

By the Committee on Commerce and Economic Opportunities; and
Senators Mitchell and Klein

310-1729-01

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 wireless community-based network
21 technology pilot programs to be established by
22 the State Technology Office; providing for
23 pilot projects to encourage diversification of
24 agricultural products and marketing to be
25 developed by the Department of Agriculture and
26 Consumer Services; providing for review and
27 evaluation by the Office of Program Policy
28 Analysis and Government Accountability;
29 amending s. 163.3187, F.S.; providing
30 conditions for adoption of local comprehensive
31 plans for rural activity centers; amending s.

1 187.201, 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 that specified provisions are subject
24 to appropriations or the availability of agency
25 funds; providing an effective date.

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

28
29 Section 1. Florida Rural Heritage Act.--
30 (1) SHORT TITLE.--This section may be cited as the
31 "Florida Rural Heritage Act."

1 (2) FINDINGS.--The Legislature finds that:
2 (a) Fiscally and culturally strong rural communities
3 are beneficial to regional and state economies and resources;
4 are a method for reduction of future urban sprawl; encourage
5 compact, efficient urban growth patterns; and should be
6 promoted by state, regional, and local governments.
7 (b) The health and vibrancy of the state's rural areas
8 benefit their respective regions and the state; conversely,
9 the deterioration of those rural areas negatively impacts the
10 surrounding area and the state.
11 (c) In recognition of the interwoven nature of the
12 relationships among rural communities, agricultural lands,
13 open space lands, urban centers, regions, and the state, the
14 respective governments should establish a framework and work
15 in partnership with communities and the private sector to
16 revitalize rural areas.
17 (d) A state rural policy should guide the state,
18 regional agencies, local governments, and the private sector
19 in creating economic prosperity and preserving the unique
20 rural character and heritage of the state's rural areas. The
21 policy should encourage and assist local governments in
22 addressing issues including adequate provision of
23 infrastructure, affordable housing, human services, safe
24 neighborhoods, agricultural profitability, educational
25 facilities, sound land uses, health care, and economic
26 diversification and development to sustain rural communities
27 into the future.
28 (e) Successfully revitalizing and sustaining rural
29 areas depends on addressing, through an integrated and
30 coordinated community effort, a range of varied components
31 essential to a healthy rural environment, including cultural,

1 educational, recreational, economic, transportation, land use,
2 information technology, and social service delivery
3 components.

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

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

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

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

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. No later
8 than November 1, 2001, this group shall submit a report to the
9 President of the Senate and the Speaker of the House of
10 Representatives which provides: the mission and structure of
11 the micro-loan program; guidelines for administering the
12 program; and criteria for and any limitations on loan
13 recipient eligibility and on use of loan funds.

14 (9) WIRELESS COMMUNITY-BASED NETWORK PILOT PROGRAM.--

15 (a) The State Technology Office, in consultation with
16 the Departments of Education, Health, and Community Affairs,
17 the State Library, local governments, and the regional
18 consortium service organizations, established under section
19 228.0857, Florida Statutes, and institutions of higher
20 education, shall develop recommendations regarding the
21 establishment of two pilot projects in rural communities that
22 use wireless or other technologies. The purposes of the
23 projects are to illustrate ways to increase access to quality
24 educational, health-care, and other resources in the state's
25 rural areas; to leverage federal funds available for bridging
26 the "digital divide"; to build on existing applications to
27 create community-based networks; and to foster opportunities
28 for innovative distribution of existing funds. The pilot
29 projects must include linkages to existing information
30 technology systems in the pilot area, for example, to a public
31 library, a university, or a 4-year or community college,

1 county or municipal government, health-care facility, or
2 private business network.

3 (b) The State Technology Office shall select the rural
4 communities that will participate in the pilot project in
5 consultation with the Departments of Education, Health, and
6 Community Affairs, and the State Library. The selection
7 process must be based on the following criteria:

8 1. Through evaluation of the school improvement plan,
9 demonstration of how the school or district will leverage
10 additional connectivity provided through the pilot project to
11 improve student achievement;

12 2. If the pilot project involves wireless technology,
13 demonstration of the school's or district's ability to
14 effectively deploy wireless technology based on existing
15 infrastructure;

16 3. Demonstration of commitment of the leadership of
17 the school or district to use technology to improve teaching
18 and learning;

19 4. If the pilot project involves wireless technology,
20 potential cost savings or improved access resulting from the
21 use of wireless rather than traditional connectivity
22 technology;

