the community-based planning process, and  
2 implementing elements of the resulting Rural Heritage Area  
3 plan.  
4 (b) Forty-five percent of the general revenue  
5 appropriated for the Rural Heritage Grant Program must be  
6 available for conducting the community-based planning process  
7 and completing the Rural Heritage Area plans. Forty-nine  
8 percent of the general revenue appropriated for the Rural  
9 Heritage Grant Program must be available for implementing  
10 projects that are identified in the local government's adopted  
11 Rural Heritage Area plan or a plan employed in lieu thereof. A  
12 local government may allocate grant money to special  
13 districts, including community redevelopment agencies and  
14 nonprofit community development organizations, to implement  
15 projects consistent with an adopted Rural Heritage Area plan  
16 or a plan employed in lieu thereof. Five percent of the  
17 revenue must be made available for "seed money" grants of not  
18 more than \$10,000 to assist local governments to begin the  
19 process of identifying Rural Heritage Areas, assembling a core  
20 group of community-based participants, and applying for  
21 planning grants. The remaining 1 percent must be made  
22 available for administrative costs incurred by the Department  
23 of Community Affairs for implementing the Rural Heritage Grant  
24 Program and the Urban Infill and Redevelopment Assistance  
25 Grant Program. Projects that provide employment opportunities  
26 to clients of the WAGES program must be given an elevated  
27 priority in the scoring of competing grant applications. To  
28 encourage rural-urban partnerships and regional planning,  
29 grant applications may be made, and grant moneys may be used,  
30 in regional or partnership projects with communities eligible  
31 to participate in the Urban Infill and Redevelopment

1 Assistance Grant Program. The Division of Housing and  
2 Community Development of the Department of Community Affairs  
3 shall administer the grant program.

4 (c) Priority for funding under the Rural Heritage  
5 Grant Program shall be given to Rural Heritage Areas in which  
6 a majority of the populated portions of the area are  
7 characterized by pervasive poverty, unemployment, and general  
8 distress, as defined in section 290.0058, Florida Statutes.

9 (d) The Department of Community Affairs, in  
10 consultation with the REDI, shall adopt rules establishing  
11 grant review criteria consistent with this section. Actions  
12 required by this paragraph are contingent upon funds being  
13 provided to implement the Rural Heritage Grant Program.

14 (e) If the local government fails to implement  
15 sections of the Rural Heritage Area plan funded through a  
16 Rural Heritage Area implementation grant pursuant to the  
17 deadlines specified in the grant agreement, the Department of  
18 Community Affairs, in consultation with REDI, may seek to  
19 rescind the economic and regulatory incentives granted to a  
20 Rural Heritage Area or Rural Activity Center, subject to the  
21 provisions of chapter 120, Florida Statutes. The action to  
22 rescind may be initiated 90 days after issuing a written  
23 letter of warning to the local government.

24 (8) NATURE-AND-HERITAGE-BASED TOURISM BUSINESS  
25 MICRO-LOAN PROGRAM.--The statewide advisory committee on  
26 nature-and-heritage-based tourism, as established in section  
27 288.1224, Florida Statutes, shall work with Enterprise  
28 Florida, Inc., the Office of Tourism, Trade, and Economic  
29 Development, VISIT FLORIDA, the Rural Economic Development  
30 Initiative, the Florida Fish and Wildlife Conservation  
31 Commission, the Division of Recreation and Parks of the



1 Florida Department of Environmental Protection, and other  
2 appropriate entities to develop a statewide micro-loan program  
3 for the purpose of financing the creation and enhancement of  
4 small businesses providing nature-based or heritage-based  
5 tourism experiences. Examples include bicycle rentals, canoe  
6 outfitters, and bed-and-breakfast facilities in proximity to  
7 natural areas, and eco-tour operators and guides. Enterprise  
8 Florida, Inc., shall administer the program as part of the  
9 workplan under its contract with the Office of Tourism, Trade,  
10 and Economic Development, as authorized under section 14.2015,  
11 Florida Statutes, and shall provide low-interest loans of up  
12 to \$20,000 to microenterprises, as defined in section  
13 288.9618, Florida Statutes. Enterprise Florida, Inc., shall  
14 establish with funds appropriated for this purpose a revolving  
15 loan fund to finance the nature-and-heritage tourism  
16 enterprise micro-loan program. Two percent of allocated funds  
17 may be used for administration of the program. The above-named  
18 entities shall advise Enterprise Florida, Inc., regarding  
19 micro-loan program design, eligibility criteria, eligible  
20 uses, and terms of the loans. The micro-loan program shall  
21 begin providing loans to eligible businesses by March 1, 2002.  
22 Notwithstanding the provisions of section 216.301, Florida  
23 Statutes, funds appropriated for this purpose are not subject  
24 to reversion.

25 (9) EDUCATIONAL TECHNOLOGY PILOT PROGRAM.--

26 (a) The Department of Management Services, in  
27 consultation with the Department of Education, the regional  
28 consortium service organizations, established under section  
29 228.0857, Florida Statutes, and institutions of higher  
30 education, shall establish two pilot projects in rural schools  
31 that use wireless or other technologies to provide interactive

1 learning opportunities and Internet access, in order to  
2 illustrate ways to increase access to quality educational  
3 resources in the state's rural areas. At least one of the  
4 pilots must include linkages to existing information  
5 technology systems in the pilot area, for example, to a public  
6 library, a university, or a four-year or community college,  
7 county or municipal government, health care facility, or  
8 private business network. The purposes of the projects are to  
9 illustrate ways to increase access to quality educational  
10 resources in the state's rural areas, to leverage federal  
11 funds available for bridging the "digital divide," to build on  
12 existing applications to create community-based networks, and  
13 to foster opportunities for innovative distribution of  
14 existing funds.

