

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

11 Representative(s) Romeo offered the following:

Amendment (with title amendment)

14 Remove everything after the enacting clause

16 and insert:

17 Section 1. Florida Rural Heritage and Economic
18 Stimulus Act.--

19 (1) SHORT TITLE.--This section may be cited as the
20 "Florida Rural Heritage and Economic Stimulus Act."

21 (2) FINDINGS.--The Legislature finds that:

22 (a) Fiscally and culturally strong rural communities
23 are beneficial to regional and state economies and resources,
24 are a method for reduction of future urban sprawl, encourage
25 compact, efficient urban growth patterns, and should be
26 promoted by state, regional, and local governments.

27 (b) The health and vibrancy of the state's rural areas
28 benefit their respective regions and the state; conversely,
29 the deterioration of those rural areas negatively impacts the
30 surrounding areas and the state.

31 (c) In recognition of the interwoven nature of the

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 relationships among rural communities, agricultural lands,
2 open space lands, urban centers, regions, and the state, the
3 respective governments should establish a framework and work
4 in partnership with communities and the private sector to
5 revitalize rural areas.

6 (d) A state rural policy should guide the state,
7 regional agencies, local governments, and the private sector
8 in creating economic prosperity and preserving the unique
9 character and heritage of the state's rural areas. The policy
10 should encourage and assist local governments in addressing
11 issues including adequate provision of infrastructure,
12 affordable housing, human services, safe neighborhoods,
13 agricultural profitability, educational facilities, sound land
14 uses, health care, and economic diversification and
15 development to sustain rural communities into the future.

16 (e) Successfully revitalizing and sustaining rural
17 areas depends on addressing, through an integrated and
18 coordinated community effort, a range of varied components
19 essential to a healthy rural environment, including cultural,
20 educational, recreational, economic, transportation, land use,
21 information technology, and social service delivery
22 components.

23 (f) Identification of rural activity centers and of
24 strategies to promote economic prosperity while protecting
25 rural character are recognized as important components and
26 useful mechanisms to promote and sustain rural areas. State
27 and regional entities and local governments should provide
28 incentives to promote community-based processes to identify
29 such centers and strategies. Existing programs and incentives
30 should be integrated to the extent possible to promote sound
31 rural development and to achieve the goals of the state rural

1 policy.

2 (g) Full funding for rural transportation and water
3 infrastructure needs, rural schools, health care services, and
4 information technology is an important investment by the state
5 in the overall health of its rural communities and is an
6 integral component of a state rural policy.

7 (h) Many rural local governments are hindered by
8 limited staff and capacity in their efforts to secure
9 available resources. A state rural policy should assist local
10 governments in identifying and accessing needed resources for
11 which they are eligible and should promote creative ways to
12 maximize the efficiency of rural local governments' existing
13 staff and other resources.

14 (i) Agriculture plays an integral role in the economy,
15 ecology, and culture of the state's rural areas and of the
16 state as a whole. At the same time, the state is losing
17 agricultural lands to development at a rapid rate. A state
18 rural policy should assist state agencies and local
19 governments in creating and marketing tools for increasing the
20 profitability of agricultural land uses and other incentives
21 for conserving the state's agricultural lands.

22 (j) In recognition that approximately one-half of all
23 visitors to this state include a nature-based experience in
24 their vacations, a state rural policy should encourage the
25 development of a nature-based tourism and heritage tourism
26 industry that meets this growing public demand, protects the
27 state's natural and cultural resources, and contributes to
28 economic prosperity, especially in the state's rural
29 communities.

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

31 (a) "Local government" means any county or

1 municipality.

2 (b) "Rural Activity Center" means an area or areas:

3 1. Designated by a local government or by local
4 governments through interlocal agreement.

5 2. Located within a Rural Heritage Area.

6 3. In which public services, including water services,
7 transportation infrastructure, schools, and recreation, are
8 already available or are scheduled to be provided in an
9 adopted 5-year schedule of capital improvements, and which
10 have historically served as commercial business centers or
11 sites of public buildings for surrounding rural residents.

12
13 The Rural Activity Center may consist of or include state
14 community redevelopment areas, brownfields, enterprise zones,
15 or Mainstreet programs, federal Empowerment Zones, Enterprise
16 Communities, Champion Communities, or Brownfield Showcase
17 Communities. The Rural Activity Center shall serve and be
18 developed as a "town center," promoting compact, efficient
19 development within the area and allowing lower-density
20 development that retains rural character within the remaining
21 portions of the designated Rural Heritage Area.

22 (c) "Rural Heritage Area" means an area or areas:

23 1. Designated by a local government or by local
24 governments through interlocal agreement.

25 2. Within which more than 50 percent of the land is in
26 agricultural, open space, recreational, or other nondeveloped
27 use.