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

25 6. Demonstration of willingness and ability of the
26 community to assume ongoing costs to maintain the pilot
27 project for a minimum 5-year period. Such willingness and
28 ability may be demonstrated through intracommunity agreements
29 or other means; and

30 7. Such other criteria as determined by the agencies.
31

1 (c) The State Technology Office, in consultation with
2 the Departments of Education, Health, and Community Affairs,
3 the State Library, and local governments, shall include in its
4 report performance standards for the pilot project consistent
5 with the Sunshine State Standards, as described in section
6 229.57, Florida Statutes, and broader community-based
7 standards as appropriate, and shall evaluate the progress of
8 the pilot project at least annually based on the performance
9 standards.

10 (d) The State Technology Office shall report its
11 recommendations to the Senate President, the Speaker of the
12 House of Representatives, and the Governor by November 1,
13 2001. Recommendations will address the implementation and
14 funding of the pilot programs.

15 (10) AGRICULTURAL CONSERVATION AND PROFITABILITY.--

16 (a) The Department of Agriculture and Consumer
17 Services, in consultation with the University of Florida and
18 the Florida Agricultural and Mechanical University, shall
19 establish three pilot projects aimed at encouraging the
20 diversification of agricultural production and marketing
21 throughout the state. Each project must do at least one of the
22 following: introduce alternative crops, such as hot peppers,
23 amaranth, or pigeon peas, or alternative growing techniques,
24 for example, greenhouse vegetable production in north Florida
25 or early-season blueberries and peaches; or introduce a
26 value-added activity or industry, such as fruit or vegetable
27 processing or packaging into a farming community as a means of
28 increasing the profitability of current farm products for
29 local growers. At least one of these projects must include a
30 tobacco farm that is being adversely impacted by reductions in
31 tobacco quotas. The purpose of the pilot projects is to

1 demonstrate alternative crops, techniques, and industries that
2 can enhance the profitability and sustainability of
3 agriculture in the state. The Commissioner of Agriculture
4 shall, in consultation with the Agricultural Economic
5 Development Project Review Committee as described in section
6 570.248, Florida Statutes, select the pilot project based on
7 evaluation criteria for agricultural economic development
8 projects delineated in section 570.247, Florida Statutes. The
9 Commissioner of Agriculture shall report annually to the
10 Agricultural Economic Development Project Review Committee on
11 the progress of the pilot project for the duration of the
12 project based on performance measures developed for the
13 project consistent with sections 570.244, 570.246, and
14 570.247, Florida Statutes.

15 (b) The Commissioner of Agriculture shall issue a
16 report on the progress of the pilot programs to the Senate
17 President, the Speaker of the House of Representatives, and
18 the Governor by December 15, 2001.

19 (c) As authorized in section 403.0752, Florida
20 Statutes, and based on results of current "whole farm
21 planning" pilot projects, the Florida Department of
22 Environmental Protection shall work with willing partners to
23 streamline the permitting process for agricultural land uses.

24 (11) REVIEW AND EVALUATION.--The Office of Program
25 Policy Analysis and Government Accountability shall perform a
26 review and evaluation of the grant program and financial
27 incentives and the educational technology pilot program. The
28 report must evaluate the effectiveness of the designation of
29 rural planning areas in promoting economic prosperity and
30 preserving rural character in the state's rural areas. This
31 report may be conducted in conjunction with a review of the

1 Urban Infill and Redevelopment Assistance Grant Program. A
2 report of the findings and recommendations of the Office of
3 Program Policy Analysis and Government Accountability must be
4 submitted to the President of the Senate and the Speaker of
5 the House of Representative before the 2005 Regular Session of
6 the Legislature.

7 Section 2. Paragraph (i) of subsection (1) of section
8 163.3187, Florida Statutes, is amended to read:

9 163.3187 Amendment of adopted comprehensive plan.--

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

13 (i) A comprehensive plan amendment for the purpose of
14 designating an urban infill and redevelopment area under s.
15 163.2517 or a Rural Heritage Area or Rural Activity Center
16 under the Florida Rural Heritage Act may be approved without
17 regard to the statutory limits on the frequency of amendments
18 to the comprehensive plan.

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

22 187.201 State Comprehensive Plan adopted.--The
23 Legislature hereby adopts as the State Comprehensive Plan the
24 following specific goals and policies:

25 (5) HOUSING.--

26 (a) Goal.--The public and private sectors shall
27 increase the affordability and availability of housing for
28 low-income and moderate-income persons, including citizens in
29 rural areas, while at the same time encouraging
30 self-sufficiency of the individual and assuring environmental
31 and structural quality and cost-effective operations.