15 (b) The Department of Management Services shall select  
16 the rural schools or districts that will participate in the  
17 pilot projects in consultation with the Department of  
18 Education and the Florida Distance Learning Network Advisory  
19 Council, as described in section 241.003, Florida Statutes.  
20 The selection process shall be based on the following  
21 criteria:

22 1. Through evaluation of the school improvement plan,  
23 demonstration of how the school or district will leverage  
24 additional connectivity provided through the pilot project to  
25 improve student achievement;

26 2. If the pilot project involves wireless technology,  
27 demonstration of the school's or district's ability to  
28 effectively deploy wireless technology based on existing  
29 infrastructure;

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1           3. Demonstration of commitment of the leadership of  
2 the school or district to use technology to improve teaching  
3 and learning;

4           4. If the pilot project involves wireless technology,  
5 potential cost savings or improved access resulting from the  
6 use of wireless rather than traditional connectivity  
7 technology;

8           5. The ability to use the technology infrastructure in  
9 other local government applications within the service area;

10           6. Demonstration of willingness and ability of the  
11 community to assume ongoing costs to maintain the pilot  
12 project for a minimum 5-year period. Such willingness and  
13 ability may be demonstrated through intracommunity agreements  
14 or other means; and

15           7. Such other criteria as determined by the agencies.

16           (c) The Department of Management Services, in  
17 consultation with the Department of Education and the Florida  
18 Distance Learning Network Advisory Council, shall develop  
19 performance standards for the pilot projects consistent with  
20 the Sunshine State Standards, as described in section 229.57,  
21 Florida Statutes, and broader community-based standards as  
22 appropriate, and shall evaluate the progress of the pilot  
23 projects at least annually based on the performance standards.

24           (10) AGRICULTURAL CONSERVATION AND PROFITABILITY.--

25           (a) The Department of Agriculture and Consumer  
26 Services, in consultation with the University of Florida and  
27 the Florida Agricultural and Mechanical University, shall  
28 establish four pilot projects aimed at encouraging  
29 agricultural diversification throughout the state. Two of the  
30 projects must introduce alternative crops, such as hot  
31 peppers, amaranth, or pigeon peas, or alternative growing

1 techniques, for example, greenhouse vegetable production in  
2 north Florida or early-season blueberries and peaches. At  
3 least one of these two projects shall include a tobacco farm  
4 that is being adversely impacted by reductions in tobacco  
5 quotas. A third pilot project must introduce a value-added  
6 activity or industry, such as fruit or vegetable processing or  
7 packaging into a farming community as a means of increasing  
8 the profitability of current farm products for local growers.  
9 The fourth pilot project should focus on aquaculture, such as  
10 development of the state's sturgeon industry or the  
11 development or expansion of coastal shellfish enterprises. The  
12 purpose of the pilot projects is to demonstrate alternative  
13 crops, techniques, and industries that can enhance the  
14 profitability and sustainability of agriculture in Florida.  
15 The Commissioner of Agriculture shall, in consultation with  
16 the Agricultural Economic Development Project Review Committee  
17 as described in section 570.248, Florida Statutes, select  
18 pilot projects based on evaluation criteria for agricultural  
19 economic development projects delineated in section 570.247,  
20 Florida Statutes. The Commissioner of Agriculture shall report  
21 annually to the Agricultural Economic Development Project  
22 Review Committee on the progress of the pilot projects for the  
23 duration of the projects based on performance measures  
24 developed for each project consistent with sections 570.244,  
25 570.246, and 570.247, Florida Statutes.

26 (b) As authorized in section 403.0752, Florida  
27 Statutes, and based on results of current "whole farm  
28 planning" pilot projects, the Florida Department of  
29 Environmental Protection shall work with willing partners to  
30 streamline the permitting process for agricultural land uses.

31

1           (11) REVIEW AND EVALUATION.--The Office of Program  
2 Policy Analysis and Government Accountability shall perform a  
3 review and evaluation of the grant program and financial  
4 incentives and the educational technology pilot program. The  
5 report must evaluate the effectiveness of the designation of  
6 rural planning areas in promoting economic prosperity and  
7 preserving rural character in the state's rural areas. This  
8 report may be conducted in conjunction with a review of the  
9 Urban Infill and Redevelopment Assistance Grant Program. A  
10 report of the findings and recommendations of the Office of  
11 Program Policy Analysis and Government Accountability must be  
12 submitted to the President of the Senate and the Speaker of  
13 the House of Representatives before the 2006 Regular Session  
14 of the Legislature.

15           Section 2. Paragraph (i) of subsection (1) of section  
16 163.3187, Florida Statutes, is amended to read:

17           163.3187 Amendment of adopted comprehensive plan.--

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

21           (i) A comprehensive plan amendment for the purpose of  
22 designating an urban infill and redevelopment area under s.  
23 163.2517 or a Rural Heritage Area or Rural Activity Center  
24 under the Florida Rural Heritage Act may be approved without  
25 regard to the statutory limits on the frequency of amendments  
26 to the comprehensive plan.

27           Section 3. Subsections (5), (10), (16), (22), (23),  
28 and (24) of section 187.201, Florida Statutes, are amended to  
29 read:

30  
31

1           187.201 State Comprehensive Plan adopted.--The  
2 Legislature hereby adopts as the State Comprehensive Plan the  
3 following specific goals and policies:

4           (5) HOUSING.--

5           (a) Goal.--The public and private sectors shall  
6 increase the affordability and availability of housing for  
7 low-income and moderate-income persons, including citizens in  
8 rural areas, while at the same time encouraging  
9 self-sufficiency of the individual and assuring environmental  
10 and structural quality and cost-effective operations.