28 3. That fit the definition of, or fall within an area
29 that fits the definition of, a rural county, rural
30 municipality, or rural community as defined in s. 288.106,
31 Florida Statutes.

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1
2 A Rural Heritage Area may comprise a single rural county as
3 defined in s. 288.106, Florida Statutes, a multicounty area,
4 or a subcounty area that is rural in nature and meets the
5 land-use, demographic, economic, and definitional criteria set
6 forth in this paragraph. If a subcounty area, a Rural Heritage
7 Area may comprise one or more rural municipalities, as defined
8 in s. 288.106, Florida Statutes, and may include
9 unincorporated areas between or surrounding the rural
10 municipalities, provided that all parts of the designated area
11 meet the criteria set forth in this paragraph.

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

13 (a) A local government, or local governments through
14 interlocal agreement, may designate a geographic area or areas
15 within the applicable jurisdiction as a Rural Heritage Area
16 for the purpose of convening a community-based holistic
17 planning process to identify community problems and assets,
18 create a vision for the area's future, and formulate a
19 strategic plan for implementing asset-based solutions to the
20 problems identified.

21 (b) A local government, or local governments through
22 interlocal agreement, may designate a geographic area or areas
23 within the applicable jurisdiction and within a designated
24 Rural Heritage Area as a Rural Activity Center for the purpose
25 of targeting economic development, job creation, housing,
26 transportation and other infrastructure, neighborhood
27 revitalization and preservation, the promotion of rural land
28 preservation, and the employment of land-use incentives to
29 encourage mixed-use development that will revitalize the Rural
30 Activity Center area as a functioning downtown that can serve
31 residents of surrounding rural areas.

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

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

6 (a) As part of the designation of the Rural Heritage
 7 Area and the preparation of a Rural Heritage Area plan, a
 8 community-based planning process must be implemented in each
 9 proposed Rural Heritage Area. The process must involve
 10 stakeholders including, but not limited to, community-based
 11 organizations; neighborhood associations; educational, health
 12 care, and religious organizations; area residents, including
 13 low-income residents; appropriate local government
 14 representatives; local school boards; and, when appropriate,
 15 institutions of higher education.

16 (b) The objective of the community-based planning
 17 process is to produce an integrated plan that benefits the
 18 community as a whole and to encourage residents within the
 19 designated area to participate in the design and
 20 implementation of the Rural Heritage Area plan, including the
 21 visioning of the area's future, before prioritizing and
 22 optimizing scarce resources. The planning process must be
 23 collaborative and holistic and must address, at a minimum,
 24 economic development including the nature-based tourism and
 25 heritage tourism industry, land use, affordable housing,
 26 infrastructure, education, health care, public safety, public
 27 and private financial capacity, information technology,
 28 workforce development, ecological conservation, social equity,
 29 the role of agriculture in the local economy if applicable,
 30 and the role of local government.

31 (c) In lieu of preparing a new plan, the local

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 government may demonstrate that an existing plan or
2 combination of plans includes the factors listed in paragraph
3 (d), or amend such existing plans to include the factors
4 listed in paragraph (d), including the community-based
5 planning process. If the area constitutes or contains a
6 federally designated Empowerment Zone, Enterprise Community,
7 or Champion Community, the plan and planning process done in
8 application for that designation shall serve to meet the
9 requirements of the community-based planning process and shall
10 allow the community to apply for implementation grants under
11 the Rural Heritage Grant program that are based on such plan.

12 (d) A local government seeking to designate a
13 geographic area as a Rural Heritage Area shall propose a plan
14 that describes means of promoting economic prosperity and
15 preserving the unique rural character of the area. The plan
16 must demonstrate the local government's and community's
17 commitment to comprehensively addressing the problems within
18 the Rural Heritage Area and identify activities, programs, and
19 resources that can help accomplish locally identified goals
20 such as improved educational opportunities; economic
21 diversification and development; the future of agricultural
22 land uses in the planning area; provision of infrastructure
23 needs, including information technology infrastructure;
24 prioritizing, pooling, and leveraging scarce resources; and
25 mixed-use planning for Rural Activity Centers to improve both
26 the residential and commercial quality of life in the area.

27 The plan must also:

28 1. Contain a map depicting the Rural Heritage Area or
29 areas, and Rural Activity Center if applicable, to be included
30 within the designation.

31 2. Contain interlocal agreements, as appropriate,

1 among participating local governments and any regional or
2 nonprofit organizations which express the entities' commitment
3 to collectively designating the area and to coordinated
4 implementation efforts based on the plan.

5 3. Identify any existing enterprise zones, community
6 redevelopment areas, community development districts,
7 brownfield areas, downtown redevelopment districts, safe
8 neighborhood improvement districts, historic preservation
9 districts, and empowerment zones located within the area
10 proposed for designation.