1 (b) Policies.--

2 1. Eliminate public policies which result in housing
3 discrimination, and develop policies which encourage housing
4 opportunities for all Florida's citizens.

5 2. Diminish the use of institutions to house persons
6 by promoting deinstitutionalization to the maximum extent
7 possible.

8 3. Increase the supply of safe, affordable, and
9 sanitary housing for low-income and moderate-income persons
10 and elderly persons by alleviating housing shortages,
11 recycling older houses and redeveloping residential
12 neighborhoods, identifying housing needs, providing incentives
13 to the private sector to build affordable housing, encouraging
14 public-private partnerships to maximize the creation of
15 affordable housing, and encouraging research into low-cost
16 housing construction techniques, considering life-cycle
17 operating costs.

18 4. Reduce the cost of housing construction by
19 eliminating unnecessary regulatory practices which add to the
20 cost of housing.

21 5. Provide incentives and encourage research to
22 increase the supply of safe, affordable, and sanitary housing
23 for low, very low, and moderate income residents of rural
24 areas, as defined in s. 420.602. Such incentives and research
25 must take into account the importance of development that
26 preserves the rural character of the area, and seek to
27 mitigate the increased per-unit cost of small housing projects
28 appropriate to rural areas over the per-unit cost for larger
29 developments.

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

31

1 (a) Goal.--Florida shall protect and acquire unique
2 natural habitats and ecological systems, such as wetlands,
3 tropical hardwood hammocks, palm hammocks, and virgin longleaf
4 pine forests, and restore degraded natural systems to a
5 functional condition.

6 (b) Policies.--

7 1. Conserve forests, wetlands, fish, marine life, and
8 wildlife to maintain their environmental, economic, aesthetic,
9 and recreational values.

10 2. Acquire, retain, manage, and inventory public lands
11 to provide recreation, conservation, and related public
12 benefits.

13 3. Prohibit the destruction of endangered species and
14 protect their habitats.

15 4. Establish an integrated regulatory program to
16 assure the survival of endangered and threatened species
17 within the state.

18 5. Promote the use of agricultural practices which are
19 compatible with the protection of wildlife and natural
20 systems.

21 6. Encourage multiple use of forest resources, where
22 appropriate, to provide for timber production, recreation,
23 wildlife habitat, watershed protection, erosion control, and
24 maintenance of water quality.

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

28 8. Promote restoration of the Everglades system and of
29 the hydrological and ecological functions of degraded or
30 substantially disrupted surface waters.

31

1 9. Develop and implement a comprehensive planning,
2 management, and acquisition program to ensure the integrity of
3 Florida's river systems.

4 10. Emphasize the acquisition and maintenance of
5 ecologically intact systems in all land and water planning,
6 management, and regulation.

7 11. Expand state and local efforts to provide
8 recreational opportunities to urban areas, including the
9 development of activity-based parks.

10 12. Protect and expand park systems throughout the
11 state.

12 13. Encourage the use of public and private financial
13 and other resources for the development of recreational and
14 nature-based tourism opportunities at the state and local
15 levels when consistent with natural-system conservation
16 principles and practices.

17 (16) LAND USE.--

18 (a) Goal.--In recognition of the importance of
19 preserving the natural resources and enhancing the quality of
20 life of the state, development shall be directed to those
21 areas which have in place, or have agreements to provide, the
22 land and water resources, fiscal abilities, and service
23 capacity to accommodate growth in an environmentally
24 acceptable manner.

25 (b) Policies.--

26 1. Promote state programs, investments, and
27 development and redevelopment activities which encourage
28 efficient development and occur in areas which will have the
29 capacity to service new population and commerce.

30 2. Develop a system of incentives and disincentives
31 which encourages a separation of urban and rural land uses

1 while protecting water supplies, resource development, and
2 fish and wildlife habitats.

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

6 4. Recognize the interwoven nature of the
7 relationships among rural communities, agricultural lands,
8 open space lands, urban centers, regions, and the state, and
9 the importance of fiscally and culturally strong rural
10 communities to state and regional economies and resources.
11 Promote state and local programs that foster integrated and
12 coordinated community-planning efforts. Pursue land use,
13 educational, recreational, economic, transportation, housing,
14 information technology, and social service delivery
15 initiatives in the context of community planning goals.