11           (b) Policies.--

12           1. Eliminate public policies which result in housing  
13 discrimination, and develop policies which encourage housing  
14 opportunities for all Florida's citizens.

15           2. Diminish the use of institutions to house persons  
16 by promoting deinstitutionalization to the maximum extent  
17 possible.

18           3. Increase the supply of safe, affordable, and  
19 sanitary housing for low-income and moderate-income persons  
20 and elderly persons by alleviating housing shortages,  
21 recycling older houses and redeveloping residential  
22 neighborhoods, identifying housing needs, providing incentives  
23 to the private sector to build affordable housing, encouraging  
24 public-private partnerships to maximize the creation of  
25 affordable housing, and encouraging research into low-cost  
26 housing construction techniques, considering life-cycle  
27 operating costs.

28           4. Reduce the cost of housing construction by  
29 eliminating unnecessary regulatory practices which add to the  
30 cost of housing.

31

1           5. Provide incentives and encourage research to  
2 increase the supply of safe, affordable, and sanitary housing  
3 for low, very low, and moderate income residents of rural  
4 areas, as defined in s. 420.602. Such incentives and research  
5 must take into account the importance of development that  
6 preserves the rural character of the area, and seek to  
7 mitigate the increased per-unit cost of small housing projects  
8 appropriate to rural areas over the per-unit cost for larger  
9 developments.

10           (10) NATURAL SYSTEMS AND RECREATIONAL LANDS.--

11           (a) Goal.--Florida shall protect and acquire unique  
12 natural habitats and ecological systems, such as wetlands,  
13 tropical hardwood hammocks, palm hammocks, and virgin longleaf  
14 pine forests, and restore degraded natural systems to a  
15 functional condition.

16           (b) Policies.--

17           1. Conserve forests, wetlands, fish, marine life, and  
18 wildlife to maintain their environmental, economic, aesthetic,  
19 and recreational values.

20           2. Acquire, retain, manage, and inventory public lands  
21 to provide recreation, conservation, and related public  
22 benefits.

23           3. Prohibit the destruction of endangered species and  
24 protect their habitats.

25           4. Establish an integrated regulatory program to  
26 assure the survival of endangered and threatened species  
27 within the state.

28           5. Promote the use of agricultural practices which are  
29 compatible with the protection of wildlife and natural  
30 systems.

31

1           6. Encourage multiple use of forest resources, where  
2 appropriate, to provide for timber production, recreation,  
3 wildlife habitat, watershed protection, erosion control, and  
4 maintenance of water quality.

5           7. Protect and restore the ecological functions of  
6 wetlands systems to ensure their long-term environmental,  
7 economic, and recreational value.

8           8. Promote restoration of the Everglades system and of  
9 the hydrological and ecological functions of degraded or  
10 substantially disrupted surface waters.

11           9. Develop and implement a comprehensive planning,  
12 management, and acquisition program to ensure the integrity of  
13 Florida's river systems.

14           10. Emphasize the acquisition and maintenance of  
15 ecologically intact systems in all land and water planning,  
16 management, and regulation.

17           11. Expand state and local efforts to provide  
18 recreational opportunities to urban areas, including the  
19 development of activity-based parks.

20           12. Protect and expand park systems throughout the  
21 state.

22           13. Encourage the use of public and private financial  
23 and other resources for the development of recreational and  
24 nature-based tourism opportunities at the state and local  
25 levels when consistent with natural-system conservation  
26 principles and practices.

27           (16) LAND USE.--

28           (a) Goal.--In recognition of the importance of  
29 preserving the natural resources and enhancing the quality of  
30 life of the state, development shall be directed to those  
31 areas which have in place, or have agreements to provide, the



1 land and water resources, fiscal abilities, and service  
2 capacity to accommodate growth in an environmentally  
3 acceptable manner.

4 (b) Policies.--

5 1. Promote state programs, investments, and  
6 development and redevelopment activities which encourage  
7 efficient development and occur in areas which will have the  
8 capacity to service new population and commerce.

9 2. Develop a system of incentives and disincentives  
10 which encourages a separation of urban and rural land uses  
11 while protecting water supplies, resource development, and  
12 fish and wildlife habitats.

13 3. Enhance the livability and character of urban areas  
14 through the encouragement of an attractive and functional mix  
15 of living, working, shopping, and recreational activities.

16 4. Recognize the interwoven nature of the  
17 relationships among rural communities, agricultural lands,  
18 open space lands, urban centers, regions, and the state, and  
19 the importance of fiscally and culturally strong rural  
20 communities to state and regional economies and resources.  
21 Promote state and local programs that foster integrated and  
22 coordinated community-planning efforts. Pursue land use,  
23 educational, recreational, economic, transportation, housing,  
24 information technology, and social service delivery  
25 initiatives in the context of community planning goals.

26 ~~5.4.~~ Develop a system of intergovernmental negotiation  
27 for siting locally unpopular public and private land uses  
28 which considers the area of population served, the impact on  
29 land development patterns or important natural resources, and  
30 the cost-effectiveness of service delivery.

31

1           ~~6.5.~~ Encourage and assist local governments in  
2 establishing comprehensive impact-review procedures to  
3 evaluate the effects of significant development activities in  
4 their jurisdictions.

5           ~~7.6.~~ Consider, in land use planning and regulation,  
6 the impact of land use on water quality and quantity; the  
7 availability of land, water, and other natural resources to  
8 meet demands; and the potential for flooding.

9           ~~8.7.~~ Provide educational programs and research to meet  
10 state, regional, and local planning and growth-management  
11 needs.

