

Bill No. CS for SB 1464, 1st Eng.

Amendment No. Barcode 614884

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Latvala moved the following amendment:

Senate Amendment (with title amendment)

On page 14, lines 30-31, delete those lines

and insert:

Section 4. Effective July 1, 2002, subsection (3) of section 259.101, Florida Statutes, is amended to read:

259.101 Florida Preservation 2000 Act.--

(3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.--Less the costs of issuance, the costs of funding reserve accounts, and other costs with respect to the bonds, the proceeds of bonds issued pursuant to this act shall be deposited into the Florida Preservation 2000 Trust Fund created by s. 375.045. Beginning in fiscal year 2002-2003, funds from the unencumbered cash balance less approved commitments remaining in the agency subaccounts in the Preservation 2000 Trust Fund may be used by those agencies to fund projects described in paragraphs (3)(a)-(h) of s. 259.105 which meet the criteria for funding pursuant to the Florida Forever Program or the Florida Preservation 2000 Program.~~In fiscal year 2000-2001,~~

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1 ~~for each Florida Preservation 2000 program described in~~
2 ~~paragraphs (a)-(g), that portion of each program's total~~
3 ~~remaining cash balance which, as of June 30, 2000, is in~~
4 ~~excess of that program's total remaining appropriation~~
5 ~~balances shall be redistributed by the department and~~
6 ~~deposited into the Save Our Everglades Trust Fund for land~~
7 ~~acquisition. For purposes of calculating the total remaining~~
8 ~~cash balances for this redistribution, the Florida~~
9 ~~Preservation 2000 Series 2000 bond proceeds, including~~
10 ~~interest thereon, and the fiscal year 1999-2000 General~~
11 ~~Appropriations Act amounts shall be deducted from the~~
12 ~~remaining cash and appropriation balances, respectively. The~~
13 ~~remaining proceeds shall be distributed by the Department of~~
14 ~~Environmental Protection in the following manner:~~

15 (a) Fifty percent to the Department of Environmental
16 Protection for the purchase of public lands as described in s.
17 259.032. Of this 50 percent, at least one-fifth shall be used
18 for the acquisition of coastal lands.

19 (b) Thirty percent to the Department of Environmental
20 Protection for the purchase of water management lands pursuant
21 to s. 373.59, to be distributed among the water management
22 districts as provided in that section. Funds received by each
23 district may also be used for acquisition of lands necessary
24 to implement surface water improvement and management plans
25 approved in accordance with s. 373.456 or for acquisition of
26 lands necessary to implement the Everglades Construction
27 Project authorized by s. 373.4592.

28 (c) Ten percent to the Department of Community Affairs
29 to provide land acquisition grants and loans to local
30 governments through the Florida Communities Trust pursuant to
31 part III of chapter 380. From funds allocated to the trust,

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1 \$3 million annually shall be used by the Division of State
2 Lands within the Department of Environmental Protection to
3 implement the Green Swamp Land Protection Initiative
4 specifically for the purchase of conservation easements, as
5 defined in s. 380.0677(4), of lands, or severable interests or
6 rights in lands, in the Green Swamp Area of Critical State
7 Concern. Any unspent funds allocated to implement the Green
8 Swamp Land Protection Initiative after June 30, 2004, must be
9 reallocated to the Florida Greenways and Trails Program and
10 used to purchase land for the Florida National Scenic Trail.
11 From funds allocated to the trust, \$3 million annually shall
12 be used by the Monroe County Comprehensive Plan Land Authority
13 specifically for the purchase of any real property interest in
14 either those lands subject to the Rate of Growth Ordinances
15 adopted by local governments in Monroe County or those lands
16 within the boundary of an approved Conservation and Recreation
17 Lands project located within the Florida Keys or Key West
18 Areas of Critical State Concern; however, title to lands
19 acquired within the boundary of an approved Conservation and
20 Recreation Lands project may, in accordance with an approved
21 joint acquisition agreement, vest in the Board of Trustees of
22 the Internal Improvement Trust Fund. Any unspent funds
23 allocated for the Monroe County Comprehensive Plan Land
24 Authority after June 30, 2004, must be reallocated and used
25 for the current selection list of the Florida Communities
26 Trust under the Florida Forever Program.Of the remaining
27 funds allocated to the trust after the above transfers occur,
28 one-half shall be matched by local governments on a
29 dollar-for-dollar basis. To the extent allowed by federal
30 requirements for the use of bond proceeds, the trust shall
31 expend Preservation 2000 funds to carry out the purposes of

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1 part III of chapter 380.

2 (d) Two and nine-tenths percent to the Department of
3 Environmental Protection for the purchase of inholdings and
4 additions to state parks. For the purposes of this paragraph,
5 "state park" means all real property in the state under the
6 jurisdiction of the Division of Recreation and Parks of the
7 department, or which may come under its jurisdiction.

8 (e) Two and nine-tenths percent to the Division of
9 Forestry of the Department of Agriculture and Consumer
10 Services to fund the acquisition of state forest inholdings
11 and additions pursuant to s. 589.07.

12 (f) Two and nine-tenths percent to the Fish and
13 Wildlife Conservation Commission to fund the acquisition of
14 inholdings and additions to lands managed by the commission
15 which are important to the conservation of fish and wildlife.

