

By the Committee on Agriculture and Consumer Services; and
Senator Lawson

303-2212-02

1 A bill to be entitled
2 An act relating to agriculture education and
3 promotion facilities; creating s. 288.1175,
4 F.S.; providing that the Department of
5 Agriculture and Consumer Services shall be the
6 state agency for screening applicants for state
7 funding and certification as an agriculture
8 education and promotion facility; providing for
9 rules; providing definitions; providing
10 criteria for applicants; providing for
11 evaluation by the department; providing
12 criteria; prohibiting the expenditure of funds
13 to develop or subsidize privately owned
14 facilities; providing an exception; providing
15 an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 288.1175, Florida Statutes, is
20 created to read:

21 288.1175 Agriculture education and promotion
22 facility.--

23 (1) The Department of Agriculture and Consumer
24 Services shall serve as the state agency for screening
25 applicants for state funding pursuant to this section and for
26 certifying an applicant as a qualified agriculture education
27 and promotion facility as defined in subsection (3).

28 (2) The department shall develop rules pursuant to ss.
29 120.536(1) and 120.54 for the receipt and processing of
30 applications for funding of projects pursuant to this section.

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1 (3) As used in this section, the term "agriculture
2 education and promotion facility" means an exhibition hall,
3 arena, civic center, exposition center, or other capital
4 project or facility which can be used for exhibitions,
5 demonstrations, trade shows, classrooms, civic events, and
6 other purposes that promote agriculture, horticulture,
7 livestock, equestrian, and other resources of the state and
8 educate the residents as to these resources.

9 (4) The department shall certify a facility as an
10 agriculture education and promotion facility if the department
11 determines that:

12 (a) The applicant is a unit of local government as
13 defined in s. 218.369, or a fair association as defined in s.
14 616.001(9), which is responsible for the planning, design,
15 permitting, construction, renovation, management, and
16 operation of the agriculture education and promotion facility
17 or holds title to the property on which such facility is to be
18 developed and located.

19 (b) The applicant has projections, verified by the
20 department, which demonstrate that the agriculture education
21 and promotion facility will serve more than 25,000 visitors
22 annually.

23 (c) The municipality in which the facility is located,
24 or the county if the facility is located in an unincorporated
25 area, has certified by resolution after a public hearing that
26 the proposed agriculture education and promotion facility
27 serves a public purpose.

28 (d) The applicant has demonstrated that it has
29 provided, is capable of providing, or has financial or other
30 commitments to provide more than 40 percent of the costs
31 incurred or related to the planning, design, permitting,

1 construction, or renovation of the facility. The applicant may
2 include the value of the land and any improvements thereon in
3 determining its contribution to the development of the
4 facility.

5 (5) The department shall competitively evaluate
6 applications for funding of an agriculture education and
7 promotion facility. If the number of applicants exceeds three,
8 the department shall rank the applications based upon criteria
9 developed by the department, with priority given in descending
10 order to the following items:

11 (a) The intended use of the funds by the applicant,
12 with priority given to the construction of a new facility.

13 (b) The amount of local match, with priority given to
14 the largest percentage of local match proposed.

15 (c) The location of the facility in a brownfield site
16 as defined in s. 376.79(3), a rural enterprise zone as defined
17 in s. 290.004(8), an agriculturally depressed area as defined
18 in s. 570.242(1), a redevelopment area established pursuant to
19 s. 373.461(5)(g), or a county that has lost its agricultural
20 land to environmental restoration projects.

21 (d) The net increase, as a result of the facility, of
22 total available exhibition, arena, or civic center space
23 within the jurisdictional limits of the local government in
24 which the facility is to be located, with priority given to
25 the largest percentage increase of total exhibition, arena, or
26 civic center space.

27 (e) The historic record of the applicant in promoting
28 agriculture and educating the public concerning agriculture,
29 including, without limitation, awards, premiums, scholarships,
30 auctions, and other such activities.

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1 (f) The highest projection on paid attendance
2 attracted by the agriculture education and promotion facility
3 and the proposed economic impact on the local community.

4 (g) The location of the facility with respect to an
5 Institute of Food and Agricultural Services (IFAS) facility,
6 with priority given to facilities closer in proximity to an
7 IFAS facility.

8 (6) Funds may not be expended to develop or subsidize
9 privately owned facilities, except for facilities owned by
10 fair associations as defined in s. 616.001(9).

11 (7) An applicant may use funds provided pursuant to
12 this section only for the public purpose of paying for the
13 planning, design, permitting, construction, or renovation of
14 an agriculture education and promotion facility or to pay or
15 pledge for the payment of debt service on, or to fund debt
16 service reserve funds, arbitrage rebate obligations, or other
17 amounts payable with respect to, bonds issued for the
18 planning, design, permitting, construction, or renovation of
19 such facility or for the reimbursement of such costs or the
20 refinancing of bonds issued for such purposes.

21 (8) Applications must be submitted by October 1 of
22 each year. The department may not recommend funding for less
23 than the requested amount to any applicant certified as an
24 agriculture education and promotion facility; however, funding
25 of certified applicants shall be subject to the amount
26 provided by the Legislature in the General Appropriations Act
27 for this program.

28 Section 2. This act shall take effect upon becoming a
29 law.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 2276

4 Committee Substitute for Senate Bill 2276 is different from
5 Senate Bill 2276 in that it:

6 Creates section 288.1175 of the Florida Statutes.

7 Changes the nature of the facility which is the subject
8 matter of the act from "agriculture-promotion facility"
9 to "agriculture education and promotion facility" and
10 modifies the definition and references throughout the
11 act to reflect this.

12 Deletes the requirement that the facility generate
13 \$500,000 annually in sales tax revenues and that it be
14 located in a county that levies a tourist development
15 tax.

16 Allows the applicant to count the value of land and
17 improvements thereon to meet a 40% contribution to costs
18 incurred threshold.

19 Adds provisions to evaluation criteria that give
20 priority to:

- 21 1. a county that has lost its agricultural land to
22 environmental restoration projects.
- 23 2. the proximity of a facility to an Institute of
24 Food and Agricultural Services (IFAS) facility.
- 25 3. the historic record of the applicant in promoting
26 agriculture and agriculture education.

27 Provides that funds can be used for planning and
28 permitting purposes as well as design, construction or
29 renovation.

30 Deletes a requirement that funding must be made by
31 January 1st of each year and changes language to reflect
that DACS is recommending funding rather than providing
funding.

 Sets forth that all funding is subject to the amount
provided by the Legislature in the General
Appropriations Act.

 Deletes a provision that limits certification to five
facilities.

 Replaces provision that DACS must rank applicants if
more than five applications exceeding \$1,000,000 are
received with requirement that DACS rank applications if
more than three are received.