12           (22) THE ECONOMY.--

13           (a) Goal.--Florida shall promote an economic climate  
14 which provides economic stability, maximizes job  
15 opportunities, and increases per capita income for its  
16 residents.

17           (b) Policies.--

18           1. Attract new job-producing industries, corporate  
19 headquarters, distribution and service centers, regional  
20 offices, and research and development facilities to provide  
21 quality employment for the residents of Florida.

22           2. Promote entrepreneurship and small and  
23 minority-owned business startup by providing technical and  
24 information resources, facilitating capital formation, and  
25 removing regulatory restraints which are unnecessary for the  
26 protection of consumers and society.

27           3. Maintain, as one of the state's primary economic  
28 assets, the environment, including clean air and water,  
29 beaches, forests, historic landmarks, and agricultural and  
30 natural resources, and support rural communities in developing  
31 nature-and-heritage-based tourism enterprises consistent with

1 conservation of these natural resources in order to provide  
2 economic benefit to those living in closest proximity to those  
3 assets.

4           4. Strengthen Florida's position in the world economy  
5 through attracting foreign investment and promoting  
6 international banking and trade.

7           5. Build on the state's attractiveness to make it a  
8 leader in the visual and performing arts and in all phases of  
9 film, television, and recording production.

10           6. Promote economic development for Florida residents  
11 through partnerships among education, business, industry,  
12 agriculture, and the arts.

13           7. Provide increased opportunities for training  
14 Florida's workforce to provide skilled employees for new and  
15 expanding business.

16           8. Promote economic self-sufficiency through training  
17 and educational programs which result in productive  
18 employment.

19           9. Promote cooperative employment arrangements between  
20 private employers and public sector employment efforts to  
21 provide productive, permanent employment opportunities for  
22 public assistance recipients through provisions of education  
23 opportunities, tax incentives, and employment training.

24           10. Provide for nondiscriminatory employment  
25 opportunities.

26           11. Provide quality child day care for public  
27 assistance families and others who need it in order to work.

28           12. Encourage the development of a business climate  
29 that provides opportunities for the growth and expansion of  
30 existing state industries, particularly those industries which  
31 are compatible with Florida's environment.

1           13. Promote coordination among Florida's ports to  
2 increase their utilization.

3           14. Encourage the full utilization by businesses of  
4 the economic development enhancement programs implemented by  
5 the Legislature for the purpose of extensively involving  
6 private businesses in the development and expansion of  
7 permanent job opportunities, especially for the economically  
8 disadvantaged, through the utilization of enterprise zones,  
9 community development corporations, and other programs  
10 designed to enhance economic and employment opportunities.

11           (23) AGRICULTURE.--

12           (a) Goal.--Florida shall maintain and strive to expand  
13 its food, agriculture, ornamental horticulture, aquaculture,  
14 forestry, and related industries in order to be a healthy and  
15 competitive force in the national and international  
16 marketplace.

17           (b) Policies.--

18           1. Ensure that goals and policies contained in state  
19 and regional plans are not interpreted to permanently restrict  
20 the conversion of agricultural lands to other uses, while  
21 creating and providing economically viable options for those  
22 landowners who wish their lands to remain in agricultural  
23 uses.

24           2. Encourage diversification within the agriculture  
25 industry, especially to reduce the vulnerability of  
26 communities that are largely reliant upon agriculture for  
27 either income or employment.

28           3. Promote and increase international agricultural  
29 marketing opportunities for all Florida agricultural  
30 producers.

31

- 1           4. Stimulate research, development, and application of  
2 agricultural technology to promote and enhance the  
3 conservation, production, and marketing techniques available  
4 to the agriculture industry.
- 5           5. Encourage conservation, wastewater recycling, and  
6 other appropriate measures to assure adequate water resources  
7 to meet agricultural and other beneficial needs.
- 8           6. Promote entrepreneurship in the agricultural sector  
9 by providing technical and informational services.
- 10          7. Stimulate continued productivity through investment  
11 in education and research.
- 12          8. Encourage development of biological pest controls  
13 to further the reduction in reliance on chemical controls.
- 14          9. Conserve soil resources to maintain the economic  
15 value of land for agricultural pursuits and to prevent  
16 sedimentation in state waters.
- 17          10. Promote the vitality of Florida's agricultural  
18 industry through continued funding of basic research,  
19 extension, inspection, and analysis services and of programs  
20 providing for marketing and technical assistance and the  
21 control and eradication of diseases and infestations.
- 22          11. Continue to promote the use of lands for  
23 agricultural purposes by maintaining preferential property tax  
24 treatment through the greenbelt law.
- 25          12. Ensure that coordinated state planning of road,  
26 rail, and waterborne transportation systems provides adequate  
27 facilities for the economical transport of agricultural  
28 products and supplies between producing areas and markets.
- 29          13. Eliminate the discharge of inadequately treated  
30 wastewater and stormwater runoff into waters of the state.
- 31          (24) TOURISM.--

1 (a) Goal.--Florida will attract at least 55 million  
2 tourists annually by 1995 and shall support efforts by all  
3 areas of the state wishing to develop or expand  
4 tourist-related economies.

5 (b) Policies.--

6 1. Promote statewide tourism and support promotional  
7 efforts in those parts of the state that desire to attract  
8 visitors.

9 2. Acquire and manage public lands to offer visitors  
10 and residents increased outdoor experiences.

11 3. Promote awareness of historic places and cultural  
12 and historical activities.

13 4. Develop a nature-and-heritage-based tourism  
14 industry that meets growing public demand, protects the  
15 state's natural and cultural resources, and contributes to  
16 economic prosperity, especially in the state's rural  
17 communities.