16 ~~5.4.~~ Develop a system of intergovernmental negotiation
17 for siting locally unpopular public and private land uses
18 which considers the area of population served, the impact on
19 land development patterns or important natural resources, and
20 the cost-effectiveness of service delivery.

21 ~~6.5.~~ Encourage and assist local governments in
22 establishing comprehensive impact-review procedures to
23 evaluate the effects of significant development activities in
24 their jurisdictions.

25 ~~7.6.~~ Consider, in land use planning and regulation,
26 the impact of land use on water quality and quantity; the
27 availability of land, water, and other natural resources to
28 meet demands; and the potential for flooding.

29 ~~8.7.~~ Provide educational programs and research to meet
30 state, regional, and local planning and growth-management
31 needs.

1 (22) THE ECONOMY.--

2 (a) Goal.--Florida shall promote an economic climate
3 which provides economic stability, maximizes job
4 opportunities, and increases per capita income for its
5 residents.

6 (b) Policies.--

7 1. Attract new job-producing industries, corporate
8 headquarters, distribution and service centers, regional
9 offices, and research and development facilities to provide
10 quality employment for the residents of Florida.

11 2. Promote entrepreneurship and small and
12 minority-owned business startup by providing technical and
13 information resources, facilitating capital formation, and
14 removing regulatory restraints which are unnecessary for the
15 protection of consumers and society.

16 3. Maintain, as one of the state's primary economic
17 assets, the environment, including clean air and water,
18 beaches, forests, historic landmarks, and agricultural and
19 natural resources, and support rural communities in developing
20 nature-and-heritage-based tourism enterprises consistent with
21 conservation of these natural resources in order to provide
22 economic benefit to those living in closest proximity to those
23 assets.

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

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

30
31

1 6. Promote economic development for Florida residents
2 through partnerships among education, business, industry,
3 agriculture, and the arts.

4 7. Provide increased opportunities for training
5 Florida's workforce to provide skilled employees for new and
6 expanding business.

7 8. Promote economic self-sufficiency through training
8 and educational programs which result in productive
9 employment.

10 9. Promote cooperative employment arrangements between
11 private employers and public sector employment efforts to
12 provide productive, permanent employment opportunities for
13 public assistance recipients through provisions of education
14 opportunities, tax incentives, and employment training.

15 10. Provide for nondiscriminatory employment
16 opportunities.

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

19 12. Encourage the development of a business climate
20 that provides opportunities for the growth and expansion of
21 existing state industries, particularly those industries which
22 are compatible with Florida's environment.

23 13. Promote coordination among Florida's ports to
24 increase their utilization.

25 14. Encourage the full utilization by businesses of
26 the economic development enhancement programs implemented by
27 the Legislature for the purpose of extensively involving
28 private businesses in the development and expansion of
29 permanent job opportunities, especially for the economically
30 disadvantaged, through the utilization of enterprise zones,
31

1 community development corporations, and other programs
2 designed to enhance economic and employment opportunities.

3 (23) AGRICULTURE.--

4 (a) Goal.--Florida shall maintain and strive to expand
5 its food, agriculture, ornamental horticulture, aquaculture,
6 forestry, and related industries in order to be a healthy and
7 competitive force in the national and international
8 marketplace.

9 (b) Policies.--

10 1. Ensure that goals and policies contained in state
11 and regional plans are not interpreted to permanently restrict
12 the conversion of agricultural lands to other uses, while
13 creating and providing economically viable options for those
14 landowners who wish their lands to remain in agricultural
15 uses.

16 2. Encourage diversification within the agriculture
17 industry, especially to reduce the vulnerability of
18 communities that are largely reliant upon agriculture for
19 either income or employment.

20 3. Promote and increase international agricultural
21 marketing opportunities for all Florida agricultural
22 producers.

23 4. Stimulate research, development, and application of
24 agricultural technology to promote and enhance the
25 conservation, production, and marketing techniques available
26 to the agriculture industry.

27 5. Encourage conservation, wastewater recycling, and
28 other appropriate measures to assure adequate water resources
29 to meet agricultural and other beneficial needs.

30 6. Promote entrepreneurship in the agricultural sector
31 by providing technical and informational services.

1 7. Stimulate continued productivity through investment
2 in education and research.

3 8. Encourage development of biological pest controls
4 to further the reduction in reliance on chemical controls.

5 9. Conserve soil resources to maintain the economic
6 value of land for agricultural pursuits and to prevent
7 sedimentation in state waters.