11 4. Identify a memorandum of understanding between the
12 district school board and the local government jurisdiction
13 regarding public school facilities located within the Rural
14 Heritage Area to identify how the school board will enhance
15 public school facilities and programs in the designated area.

16 5. Explain how projects identified in the plan advance
17 the goals of creating economic prosperity for area residents
18 and of preserving the rural character and heritage of the
19 planning area. Projects may include land acquisition;
20 demolition, construction, or renovation of structures;
21 purchase of conservation easements or development rights on
22 agricultural, conservation, or recreational lands;
23 job-training programs; investments in educational
24 technologies; capacity building through existing or new
25 nonprofit organizations; creation, enhancement, or marketing
26 of nature-based, agricultural, or heritage tourism or
27 recreational facilities; or improvement of the delivery of
28 health care services to rural residents.

29 6. Identify the geographic locations for projects
30 identified through the community-based planning process and
31 explain how such projects will be implemented.

1 7. Identify how the local government intends to
 2 implement and enhance affordable housing programs as defined
 3 in s. 420.602, Florida Statutes, including economic and
 4 community development programs administered by the Department
 5 of Community Affairs and the Florida Housing Finance
 6 Corporation within the Rural Heritage Area.

7 8. If applicable, provide guidelines for the adoption
 8 of land development regulations specific to the Rural Heritage
 9 Area which provide for the use or purchase of conservation
 10 easements, purchase or transfer of development rights, or the
 11 use of other means available to local governments under s.
 12 704.06, Florida Statutes, for the purpose of preserving
 13 agricultural lands.

14 9. If applicable, identify and adopt a package of
 15 financial and local government incentives which the local
 16 government will offer for new development, expansion or
 17 renovation of existing development, and redevelopment within
 18 any designated Rural Activity Center. Examples of such
 19 incentives include:

- 20 a. Waiver of license and permit fees.
- 21 b. Waiver of delinquent taxes or fees to promote the
 22 return of property to productive use.
- 23 c. Expedited permitting.
- 24 d. Prioritization of infrastructure spending within
 25 the Rural Heritage Area and Rural Activity Center.

26 10. Identify how activities and incentives within the
 27 Rural Heritage Area or Rural Activity Center will be
 28 coordinated and what administrative mechanism the local
 29 government will use for the coordination and monitoring of
 30 Rural Heritage Area plan implementation.

31 11. Provide a list of stakeholders participating in

1 the community-based planning process, pursuant to paragraph
2 (a).

3 12. Identify goals, objectives, performance measures,
4 and baseline data on conditions for evaluating the success of
5 the local government, community-based organizations, and other
6 stakeholders in implementing the Rural Heritage Area plan and
7 in improving economic prosperity and preserving rural
8 character.

9 (e) The regional planning council covering the
10 geographic location of the Rural Heritage Area, or other
11 appropriate nonprofit, university-based, or for-profit
12 organizations, may assist the local government in convening
13 the community-based planning process and in preparing the
14 Rural Heritage Area plan, provided that the process and
15 resulting plan meet all other requirements as described in
16 this section.

17 (f) After the preparation of a Rural Heritage Area
18 plan or the designation of an existing plan, the local
19 government must adopt the plan by ordinance. Notice for the
20 public hearing on the ordinance must be in the form
21 established in s. 166.041(3)(c)2., Florida Statutes, for
22 municipalities and s. 125.66(4)(b)2., Florida Statutes, for
23 counties.

24 (g) For a local government to designate a Rural
25 Heritage Area or Rural Activity Center, it must amend its
26 comprehensive land-use plan under s. 163.3187, Florida
27 Statutes, to delineate the Rural Heritage Area within the
28 future land-use element of its comprehensive plan. An
29 amendment to the local comprehensive plan to designate a Rural
30 Heritage Area or Rural Activity Center is exempt from the
31 twice-a-year amendment limitation of s. 163.3187, Florida

1 Statutes.

2 (6) ECONOMIC INCENTIVES; REPORTS; TECHNICAL
3 ASSISTANCE.--

4 (a) A local government with an adopted Rural Heritage
5 Area plan or a plan employed in lieu thereof may issue revenue
6 bonds under s. 163.385, Florida Statutes, and employ tax
7 increment financing under s. 163.387, Florida Statutes, for
8 the purpose of financing the implementation of the plan as
9 appropriate, particularly within designated Rural Activity
10 Centers.

11 (b) A local government with an adopted Rural Heritage
12 Area plan or a plan employed in lieu thereof may exercise the
13 powers granted under s. 163.514, Florida Statutes, for
14 community redevelopment neighborhood improvement districts,
15 including the authority to levy special assessments as
16 appropriate, particularly within designated Rural Activity
17 Centers.