18 Section 4. Paragraph (b) of subsection (2) of section  
19 212.096, Florida Statutes, is amended to read:

20 212.096 Sales, rental, storage, use tax; enterprise  
21 zone jobs credit against sales tax.--

22 (2)

23 (b) The credit shall be computed as follows:

24 1. Ten percent of the monthly wages paid in this state  
25 to each new employee whose wages do not exceed \$1,500 a month.  
26 If no less than 20 percent of the employees of the business  
27 are residents of an enterprise zone, excluding temporary and  
28 part-time employees, the credit shall be computed as 15  
29 percent of the monthly wages paid in this state to each new  
30 employee. If the business is located in an enterprise zone  
31 within the jurisdiction of a rural county or city as defined

1 in s. 288.106, the credit must be computed as 15 percent of  
2 the actual monthly wages paid in this state to each new  
3 employee for a period of up to 12 consecutive months,  
4 regardless of the percentage of employees of the business  
5 residing in the enterprise zone, provided that the employees  
6 are residents of the county within which the rural enterprise  
7 zone is located;

8         2. Five percent of the first \$1,500 of actual monthly  
9 wages paid in this state for each new employee whose wages  
10 exceed \$1,500 a month; or

11         3. Fifteen percent of the first \$1,500 of actual  
12 monthly wages paid in this state for each new employee who is  
13 a WAGES Program participant pursuant to chapter 414.

14  
15 For purposes of this paragraph, monthly wages shall be  
16 computed as one-twelfth of the expected annual wages paid to  
17 such employee. The amount paid as wages to a new employee is  
18 the compensation paid to such employee that is subject to  
19 unemployment tax. The credit shall be allowed for up to 12  
20 consecutive months, beginning with the first tax return due  
21 pursuant to s. 212.11 after approval by the department.

22         Section 5. Paragraph (a) of subsection (1) of section  
23 220.181, Florida Statutes, is amended to read:

24         220.181 Enterprise zone jobs credit.--

25         (1)(a) Beginning July 1, 1995, there shall be allowed  
26 a credit against the tax imposed by this chapter to any  
27 business located in an enterprise zone which employs one or  
28 more new employees. The credit shall be computed as follows:

29         1. Ten percent of the actual monthly wages paid in  
30 this state to each new employee whose wages do not exceed  
31 \$1,500 a month. If no less than 20 percent of the employees of

1 the business are residents of an enterprise zone, excluding  
2 temporary and part-time employees, the credit shall be  
3 computed as 15 percent of the actual monthly wages paid in  
4 this state to each new employee, for a period of up to 12  
5 consecutive months. If the business is located in an  
6 enterprise zone within the jurisdiction of a rural county or  
7 city as defined in s. 288.106, the credit must be computed as  
8 15 percent of the actual monthly wages paid in this state to  
9 each new employee, for a period of up to 12 consecutive  
10 months, regardless of the percentage of employees of the  
11 business residing in the enterprise zone, provided the  
12 employees are residents of the county within which the rural  
13 enterprise zone is located;

14         2. Five percent of the first \$1,500 of actual monthly  
15 wages paid in this state for each new employee whose wages  
16 exceed \$1,500 a month; or

17         3. Fifteen percent of the first \$1,500 of actual  
18 monthly wages paid in this state for each new employee who is  
19 a welfare transition program participant.

20         Section 6. Subsection (4) of section 290.0055, Florida  
21 Statutes, is amended to read:

22         290.0055 Local nominating procedure.--

23         (4) An area nominated by a county or municipality, or  
24 a county and one or more municipalities together, for  
25 designation as an enterprise zone shall be eligible for  
26 designation under s. 290.0065 only if it meets the following  
27 criteria:

28         (a) The selected area does not exceed 20 square miles.  
29 The selected area must have a continuous boundary, or consist  
30 of not more than three noncontiguous parcels.

31



1 (b)1. The selected area does not exceed the following  
2 mileage limitation:

3 2. For communities having a total population of  
4 150,000 persons or more, the selected area shall not exceed 20  
5 square miles.

6 3. For communities having a total population of 50,000  
7 persons or more but less than 150,000 persons, the selected  
8 area shall not exceed 10 square miles.

9 4. For communities having a total population of 20,000  
10 persons or more but less than 50,000 persons, the selected  
11 area shall not exceed 5 square miles.

12 5. For communities having a total population of 7,500  
13 persons or more but less than 20,000 persons, the selected  
14 area shall not exceed 3 square miles.

15 6. For communities having a total population of less  
16 than 7,500 persons, the selected area shall not exceed 3  
17 square miles.

18 7. For communities within the jurisdiction of a rural  
19 county or city as defined in s. 288.106, the selected area  
20 must not exceed 15 square miles, regardless of total  
21 population.

22 (c) The selected area does not include any portion of  
23 a central business district, as that term is used for purposes  
24 of the most recent Census of Retail Trade, unless the poverty  
25 rate for each census geographic block group in the district is  
26 not less than 30 percent. This paragraph does not apply to any  
27 area nominated in a county that has a population which is less  
28 than 50,000.

29 (d) The selected area suffers from pervasive poverty,  
30 unemployment, and general distress, as described and measured  
31 pursuant to s. 290.0058.

1           Section 7. Section 420.507, Florida Statutes, is  
2 amended to read:

3           420.507 Powers of the corporation.--The corporation  
4 shall have all the powers necessary or convenient to carry out  
5 and effectuate the purposes and provisions of this part,  
6 including the following powers which are in addition to all  
7 other powers granted by other provisions of this part:

8           (1) To sue and be sued, to have a seal, to alter the  
9 same at pleasure and to authorize the use of a facsimile  
10 thereof, and to make and execute contracts and other  
11 instruments necessary or convenient to the exercise of the  
12 powers of the corporation.