16 (g) One and three-tenths percent to the Department of
17 Environmental Protection for the Florida Greenways and Trails
18 Program, to acquire greenways and trails or greenways and
19 trails systems pursuant to chapter 260, including, but not
20 limited to, abandoned railroad rights-of-way and the Florida
21 National Scenic Trail.

22
23 Local governments may use federal grants or loans, private
24 donations, or environmental mitigation funds, including
25 environmental mitigation funds required pursuant to s.
26 338.250, for any part or all of any local match required for
27 the purposes described in this subsection. Bond proceeds
28 allocated pursuant to paragraph (c) may be used to purchase
29 lands on the priority lists developed pursuant to s. 259.035.
30 Title to lands purchased pursuant to paragraphs (a), (d), (e),
31 (f), and (g) shall be vested in the Board of Trustees of the

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1 Internal Improvement Trust Fund. Title to lands purchased
2 pursuant to paragraph (c) may be vested in the Board of
3 Trustees of the Internal Improvement Trust Fund. The board of
4 trustees shall hold title to land protection agreements and
5 conservation easements that were or will be acquired pursuant
6 to s. 380.0677, and the Southwest Florida Water Management
7 District and the St. Johns River Water Management District
8 shall monitor such agreements and easements within their
9 respective districts until the state assumes this
10 responsibility.

11 Section 5. Paragraph (k) of subsection (1) of section
12 288.106, Florida Statutes, is amended to read:

13 288.106 Tax refund program for qualified target
14 industry businesses.--

15 (1) DEFINITIONS.--As used in this section:

16 (k) "Local financial support exemption option" means
17 the option to exercise an exemption from the local financial
18 support requirement available to any applicant whose project
19 is located in a brownfield area or a county with a population
20 of 75,000 or fewer or a county with a population of 100,000 or
21 fewer which is contiguous to a county with a population of
22 75,000 or fewer. Any applicant that exercises this option
23 shall not be eligible for more than 80 percent of the total
24 tax refunds allowed such applicant under this section.

25 Section 6. Paragraph (e) of subsection (1), subsection
26 (2), and paragraph (b) of subsection (3) of section 288.107,
27 Florida Statutes, are amended to read:

28 288.107 Brownfield redevelopment bonus refunds.--

29 (1) DEFINITIONS.--As used in this section:

30 (e) "Eligible business" means a qualified target
31 industry business as defined in s. 288.106(1)(o) or other

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1 business that can demonstrate a fixed capital investment of at
2 least \$2 million in mixed-use business activities, including
3 multiunit housing, commercial, retail, and industrial in
4 brownfield areas and which provides benefits to its employees
5 ~~pays wages that are at least 80 percent of the average of all~~
6 ~~private sector wages in the county in which the business is~~
7 ~~located.~~

8 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.--Bonus
9 refunds shall be allowed from the account as follows and
10 approved by the office as specified in the final order issued
11 by the director.

12 (a) A bonus refund of \$2,500 shall be allowed to any
13 qualified target industry business as defined by s. 288.106
14 for each new Florida job created in a brownfield area which is
15 claimed on the qualified target industry business's annual
16 refund claim authorized in s. 288.106(5).

17 (b) A bonus refund of up to \$2,500 shall be allowed to
18 any other eligible business as defined in paragraph (1)(e) for
19 each new Florida job created in a brownfield which is claimed
20 under an annual claim procedure similar to the annual refund
21 claim authorized in s. 288.106(5). The amount of the refund
22 shall be equal to 20 percent of the average annual wage for
23 the jobs created.~~There shall be allowed from the account a~~
24 ~~bonus refund of \$2,500 to any qualified target industry~~
25 ~~business or other eligible business as defined in paragraph~~
26 ~~(1)(e) for each new Florida job created in a brownfield which~~
27 ~~is claimed on the qualified target industry business's annual~~
28 ~~refund claim authorized in s. 288.106(5) or other similar~~
29 ~~annual claim procedure for other eligible business as defined~~
30 ~~in paragraph (1)(e) and approved by the office as specified in~~
31 ~~the final order issued by the director.~~

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1 (3) CRITERIA.--The minimum criteria for participation
2 in the brownfield redevelopment bonus refund are:

3 b) The completion of a fixed capital investment of at
4 least \$2 million in mixed-use business activities, including
5 multiunit housing, commercial, retail, and industrial in
6 brownfield areas and which provides benefits to its employees
7 ~~pay wages that are at least 80 percent of the average of all~~
8 ~~private sector wages in the county in which the business is~~
9 ~~located.~~

10 Section 7. Except as otherwise expressly provided in
11 this act, this act shall take effect upon becoming a law.

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13
14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 2, line 3, after the semicolon
17
18 insert:

19 amending s. 259.101, F.S.; providing for the
20 funding of projects under the Florida Forever
21 Program and the Florida Preservation 2000
22 Program; amending s. 288.106, F.S.; redefining
23 the term "local financial support exemption
24 option" with respect to the tax refund program;
25 amending s. 288.107, F.S.; revising the
26 criteria for participation in the bonus refund
27 program; revising the formula for calculating
28 the refund;

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