18 (c) State agencies that provide funding for
19 infrastructure, cost reimbursement, grants, or loans to local
20 governments, including the Department of Environmental
21 Protection (Clean Water State Revolving Fund, Drinking Water
22 Revolving Loan Trust Fund, and the State of Florida Pollution
23 Control Bond Program), the Department of Community Affairs
24 (Economic Development and Housing Program and Florida
25 Communities Trust), the Florida Housing Finance Corporation,
26 and the Department of Transportation, shall report to the
27 President of the Senate and the Speaker of the House of
28 Representatives by January 1, 2003, regarding statutory and
29 rule changes necessary to give Rural Heritage Areas identified
30 by local governments that have completed the community-based
31 planning process an elevated priority in infrastructure

1 funding, loan, and grant programs.

2 (d) State agencies that provide funding to local
3 governments shall identify grant programs for which local
4 government cash match requirements will be waived or replaced
5 by in-kind match, which can include the creation of a
6 permanent resource development staff position within the local
7 government to work on accessing a variety of grants, and loan
8 programs for which repayment will be forgiven, for rural local
9 government applicants that have successfully completed the
10 Rural Heritage Area grant program community-based planning
11 process. Agencies shall report to the President of the Senate
12 and the Speaker of the House of Representatives by September
13 1, 2002, on programs identified, statutory or rule changes
14 needed, and cost of implementation.

15 (e) The Rural Economic Development Initiative (REDI),
16 as described in s. 288.0656, Florida Statutes, shall work with
17 state agencies and other organizations that provide loans,
18 grants, or technical assistance of any kind to the state's
19 rural communities to update, maintain, and distribute
20 semiannually to every rural county and city government as
21 defined in s. 288.106, Florida Statutes, the Rural Resource
22 Directory, which describes resources, including federal
23 resources, that are available to rural local governments and
24 how to access them. The publication must include statutory
25 provisions that enable local governments to raise or direct
26 revenues toward the goals of promoting economic prosperity
27 while preserving rural character. To the extent possible, REDI
28 shall provide, or shall work through the regional planning
29 councils, the Small County Technical Assistance Program, the
30 Local Government Financial Technical Assistance Program, the
31 State University System, or other relevant organizations to

1 provide, technical assistance to all rural local governments
2 to access these resources.

3 (f) Provision by REDI or other organizations
4 identified in paragraph (e) of technical assistance in
5 accessing available resources as described in paragraph (e) is
6 an automatic result of successful completion of the Rural
7 Heritage Area community-based planning process.

8 (g) REDI shall work with the Florida State Rural
9 Development Council and state agencies to develop a simple,
10 uniform grant application form for use by local government
11 grant applicants. To the extent feasible, such a uniform
12 application process should incorporate the sharing of known
13 information about local governments among state government
14 agencies in order to maximize the efficiency of local
15 governments' efforts to secure available resources. The
16 uniform grant application must be adopted for use by state
17 agencies by July 1, 2003.

18 (7) GRANT PROGRAM.--

19 (a) A Rural Heritage Grant Program is created to
20 assist local governments in adopting Rural Heritage Areas,
21 completing the community-based planning process, and
22 implementing elements of the resulting Rural Heritage Area
23 plan.

24 (b) Forty-five percent of the general revenue
25 appropriated for the Rural Heritage Grant Program must be
26 available for conducting the community-based planning process
27 and completing the Rural Heritage Area plans. Forty-nine
28 percent of the general revenue appropriated for the Rural
29 Heritage Grant Program must be available for implementing
30 projects that are identified in the local government's adopted
31 Rural Heritage Area plan or a plan employed in lieu thereof. A

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

24 (c) Priority for funding under the Rural Heritage
25 Grant Program shall be given to Rural Heritage Areas in which
26 a majority of the populated portions of the area are
27 characterized by pervasive poverty, unemployment, and general
28 distress, as defined in s. 290.0058, Florida Statutes.

29 (d) The Department of Community Affairs, in
30 consultation with REDI, shall adopt rules establishing grant
31 review criteria consistent with this section. Actions required

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 by this paragraph are contingent upon funds being provided to
2 implement the Rural Heritage Grant Program.

3 (e) If the local government fails to implement
4 sections of the Rural Heritage Area plan funded through a
5 Rural Heritage Area implementation grant pursuant to the
6 deadlines specified in the grant agreement, the Department of
7 Community Affairs, in consultation with REDI, may seek to
8 rescind the economic and regulatory incentives granted to a
9 Rural Heritage Area or Rural Activity Center, subject to the
10 provisions of chapter 120, Florida Statutes. The action to
11 rescind may be initiated 90 days after issuing a written
12 letter of warning to the local government.