13           (2) To undertake and carry out studies and analyses of  
14 housing needs within the state and ways of meeting those  
15 needs.

16           (3) To participate in federal housing assistance and  
17 federal community development, insurance, and guarantee  
18 programs and to agree and comply with any conditions attached  
19 to federal financial assistance, including, without  
20 limitation, the waiver of exemption from federal income  
21 taxation on interest payable on its bonds, unless expressly  
22 prohibited by this act.

23           (4) To provide for the collection and payment of fees  
24 and charges, regardless of method of payment, in connection  
25 with its loans, commitments, and servicing, including, but not  
26 limited to, reimbursement of costs of financing by the  
27 corporation, service charges and insurance premiums as the  
28 corporation shall determine to be reasonable and as shall be  
29 approved by the corporation. The fees and charges may be paid  
30 directly by the borrower to the insurer, lender, or servicing  
31

1 agent or may be deducted from the interest collected by such  
2 insurer, lender, or servicing agent.

3 (5) To acquire real and personal property or any  
4 interest therein when such acquisition is necessary or  
5 appropriate to protect any loan or to participate in any  
6 program in which the corporation has an interest; to sell,  
7 transfer, and convey any such property to a buyer without  
8 regard to the provisions of chapters 253 and 270; and, in the  
9 event that such sale, transfer, or conveyance cannot be  
10 effected with reasonable promptness or at a reasonable price,  
11 to lease such property for occupancy.

12 (6) To borrow money through the issuance of bonds or  
13 from the Federal Home Loan Bank or Rural Housing Services of  
14 the United States Department of Agriculture for the purposes  
15 provided in this part, to provide for and secure the payment  
16 thereof, and to provide for the rights of the holders thereof.

17 (7) To purchase bonds of the corporation out of any  
18 funds or moneys of the corporation available therefor and to  
19 hold, cancel, or resell such bonds.

20 (8) To invest any funds held in reserves or sinking  
21 funds, or any funds not required for immediate disbursement,  
22 in such investments as may be authorized for trust funds under  
23 s. 215.47 and in any authorized investments, provided such  
24 investments will be made on behalf of the corporation by the  
25 State Board of Administration or by another trustee appointed  
26 for that purpose.

27 (9) To set standards for residential housing financed  
28 by the corporation under this chapter and to provide for  
29 inspections to determine compliance with those standards.

30  
31

1           (10) To contract for and to accept gifts, grants,  
2 loans, or other aid from the United States Government or any  
3 person or corporation.

4           (11) To insure and procure insurance against any loss  
5 in connection with any bonds of the corporation and the  
6 corporation's operations or property, including without  
7 limitation:

8           (a) The repayment of any loans to mortgage lenders or  
9 mortgage loans.

10           (b) Any project.

11           (c) Any bonds of the corporation, in such amounts and  
12 from such insurers, including the Federal Government, as it  
13 may deem necessary or desirable, and to pay any premiums  
14 therefor.

15           (12) To make rules necessary to carry out the purposes  
16 of this part and to exercise any power granted in this part  
17 pursuant to the provisions of chapter 120.

18           (13) To adopt rules necessary to carry out the  
19 purposes of the state's rural policy under the Florida Rural  
20 Heritage Act.

21           ~~(14)(13)~~ To engage the services of private consultants  
22 on a contract basis for rendering professional and technical  
23 assistance and advice.

24           ~~(15)(14)~~ To make additional conditions respecting the  
25 grant of loans or mortgage loans pursuant to this part,  
26 including, without limitation, the regulation of eligible  
27 persons and the admission of tenants and other occupants or  
28 users of projects and residential housing, and to enter into  
29 regulatory and other agreements and contracts under the  
30 provisions of this part.

31

1        (16)~~(15)~~ To institute any action or proceeding against  
2 any eligible person or sponsor receiving a loan or owning any  
3 residential housing financed under the provisions of this part  
4 in any court of competent jurisdiction to enforce the  
5 provisions of this part or the terms and provisions of any  
6 agreement or contract between the corporation and such person  
7 and, in connection with any such action or proceeding, to  
8 apply for and accept the appointment, by a court of competent  
9 jurisdiction, of a receiver to take over, manage, operate, and  
10 maintain such residential housing.

11        (17)~~(16)~~ To procure or require the procurement of a  
12 policy or policies of group life insurance or disability  
13 insurance, or both, to insure repayment of mortgage loans for  
14 residential housing in the event of the death or disability of  
15 the eligible person or persons liable therefor, and to pay any  
16 premiums therefor.

17        (18)~~(17)~~ To renegotiate any mortgage loan or any  
18 purchase agreement with a borrower in default; to waive any  
19 default or consent to the modification of the terms of any  
20 mortgage loan or any purchase agreement; and to commence,  
21 prosecute, and enforce a judgment in any action or proceeding  
22 to protect or enforce any right conferred upon it by law,  
23 mortgage loan, loan agreement or purchase agreement, contract,  
24 or other agreement, including without limitation foreclosure  
25 of the security interest on the property securing such a  
26 mortgage loan; provided that any such action or proceeding  
27 shall be brought in the name of the entity servicing the  
28 mortgage loan on behalf of the corporation and not in the name  
29 of the corporation, and in connection with any such  
30 proceeding, to bid for and purchase the property or acquire or  
31 take possession thereof and, in such event, complete,

1 administer, pay the principal of and interest on any  
2 obligations incurred in connection with the property and  
3 dispose of and otherwise deal with the property in such manner  
4 as the corporation may deem advisable to protect its interests  
5 therein.