8 10. Promote the vitality of Florida's agricultural
9 industry through continued funding of basic research,
10 extension, inspection, and analysis services and of programs
11 providing for marketing and technical assistance and the
12 control and eradication of diseases and infestations.

13 11. Continue to promote the use of lands for
14 agricultural purposes by maintaining preferential property tax
15 treatment through the greenbelt law.

16 12. Ensure that coordinated state planning of road,
17 rail, and waterborne transportation systems provides adequate
18 facilities for the economical transport of agricultural
19 products and supplies between producing areas and markets.

20 13. Eliminate the discharge of inadequately treated
21 wastewater and stormwater runoff into waters of the state.

22 (24) TOURISM.--

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

27 (b) Policies.--

28 1. Promote statewide tourism and support promotional
29 efforts in those parts of the state that desire to attract
30 visitors.

31

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

3 3. Promote awareness of historic places and cultural
4 and historical activities.

5 4. Develop a nature-and-heritage-based tourism
6 industry that meets growing public demand, protects the
7 state's natural and cultural resources, and contributes to
8 economic prosperity, especially in the state's rural
9 communities.

10 Section 4. Paragraph (b) of subsection (2) of section
11 212.096, Florida Statutes, is amended to read:

12 212.096 Sales, rental, storage, use tax; enterprise
13 zone jobs credit against sales tax.--

14 (2)

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

16 1. Ten percent of the monthly wages paid in this state
17 to each new employee whose wages do not exceed \$1,500 a month.
18 If no less than 20 percent of the employees of the business
19 are residents of an enterprise zone, excluding temporary and
20 part-time employees, the credit shall be computed as 15
21 percent of the monthly wages paid in this state to each new
22 employee. If the business is located in an enterprise zone
23 within the jurisdiction of a rural county or city as defined
24 in s. 288.106, the credit must be computed as 15 percent of
25 the actual monthly wages paid in this state to each new
26 employee for a period of up to 12 consecutive months,
27 regardless of the percentage of employees of the business
28 residing in the enterprise zone, provided that the employees
29 are residents of the county within which the rural enterprise
30 zone is located;
31

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

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

7
8 For purposes of this paragraph, monthly wages shall be
9 computed as one-twelfth of the expected annual wages paid to
10 such employee. The amount paid as wages to a new employee is
11 the compensation paid to such employee that is subject to
12 unemployment tax. The credit shall be allowed for up to 12
13 consecutive months, beginning with the first tax return due
14 pursuant to s. 212.11 after approval by the department.

15 Section 5. Paragraph (a) of subsection (1) of section
16 220.181, Florida Statutes, is amended to read:

17 220.181 Enterprise zone jobs credit.--

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

22 1. Ten percent of the actual monthly wages paid in
23 this state to each new employee whose wages do not exceed
24 \$1,500 a month. If no less than 20 percent of the employees of
25 the business are residents of an enterprise zone, excluding
26 temporary and part-time employees, the credit shall be
27 computed as 15 percent of the actual monthly wages paid in
28 this state to each new employee, for a period of up to 12
29 consecutive months. If the business is located in an
30 enterprise zone within the jurisdiction of a rural county or
31 city as defined in s. 288.106, the credit must be computed as

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

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

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

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

15 290.0055 Local nominating procedure.--

16 (4) An area nominated by a county or municipality, or
17 a county and one or more municipalities together, for
18 designation as an enterprise zone shall be eligible for
19 designation under s. 290.0065 only if it meets the following
20 criteria:

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

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

26 2. For communities having a total population of
27 150,000 persons or more, the selected area shall not exceed 20
28 square miles.

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

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

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

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

10 7. For communities within the jurisdiction of a rural
11 county or city as defined in s. 288.106, the selected area
12 must not exceed 15 square miles, regardless of total
13 population.

14 (c) The selected area does not include any portion of
15 a central business district, as that term is used for purposes
16 of the most recent Census of Retail Trade, unless the poverty
17 rate for each census geographic block group in the district is
18 not less than 30 percent. This paragraph does not apply to any
19 area nominated in a county that has a population which is less
20 than 50,000.

21 (d) The selected area suffers from pervasive poverty,
22 unemployment, and general distress, as described and measured
23 pursuant to s. 290.0058.

24 Section 7. Section 420.507, Florida Statutes, is
25 amended to read:

26 420.507 Powers of the corporation.--The corporation
27 shall have all the powers necessary or convenient to carry out
28 and effectuate the purposes and provisions of this part,
29 including the following powers which are in addition to all
30 other powers granted by other provisions of this part:

31

1 (1) To sue and be sued, to have a seal, to alter the
2 same at pleasure and to authorize the use of a facsimile
3 thereof, and to make and execute contracts and other
4 instruments necessary or convenient to the exercise of the
5 powers of the corporation.