13 (8) MICRO-LOAN PROGRAM FOR NATURE-BASED TOURISM AND
14 HERITAGE TOURISM BUSINESSES.--The statewide advisory committee
15 on nature-based tourism and heritage tourism, as established
16 in s. 288.1224, Florida Statutes, shall work with Enterprise
17 Florida, Inc., the Office of Tourism, Trade, and Economic
18 Development, VISIT FLORIDA, the Rural Economic Development
19 Initiative, the Florida Fish and Wildlife Conservation
20 Commission, the Division of Recreation and Parks of the
21 Department of Environmental Protection, and other appropriate
22 entities to develop a statewide micro-loan program for the
23 purpose of financing the creation and enhancement of small
24 businesses providing nature-based tourism or heritage tourism
25 experiences. Examples include eco-tour operators and guides
26 and bicycle rentals, canoe outfitters, and bed-and-breakfast
27 facilities in proximity to natural areas. No later than
28 November 1, 2002, this group shall submit a report to the
29 President of the Senate and the Speaker of the House of
30 Representatives that provides the mission and structure of the
31 micro-loan program, guidelines for administering the program,

1 and criteria for and any limitations on loan recipient
2 eligibility and use of loan funds.

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

4 (a) The Department of Health, in consultation with the
5 State Technology Office, Department of Education, Department
6 of Community Affairs, rural health networks, local
7 governments, the Area Health Education Centers, and medical
8 schools shall develop recommendations regarding the
9 establishment of two pilot projects in rural communities that
10 use wireless or other technologies. The purposes of the
11 projects are to illustrate ways to increase access to quality
12 health care, health education, and other health resources in
13 the state's rural areas; to leverage federal funds available
14 for bridging the "digital divide"; to build on existing
15 applications to create community-based health networks; and to
16 foster opportunities for innovative distribution of existing
17 funds. The pilot projects must include linkages to existing
18 information technology systems in the pilot area, for example,
19 to a public health care facility, local or regional hospital,
20 medical school, library, a university, or a 4-year or
21 community college, or county or municipal government, or
22 private business network.

23 (b) The Department of Health shall, in consultation
24 with the State Technology Office, Department of Education,
25 Department of Community Affairs, Area Health Education
26 Centers, medical schools, and rural health networks, recommend
27 a process for the selection of the pilot participants. The
28 selection process shall consider criteria as follows:

29 1. The extent to which the project increases access of
30 rural residents to health services;

31 2. If the pilot project involves wireless technology,

1 demonstration of the applicant's ability to effectively deploy
2 wireless technology based on existing infrastructure;

3 3. Demonstration of commitment of the applicant to use
4 technology to improve the level of knowledge regarding
5 individual health and health services;

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

10 5. The ability to use the technology infrastructure in
11 other applications within the service area;

12 6. Demonstration of willingness and ability of the
13 participants to assume ongoing costs to maintain the pilot
14 project for a minimum 3-year period. Such willingness and
15 ability may be demonstrated through intracommunity agreements
16 or other means; and

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

18 (c) The Department of Health, in consultation with the
19 State Technology Office, Department of Education, Department
20 of Community Affairs, rural health networks, Area Health
21 Education Centers, medical schools, and local governments,
22 shall include recommendations for performance standards and
23 evaluation of pilot projects.

24 (d) The Department of Health shall report its
25 recommendations relative to the structure and funding
26 necessary to implement the pilot programs to the President of
27 the Senate, the Speaker of the House of Representatives, and
28 the Governor by December 15, 2002. Recommendations will
29 address the implementation and funding of the pilot programs.

30 (10) AGRICULTURAL CONSERVATION AND PROFITABILITY.--

31 (a) The Department of Agriculture and Consumer

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 Services, in consultation with the University of Florida and
2 the Florida Agricultural and Mechanical University, shall
3 develop recommendations to establish three pilot projects
4 aimed at encouraging the diversification of agricultural
5 production and marketing throughout the state. The purpose of
6 the pilot projects is to demonstrate alternative crops,
7 techniques, and industries that can enhance the profitability
8 and sustainability of agriculture in the state. Each project
9 must do at least one of the following: introduce alternative
10 crops, such as hot peppers, amaranth, or pigeon peas, or
11 alternative growing techniques, for example, greenhouse
12 vegetable production in North Florida or early-season
13 blueberries and peaches; or introduce a value-added activity
14 or industry, such as fruit or vegetable processing or
15 packaging, into a farming community as a means of increasing
16 the profitability of current farm products for local growers.
17 At least one of these projects must include a tobacco farm
18 that is being adversely impacted by reductions in tobacco
19 quotas. In developing the recommendations, the Commissioner of
20 Agriculture, in consultation with the Agricultural Economic
21 Development Project Review Committee as described in s.
22 570.248, Florida Statutes, shall develop selection criteria
23 and evaluation criteria. The evaluation criteria shall be
24 consistent with that for agricultural economic development
25 projects delineated in s. 570.247, Florida Statutes, and
26 include appropriate performance standards.

27 (b) The Commissioner of Agriculture shall report the
28 department's recommendations to implement the pilot program
29 and necessary funding to the President of the Senate, the
30 Speaker of the House of Representatives, and the Governor by
31 December 15, 2002.