6 (19)~~(18)~~ To make and execute contracts for the  
7 administration, servicing, or collection of any mortgage loan  
8 or loan agreement or purchase agreement with a mortgage lender  
9 or servicing agent for the duration of the loan or agreement  
10 and pay the reasonable value of services rendered to the  
11 corporation pursuant to such contracts. The fees and charges  
12 for such services may be paid directly by the borrower to the  
13 lender or servicing agent or may be deducted from the interest  
14 collected by such lender or servicing agent.

15 (20)~~(19)~~ To fix, revise from time to time, charge, and  
16 collect fees and other charges in connection with the making  
17 of mortgage loans, the purchasing of mortgage loans, and any  
18 other services rendered by the corporation.

19 (21)~~(20)~~ To make and execute agreements, contracts,  
20 and other instruments necessary or convenient in the exercise  
21 of the powers and functions of the corporation under this  
22 part, including contracts with any person, firm, corporation,  
23 local government, or other entity; and all local governments  
24 established under the laws of the state are hereby authorized  
25 to enter into and do all things necessary to perform such  
26 contracts and otherwise cooperate with the corporation to  
27 facilitate the accomplishment of the purposes of this part.

28 (22)~~(21)~~ Review all reverse mortgage provisions  
29 proposed to be used by an individual lender or a consortium to  
30 determine that such provisions are consistent with the  
31 purposes and intent of this act. If the corporation finds

1 that the provisions are consistent, it shall approve those  
2 provisions. If the corporation finds that the provisions are  
3 inconsistent, it shall state its objections and give the  
4 parties an opportunity to amend the provisions to overcome  
5 such objections. In approving these provisions, the  
6 corporation must determine:

7 (a) That the mortgagee is either licensed pursuant to  
8 ss. 494.006-494.0077 or specifically exempt from ss.  
9 494.006-494.0077.

10 (b) That the mortgagee has sufficient resources to  
11 finance such mortgages.

12 (23)~~(22)~~ To develop and administer the State Apartment  
13 Incentive Loan Program. In developing and administering that  
14 program, the corporation may:

15 (a) Make first, second, and other subordinated  
16 mortgage loans including variable or fixed rate loans subject  
17 to contingent interest. The corporation shall make loans  
18 exceeding 25 percent of project cost available only to  
19 nonprofit organizations and public bodies which are able to  
20 secure grants, donations of land, or contributions from other  
21 sources and to projects meeting the criteria of subparagraph  
22 1. Mortgage loans shall be made available at the following  
23 rates of interest:

24 1. Zero to 3 percent interest for sponsors of projects  
25 that maintain an 80 percent occupancy of residents qualifying  
26 as farmworkers as defined in s. 420.306(7) over the life of  
27 the loan.

28 2. Three to 9 percent interest for sponsors of  
29 projects targeted at populations other than farmworkers.

30 (b) Geographically and demographically target the  
31 utilization of loans.

1 (c) Underwrite credit, and reject projects which do  
2 not meet the established standards of the corporation.

3 (d) Negotiate with governing bodies within the state  
4 after a loan has been awarded to obtain local government  
5 contributions.

6 (e) Inspect any records of a sponsor at any time  
7 during the life of the loan or the agreed period for  
8 maintaining the provisions of s. 420.5087.

9 (f) Establish, by rule, the procedure for evaluating,  
10 scoring, and competitively ranking all applications based on  
11 the criteria set forth in s. 420.5087(6)(c); determining  
12 actual loan amounts; making and servicing loans; and  
13 exercising the powers authorized in this subsection.

14 (g) Establish a loan loss insurance reserve to be used  
15 to protect the outstanding program investment in case of a  
16 default, deed in lieu of foreclosure, or foreclosure of a  
17 program loan.

18 (24)~~(23)~~ To develop and administer the Florida  
19 Homeownership Assistance Program. In developing and  
20 administering the program, the corporation may:

21 (a)1. Make subordinated loans to eligible borrowers  
22 for down payments or closing costs related to the purchase of  
23 the borrower's primary residence.

24 2. Make permanent loans to eligible borrowers related  
25 to the purchase of the borrower's primary residence.

26 3. Make subordinated loans to nonprofit sponsors or  
27 developers of housing for construction financing of housing to  
28 be offered for sale to eligible borrowers as a primary  
29 residence at an affordable price.

30  
31



1 (b) Establish a loan loss insurance reserve to  
2 supplement existing sources of mortgage insurance with  
3 appropriated funds.

4 (c) Geographically and demographically target the  
5 utilization of loans.

6 (d) Defer repayment of loans for the term of the first  
7 mortgage.

8 (e) Establish flexible terms for loans with an  
9 interest rate not to exceed 3 percent per annum and which are  
10 nonamortizing for the term of the first mortgage.

11 (f) Require repayment of loans upon sale, transfer,  
12 refinancing, or rental of secured property.

13 (g) Accelerate a loan for monetary default, for  
14 failure to provide the benefits of the loans to eligible  
15 borrowers, or for violation of any other restriction placed  
16 upon the loan.

17 (h) Adopt rules for the program and exercise the  
18 powers authorized in this subsection.

19 (25)~~(24)~~ To do any and all things necessary or  
20 convenient to carry out the purposes of, and exercise the  
21 powers given and granted in, this part and the state rural  
22 policy under the Florida Rural Heritage Act.

23 (26)~~(25)~~ To develop and administer the Florida  
24 Affordable Housing Guarantee Program. In developing and  
25 administering the program, the corporation may:

26 (a) Develop criteria for determining the priority for  
27 expending the moneys in the State Housing Trust Fund.