6 (2) To undertake and carry out studies and analyses of
7 housing needs within the state and ways of meeting those
8 needs.

9 (3) To participate in federal housing assistance and
10 federal community development, insurance, and guarantee
11 programs and to agree and comply with any conditions attached
12 to federal financial assistance, including, without
13 limitation, the waiver of exemption from federal income
14 taxation on interest payable on its bonds, unless expressly
15 prohibited by this act.

16 (4) To provide for the collection and payment of fees
17 and charges, regardless of method of payment, in connection
18 with its loans, commitments, and servicing, including, but not
19 limited to, reimbursement of costs of financing by the
20 corporation, service charges and insurance premiums as the
21 corporation shall determine to be reasonable and as shall be
22 approved by the corporation. The fees and charges may be paid
23 directly by the borrower to the insurer, lender, or servicing
24 agent or may be deducted from the interest collected by such
25 insurer, lender, or servicing agent.

26 (5) To acquire real and personal property or any
27 interest therein when such acquisition is necessary or
28 appropriate to protect any loan or to participate in any
29 program in which the corporation has an interest; to sell,
30 transfer, and convey any such property to a buyer without
31 regard to the provisions of chapters 253 and 270; and, in the

1 event that such sale, transfer, or conveyance cannot be
2 effected with reasonable promptness or at a reasonable price,
3 to lease such property for occupancy.

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

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

12 (8) To invest any funds held in reserves or sinking
13 funds, or any funds not required for immediate disbursement,
14 in such investments as may be authorized for trust funds under
15 s. 215.47 and in any authorized investments, provided such
16 investments will be made on behalf of the corporation by the
17 State Board of Administration or by another trustee appointed
18 for that purpose.

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

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

25 (11) To insure and procure insurance against any loss
26 in connection with any bonds of the corporation and the
27 corporation's operations or property, including without
28 limitation:

29 (a) The repayment of any loans to mortgage lenders or
30 mortgage loans.

31 (b) Any project.

1 (c) Any bonds of the corporation, in such amounts and
2 from such insurers, including the Federal Government, as it
3 may deem necessary or desirable, and to pay any premiums
4 therefor.

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

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

11 ~~(14)~~(13) To engage the services of private consultants
12 on a contract basis for rendering professional and technical
13 assistance and advice.

14 ~~(15)~~(14) To make additional conditions respecting the
15 grant of loans or mortgage loans pursuant to this part,
16 including, without limitation, the regulation of eligible
17 persons and the admission of tenants and other occupants or
18 users of projects and residential housing, and to enter into
19 regulatory and other agreements and contracts under the
20 provisions of this part.

21 ~~(16)~~(15) To institute any action or proceeding against
22 any eligible person or sponsor receiving a loan or owning any
23 residential housing financed under the provisions of this part
24 in any court of competent jurisdiction to enforce the
25 provisions of this part or the terms and provisions of any
26 agreement or contract between the corporation and such person
27 and, in connection with any such action or proceeding, to
28 apply for and accept the appointment, by a court of competent
29 jurisdiction, of a receiver to take over, manage, operate, and
30 maintain such residential housing.

31

1 (17)~~(16)~~ To procure or require the procurement of a
2 policy or policies of group life insurance or disability
3 insurance, or both, to insure repayment of mortgage loans for
4 residential housing in the event of the death or disability of
5 the eligible person or persons liable therefor, and to pay any
6 premiums therefor.

7 (18)~~(17)~~ To renegotiate any mortgage loan or any
8 purchase agreement with a borrower in default; to waive any
9 default or consent to the modification of the terms of any
10 mortgage loan or any purchase agreement; and to commence,
11 prosecute, and enforce a judgment in any action or proceeding
12 to protect or enforce any right conferred upon it by law,
13 mortgage loan, loan agreement or purchase agreement, contract,
14 or other agreement, including without limitation foreclosure
15 of the security interest on the property securing such a
16 mortgage loan; provided that any such action or proceeding
17 shall be brought in the name of the entity servicing the
18 mortgage loan on behalf of the corporation and not in the name
19 of the corporation, and in connection with any such
20 proceeding, to bid for and purchase the property or acquire or
21 take possession thereof and, in such event, complete,
22 administer, pay the principal of and interest on any
23 obligations incurred in connection with the property and
24 dispose of and otherwise deal with the property in such manner
25 as the corporation may deem advisable to protect its interests
26 therein.