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 (c) As authorized in s. 403.0752, Florida Statutes,
2 and based on results of current "whole farm planning" pilot
3 projects, the Department of Environmental Protection shall
4 work with willing partners to streamline the permitting
5 process for agricultural land uses.

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

20 Section 2. Paragraph (i) of subsection (1) of section
21 163.3187, Florida Statutes, is amended to read:

22 163.3187 Amendment of adopted comprehensive plan.--

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

26 (i) A comprehensive plan amendment for the purpose of
27 designating an urban infill and redevelopment area under s.
28 163.2517 or a Rural Heritage Area or Rural Activity Center
29 under the Florida Rural Heritage and Economic Stimulus Act may
30 be approved without regard to the statutory limits on the
31 frequency of amendments to the comprehensive plan.

1 Section 3. Subsection (2) of section 163.356, Florida
2 Statutes, is amended to read:

3 163.356 Creation of community redevelopment agency.--

4 (2) When the governing body adopts a resolution
5 declaring the need for a community redevelopment agency, that
6 body shall, by ordinance, appoint a board of commissioners of
7 the community redevelopment agency, which shall consist of not
8 fewer than five or more than seven commissioners. The
9 governing body of a municipality with a population of more
10 than 100,000 and an area of more than 100 square miles may
11 appoint up to nine commissioners.The terms of office of the
12 commissioners shall be for 4 years, except that three of the
13 members first appointed shall be designated to serve terms of
14 1, 2, and 3 years, respectively, from the date of their
15 appointments, and all other members shall be designated to
16 serve for terms of 4 years from the date of their
17 appointments. A vacancy occurring during a term shall be
18 filled for the unexpired term.

19 Section 4. 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-income, very-low-income, and moderate-income residents
- 24 of rural areas, as defined in s. 420.602. Such incentives and
- 25 research must take into account the importance of development
- 26 that preserves the rural character of the area and must seek
- 27 to mitigate the increased per-unit cost of small housing
- 28 projects appropriate to rural areas over the per-unit cost for
- 29 larger developments.
- 30 (10) NATURAL SYSTEMS AND RECREATIONAL LANDS.--
- 31 (a) Goal.--Florida shall protect and acquire unique

1 natural habitats and ecological systems, such as wetlands,
2 tropical hardwood hammocks, palm hammocks, and virgin longleaf
3 pine forests, and restore degraded natural systems to a
4 functional condition.

5 (b) Policies.--

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

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

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

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

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

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

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

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

30 9. Develop and implement a comprehensive planning,
31 management, and acquisition program to ensure the integrity of

1 Florida's river systems.

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

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

8 12. Protect and expand park systems throughout the
9 state.

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

15 (16) LAND USE.--

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

23 (b) Policies.--

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

28 2. Develop a system of incentives and disincentives
29 which encourages a separation of urban and rural land uses
30 while protecting water supplies, resource development, and
31 fish and wildlife habitats.

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

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

14 ~~5.4.~~ Develop a system of intergovernmental negotiation
15 for siting locally unpopular public and private land uses
16 which considers the area of population served, the impact on
17 land development patterns or important natural resources, and
18 the cost-effectiveness of service delivery.

19 ~~6.5.~~ Encourage and assist local governments in
20 establishing comprehensive impact-review procedures to
21 evaluate the effects of significant development activities in
22 their jurisdictions.

23 ~~7.6.~~ Consider, in land use planning and regulation,
24 the impact of land use on water quality and quantity; the
25 availability of land, water, and other natural resources to
26 meet demands; and the potential for flooding.

27 ~~8.7.~~ Provide educational programs and research to meet
28 state, regional, and local planning and growth-management
29 needs.

30 (22) THE ECONOMY.--

31 (a) Goal.--Florida shall promote an economic climate

1 which provides economic stability, maximizes job
2 opportunities, and increases per capita income for its
3 residents.

4 (b) Policies.--

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

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

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

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

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

28 6. Promote economic development for Florida residents
29 through partnerships among education, business, industry,
30 agriculture, and the arts.

31 7. Provide increased opportunities for training

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 Florida's workforce to provide skilled employees for new and
2 expanding business.

3 8. Promote economic self-sufficiency through training
4 and educational programs which result in productive
5 employment.

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

11 10. Provide for nondiscriminatory employment
12 opportunities.

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

15 12. Encourage the development of a business climate
16 that provides opportunities for the growth and expansion of
17 existing state industries, particularly those industries which
18 are compatible with Florida's environment.

19 13. Promote coordination among Florida's ports to
20 increase their utilization.

21 14. Encourage the full utilization by businesses of
22 the economic development enhancement programs implemented by
23 the Legislature for the purpose of extensively involving
24 private businesses in the development and expansion of
25 permanent job opportunities, especially for the economically
26 disadvantaged, through the utilization of enterprise zones,
27 community development corporations, and other programs
28 designed to enhance economic and employment opportunities.