28 (b) Select affordable housing debt to be guaranteed or  
29 additionally secured by amounts on deposit in the Affordable  
30 Housing Guarantee Fund.

31

1 (c) Adopt rules for the program and exercise the  
2 powers authorized in this subsection.

3 (27)~~(26)~~ To develop and administer the Predevelopment  
4 Loan Program. In developing and administering the program, the  
5 corporation may make loans and grants as provided in ss.  
6 420.521-420.529.

7 (28)~~(27)~~ Notwithstanding the provisions of chapter 282  
8 and part I of chapter 287, to establish guidelines for and to  
9 implement the purchase and procurement of materials and  
10 services for use by the corporation.

11 (29)~~(28)~~ To expend amounts advanced from the State  
12 Housing Trust Fund for the purposes of this part.

13 (30)~~(29)~~ To own real and personal property for the  
14 purposes of this part, to mortgage such property, and to sell  
15 the property without regard to the provisions of chapters 253  
16 and 270.

17 (31)~~(30)~~ To prepare and submit to the secretary of the  
18 department a budget request for purposes of the corporation,  
19 which request shall, notwithstanding the provisions of chapter  
20 216 and in accordance with s. 216.351, contain a request for  
21 operational expenditures and separate requests for other  
22 authorized corporation programs. The request shall not be  
23 required to contain information on the number of employees,  
24 salaries, or any classification thereof, and the approved  
25 operating budget therefor need not comply with s.  
26 216.181(8)-(10). The secretary is authorized to include within  
27 the department's budget request the corporation's budget  
28 request in the form as authorized by this section.

29 (32)~~(31)~~ Notwithstanding the provisions of s. 216.301,  
30 to retain any unused operational expenditure appropriation for  
31 other lawful purposes of the corporation.

1        (33)~~(32)~~ To pay pensions and establish pension plans,  
2 pension trusts, and benefit and incentive plans for any and  
3 all of its current or former employees and agents.

4        (34)~~(33)~~ To receive federal funding in connection with  
5 the corporation's programs directly from the Federal  
6 Government.

7        (35)~~(34)~~ To establish the corporation's fiscal year.

8        (36)~~(35)~~ To preclude from further participation in any  
9 of the corporation's programs, for a period of up to 2 years,  
10 any applicant or affiliate of an applicant which has made a  
11 material misrepresentation or engaged in fraudulent actions in  
12 connection with any application for a corporation program.

13        (37)~~(36)~~ To provide for the development of  
14 infrastructure improvements and rehabilitation primarily in  
15 connection with residential housing consistent with the  
16 applicable local government comprehensive plan.

17        (38)~~(37)~~ To provide by rule, in connection with any  
18 corporation competitive program, for the reservation of future  
19 allocation or funding to provide a remedy for a litigant which  
20 is ultimately successful in its litigation regarding a  
21 competitive application, and to establish a date certain by  
22 which, if litigation is not resolved, the successful litigant  
23 will be funded from a subsequent year's available allocation  
24 or funding.

25        (39)~~(38)~~ To designate private activity allocation for  
26 tax-exempt bonds received by the corporation pursuant to part  
27 VI of chapter 159 between single-family and multifamily  
28 projects.

29        Section 8. The sum of \$5 million is appropriated from  
30 the General Revenue Fund for implementation of the Florida  
31 Rural Heritage Act as follows: \$2,550,000 to the Department of

1 Community Affairs to fund the Rural Heritage Grant Program; \$1  
2 million to the Office of Tourism, Trade, and Economic  
3 Development to create a revolving loan fund to finance the  
4 Nature-and-Heritage-Based Tourism Enterprise Micro-loan  
5 Program; \$800,000 to the Department of Agriculture to  
6 implement the agricultural diversification pilot projects;  
7 \$600,000 to the Department of Management Services to implement  
8 the education technology pilot projects; and \$50,000 to the  
9 Rural Economic Development Initiative to fund the update of  
10 the Rural Resource Directory and the provision of technical  
11 assistance required by this act during the 2001-2002 fiscal  
12 year.

13 Section 9. This act shall take effect July 1, 2001.

14 \*\*\*\*\*

15  
16 LEGISLATIVE SUMMARY

17 Creates the Florida Rural Heritage Act. Provides  
18 legislative intent. Provides definitions. Provides for  
19 the designation of a Rural Heritage Area and a  
20 community-based planning process. Specifies guidelines  
21 for Rural Heritage Area plans. Provides procedures for  
22 adoption of a plan. Provides economic incentives,  
23 reports, and technical assistance. Creates the Rural  
24 Heritage Grant Program to assist local governments in  
25 adopting Rural Heritage Areas to be administered by the  
26 Department of Community Affairs. Provides for development  
27 of a nature-and-heritage-based tourism business  
28 micro-loan program. Provides for the establishment of a  
29 revolving loan program. Provides for establishment of  
30 educational technology pilot programs by the Department  
31 of Management Services. Provides for agricultural  
diversification pilot projects to be administered by the  
Department of Agriculture and Consumer Services. Provides  
for review and evaluation by the Office of Program Policy  
Analysis and Government Accountability. Provides  
conditions for the adoption of local comprehensive plans  
for rural activity centers. Modifies goals of the State  
Comprehensive Plan. Provides a credit against sales tax  
for businesses located in an enterprise zone within a  
rural county or city as defined. Provides enterprise zone  
jobs credit for businesses within the jurisdiction of a  
rural local government. Provides conditions under which  
communities within the jurisdiction of a rural local  
government may be designated as an enterprise zone.  
Modifies powers of the Florida Housing Finance  
Corporation. Provides appropriations.