27 (19)~~(18)~~ To make and execute contracts for the
28 administration, servicing, or collection of any mortgage loan
29 or loan agreement or purchase agreement with a mortgage lender
30 or servicing agent for the duration of the loan or agreement
31 and pay the reasonable value of services rendered to the

1 corporation pursuant to such contracts. The fees and charges
2 for such services may be paid directly by the borrower to the
3 lender or servicing agent or may be deducted from the interest
4 collected by such lender or servicing agent.

5 (20)~~(19)~~ To fix, revise from time to time, charge, and
6 collect fees and other charges in connection with the making
7 of mortgage loans, the purchasing of mortgage loans, and any
8 other services rendered by the corporation.

9 (21)~~(20)~~ To make and execute agreements, contracts,
10 and other instruments necessary or convenient in the exercise
11 of the powers and functions of the corporation under this
12 part, including contracts with any person, firm, corporation,
13 local government, or other entity; and all local governments
14 established under the laws of the state are hereby authorized
15 to enter into and do all things necessary to perform such
16 contracts and otherwise cooperate with the corporation to
17 facilitate the accomplishment of the purposes of this part.

18 (22)~~(21)~~ Review all reverse mortgage provisions
19 proposed to be used by an individual lender or a consortium to
20 determine that such provisions are consistent with the
21 purposes and intent of this act. If the corporation finds
22 that the provisions are consistent, it shall approve those
23 provisions. If the corporation finds that the provisions are
24 inconsistent, it shall state its objections and give the
25 parties an opportunity to amend the provisions to overcome
26 such objections. In approving these provisions, the
27 corporation must determine:

28 (a) That the mortgagee is either licensed pursuant to
29 ss. 494.006-494.0077 or specifically exempt from ss.
30 494.006-494.0077.

31

1 (b) That the mortgagee has sufficient resources to
2 finance such mortgages.

3 (23)~~(22)~~ To develop and administer the State Apartment
4 Incentive Loan Program. In developing and administering that
5 program, the corporation may:

6 (a) Make first, second, and other subordinated
7 mortgage loans including variable or fixed rate loans subject
8 to contingent interest. The corporation shall make loans
9 exceeding 25 percent of project cost available only to
10 nonprofit organizations and public bodies which are able to
11 secure grants, donations of land, or contributions from other
12 sources and to projects meeting the criteria of subparagraph
13 1. Mortgage loans shall be made available at the following
14 rates of interest:

15 1. Zero to 3 percent interest for sponsors of projects
16 that maintain an 80 percent occupancy of residents qualifying
17 as farmworkers as defined in s. 420.306(7) over the life of
18 the loan.

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

21 (b) Geographically and demographically target the
22 utilization of loans.

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

25 (d) Negotiate with governing bodies within the state
26 after a loan has been awarded to obtain local government
27 contributions.

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

31

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

6 (g) Establish a loan loss insurance reserve to be used
7 to protect the outstanding program investment in case of a
8 default, deed in lieu of foreclosure, or foreclosure of a
9 program loan.

10 (24)~~(23)~~ To develop and administer the Florida
11 Homeownership Assistance Program. In developing and
12 administering the program, the corporation may:

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

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

18 3. Make subordinated loans to nonprofit sponsors or
19 developers of housing for construction financing of housing to
20 be offered for sale to eligible borrowers as a primary
21 residence at an affordable price.

22 (b) Establish a loan loss insurance reserve to
23 supplement existing sources of mortgage insurance with
24 appropriated funds.

25 (c) Geographically and demographically target the
26 utilization of loans.

27 (d) Defer repayment of loans for the term of the first
28 mortgage.

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

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

3 (g) Accelerate a loan for monetary default, for
4 failure to provide the benefits of the loans to eligible
5 borrowers, or for violation of any other restriction placed
6 upon the loan.

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

9 (25)~~(24)~~ To do any and all things necessary or
10 convenient to carry out the purposes of, and exercise the
11 powers given and granted in, this part and the state rural
12 policy under the Florida Rural Heritage Act.

13 (26)~~(25)~~ To develop and administer the Florida
14 Affordable Housing Guarantee Program. In developing and
15 administering the program, the corporation may:

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

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

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

23 (27)~~(26)~~ To develop and administer the Predevelopment
24 Loan Program. In developing and administering the program, the
25 corporation may make loans and grants as provided in ss.
26 420.521-420.529.