29 (23) AGRICULTURE.--

30 (a) Goal.--Florida shall maintain and strive to expand
31 its food, agriculture, ornamental horticulture, aquaculture,

- 1 forestry, and related industries in order to be a healthy and
2 competitive force in the national and international
3 marketplace.
- 4 (b) Policies.--
- 5 1. Ensure that goals and policies contained in state
6 and regional plans are not interpreted to permanently restrict
7 the conversion of agricultural lands to other uses, while
8 creating and providing economically viable options for those
9 landowners who wish their lands to remain in agricultural
10 uses.
- 11 2. Encourage diversification within the agriculture
12 industry, especially to reduce the vulnerability of
13 communities that are largely reliant upon agriculture for
14 either income or employment.
- 15 3. Promote and increase international agricultural
16 marketing opportunities for all Florida agricultural
17 producers.
- 18 4. Stimulate research, development, and application of
19 agricultural technology to promote and enhance the
20 conservation, production, and marketing techniques available
21 to the agriculture industry.
- 22 5. Encourage conservation, wastewater recycling, and
23 other appropriate measures to assure adequate water resources
24 to meet agricultural and other beneficial needs.
- 25 6. Promote entrepreneurship in the agricultural sector
26 by providing technical and informational services.
- 27 7. Stimulate continued productivity through investment
28 in education and research.
- 29 8. Encourage development of biological pest controls
30 to further the reduction in reliance on chemical controls.
- 31 9. Conserve soil resources to maintain the economic

1 value of land for agricultural pursuits and to prevent
2 sedimentation in state waters.

3 10. Promote the vitality of Florida's agricultural
4 industry through continued funding of basic research,
5 extension, inspection, and analysis services and of programs
6 providing for marketing and technical assistance and the
7 control and eradication of diseases and infestations.

8 11. Continue to promote the use of lands for
9 agricultural purposes by maintaining preferential property tax
10 treatment through the greenbelt law.

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

15 13. Eliminate the discharge of inadequately treated
16 wastewater and stormwater runoff into waters of the state.

17 (24) TOURISM.--

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

22 (b) Policies.--

23 1. Promote statewide tourism and support promotional
24 efforts in those parts of the state that desire to attract
25 visitors.

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

28 3. Promote awareness of historic places and cultural
29 and historical activities.

30 4. Develop a nature-based tourism and heritage tourism
31 industry that meets growing public demand, protects the

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 state's natural and cultural resources, and contributes to
2 economic prosperity, especially in the state's rural
3 communities.

4 Section 5. Subsections (13) through (39) of section
5 420.507, Florida Statutes, are renumbered as subsections (14)
6 through (40), respectively, and a new subsection (13) is added
7 to said section, to read:

8 420.507 Powers of the corporation.--The corporation
9 shall have all the powers necessary or convenient to carry out
10 and effectuate the purposes and provisions of this part,
11 including the following powers which are in addition to all
12 other powers granted by other provisions of this part:

13 (13) To explore options to improve the availability of
14 affordable housing in rural areas.

15 Section 6. Paragraphs (a) and (f) of subsection (6) of
16 section 420.5087, Florida Statutes, are amended to read:

17 420.5087 State Apartment Incentive Loan
18 Program.--There is hereby created the State Apartment
19 Incentive Loan Program for the purpose of providing first,
20 second, or other subordinated mortgage loans or loan
21 guarantees to sponsors, including for-profit, nonprofit, and
22 public entities, to provide housing affordable to
23 very-low-income persons.

24 (6) On all state apartment incentive loans, except
25 loans made to housing communities for the elderly to provide
26 for lifesafety, building preservation, health, sanitation, or
27 security-related repairs or improvements, the following
28 provisions shall apply:

29 (a) The corporation shall establish two interest rates
30 in accordance with s. 420.507~~(23)~~~~(22)~~(a)1. and 2.

31 (f) The review committee established by corporation

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 rule pursuant to this subsection shall make recommendations to
2 the board of directors of the corporation regarding program
3 participation under the State Apartment Incentive Loan
4 Program. The corporation board shall make the final ranking
5 and the decisions regarding which applicants shall become
6 program participants based on the scores received in the
7 competitive ranking, further review of applications, and the
8 recommendations of the review committee. The corporation
9 board shall approve or reject applications for loans and shall
10 determine the tentative loan amount available to each
11 applicant selected for participation in the program. The
12 actual loan amount shall be determined pursuant to rule
13 adopted pursuant to s. 420.507~~(23)~~~~(22)~~(f).