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

31

1 (29)~~(28)~~ To expend amounts advanced from the State
2 Housing Trust Fund for the purposes of this part.

3 (30)~~(29)~~ To own real and personal property for the
4 purposes of this part, to mortgage such property, and to sell
5 the property without regard to the provisions of chapters 253
6 and 270.

7 (31)~~(30)~~ To prepare and submit to the secretary of the
8 department a budget request for purposes of the corporation,
9 which request shall, notwithstanding the provisions of chapter
10 216 and in accordance with s. 216.351, contain a request for
11 operational expenditures and separate requests for other
12 authorized corporation programs. The request shall not be
13 required to contain information on the number of employees,
14 salaries, or any classification thereof, and the approved
15 operating budget therefor need not comply with s.
16 216.181(8)-(10). The secretary is authorized to include within
17 the department's budget request the corporation's budget
18 request in the form as authorized by this section.

19 (32)~~(31)~~ Notwithstanding the provisions of s. 216.301,
20 to retain any unused operational expenditure appropriation for
21 other lawful purposes of the corporation.

22 (33)~~(32)~~ To pay pensions and establish pension plans,
23 pension trusts, and benefit and incentive plans for any and
24 all of its current or former employees and agents.

25 (34)~~(33)~~ To receive federal funding in connection with
26 the corporation's programs directly from the Federal
27 Government.

28 (35)~~(34)~~ To establish the corporation's fiscal year.

29 (36)~~(35)~~ To preclude from further participation in any
30 of the corporation's programs, for a period of up to 2 years,
31 any applicant or affiliate of an applicant which has made a

1 material misrepresentation or engaged in fraudulent actions in
2 connection with any application for a corporation program.

3 (37)~~(36)~~ To provide for the development of
4 infrastructure improvements and rehabilitation primarily in
5 connection with residential housing consistent with the
6 applicable local government comprehensive plan.

7 (38)~~(37)~~ To provide by rule, in connection with any
8 corporation competitive program, for the reservation of future
9 allocation or funding to provide a remedy for a litigant which
10 is ultimately successful in its litigation regarding a
11 competitive application, and to establish a date certain by
12 which, if litigation is not resolved, the successful litigant
13 will be funded from a subsequent year's available allocation
14 or funding.

15 (39)~~(38)~~ To designate private activity allocation for
16 tax-exempt bonds received by the corporation pursuant to part
17 VI of chapter 159 between single-family and multifamily
18 projects.

19 Section 8. The implementation of subsections (7) and
20 (10) of section 1 of this act is subject to specific
21 appropriations or the availability of funds from the agency
22 designated as responsible for implementing those subsections.

23 Section 9. This act shall take effect July 1, 2001.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 1826

4 The committee substitute:

5 Defers the implementation date of the
6 Nature-and-Heritage-Based Micro-loan Program by
7 requiring the statewide Eco/Heritage Tourism Advisory
8 Committee of VISIT FLORIDA to work with Enterprise
9 Florida, Inc., the Office of Tourism, Trade, and
10 Economic Development, VISIT FLORIDA, the Rural Economic
11 Development Initiative, the Florida Fish and Wildlife
12 Conservation Commission, the Division of Recreation and
13 Parks, and other appropriate entities to develop a
14 micro-loan program and in a report due November 1, 2001,
15 make recommendations to the Legislature for the
16 program's implementation.

17 Requires the State Technology Office in consultation
18 with the departments of Education, Health, and Community
19 Affairs, the State Library, local governments, regional
20 consortium service organizations, and institutions of
21 higher education, to develop recommendations regarding
22 the establishment of two pilot projects in rural
23 communities that utilize wireless or other technologies.
24 The State Technology Office must report its
25 recommendations to the Governor, the President of the
26 Senate, and the Speaker of the House of Representatives
27 by November 1, 2001. Recommendations will address the
28 implementation and funding of the pilot programs. These
29 provisions replace similar provisions in the bill
30 requiring the Department of Management Services to
31 develop educational technology pilot projects.

Changes the number of pilot projects from four to three
that are required by the Department of Agriculture and
Consumer Services. The three pilot projects are to
encourage agricultural diversification throughout the
state.

Removes all appropriations from the bill and provides
that the implementation of the Rural Heritage Grant
Program in the Department of Community Affairs and the
agricultural diversification pilot projects are subject
to specific appropriations or the availability of funds
from the agency.