14 Section 7. Subsections (1), (2), and (4) of section
15 420.5088, Florida Statutes, are amended to read:

16 420.5088 Florida Homeownership Assistance
17 Program.--There is created the Florida Homeownership
18 Assistance Program for the purpose of assisting low-income
19 persons in purchasing a home by reducing the cost of the home
20 with below-market construction financing, by reducing the
21 amount of down payment and closing costs paid by the borrower
22 to a maximum of 5 percent of the purchase price, or by
23 reducing the monthly payment to an affordable amount for the
24 purchaser. Loans shall be made available at an interest rate
25 that does not exceed 3 percent. The balance of any loan is due
26 at closing if the property is sold or transferred.

27 (1) For loans made available pursuant to s.
28 420.507~~(24)~~~~(23)~~(a)1. or 2.:

29 (a) The corporation may underwrite and make those
30 mortgage loans through the program to persons or families who
31 have incomes that do not exceed 80 percent of the state or

1 local median income, whichever is greater, adjusted for family
2 size.

3 (b) Loans shall be made available for the term of the
4 first mortgage.

5 (c) Loans are limited to the lesser of 25 percent of
6 the purchase price of the home or the amount necessary to
7 enable the purchaser to meet credit underwriting criteria.

8 (2) For loans made pursuant to s.
9 420.507(24)(~~23~~)(a)3.:

10 (a) Availability is limited to nonprofit sponsors or
11 developers who are selected for program participation pursuant
12 to this subsection.

13 (b) Preference must be given to community development
14 corporations as defined in s. 290.033 and to community-based
15 organizations as defined in s. 420.503.

16 (c) Priority must be given to projects that have
17 received state assistance in funding project predevelopment
18 costs.

19 (d) The benefits of making such loans shall be
20 contractually provided to the persons or families purchasing
21 homes financed under this subsection.

22 (e) At least 30 percent of the units in a project
23 financed pursuant to this subsection must be sold to persons
24 or families who have incomes that do not exceed 80 percent of
25 the state or local median income, whichever amount is greater,
26 adjusted for family size; and at least another 30 percent of
27 the units in a project financed pursuant to this subsection
28 must be sold to persons or families who have incomes that do
29 not exceed 50 percent of the state or local median income,
30 whichever amount is greater, adjusted for family size.

31 (f) The maximum loan amount may not exceed 33 percent

1 of the total project cost.

2 (g) A person who purchases a home in a project
3 financed under this subsection is eligible for a loan
4 authorized by s. 420.507(~~24~~)(~~23~~)(a)1. or 2. in an aggregate
5 amount not exceeding the construction loan made pursuant to
6 this subsection. The home purchaser must meet all the
7 requirements for loan recipients established pursuant to the
8 applicable loan program.

9 (h) The corporation shall provide, by rule, for the
10 establishment of a review committee composed of corporation
11 staff and shall establish, by rule, a scoring system for
12 evaluating and ranking applications submitted for construction
13 loans under this subsection, including, but not limited to,
14 the following criteria:

15 1. The affordability of the housing proposed to be
16 built.

17 2. The direct benefits of the assistance to the
18 persons who will reside in the proposed housing.

19 3. The demonstrated capacity of the applicant to carry
20 out the proposal, including the experience of the development
21 team.

22 4. The economic feasibility of the proposal.

23 5. The extent to which the applicant demonstrates
24 potential cost savings by combining the benefits of different
25 governmental programs and private initiatives, including the
26 local government contributions and local government
27 comprehensive planning and activities that promote affordable
28 housing.

29 6. The use of the least amount of program loan funds
30 compared to overall project cost.

31 7. The provision of homeownership counseling.

1 8. The applicant's agreement to exceed the
2 requirements of paragraph (e).

3 9. The commitment of first mortgage financing for the
4 balance of the construction loan and for the permanent loans
5 to the purchasers of the housing.

6 10. The applicant's ability to proceed with
7 construction.

8 11. The targeting objectives of the corporation which
9 will ensure an equitable distribution of loans between rural
10 and urban areas.

11 12. The extent to which the proposal will further the
12 purposes of this program.

13 (i) The corporation may reject any and all
14 applications.

15 (j) The review committee established by corporation
16 rule pursuant to this subsection shall make recommendations to
17 the corporation board regarding program participation under
18 this subsection. The corporation board shall make the final
19 ranking for participation based on the scores received in the
20 ranking, further review of the applications, and the
21 recommendations of the review committee. The corporation board
22 shall approve or reject applicants for loans and shall
23 determine the tentative loan amount available to each program
24 participant. The final loan amount shall be determined
25 pursuant to rule adopted under s. 420.507(24)~~(23)~~(h).

26 (4) During the first 9 months of fund availability:

27 (a) Sixty percent of the program funds shall be
28 reserved for use by borrowers pursuant to s.
29 420.507(24)~~(23)~~(a)1.;

30 (b) Twenty percent of the program funds shall be
31 reserved for use by borrowers pursuant to s.

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 420.507(24)(23)(a)2.; and

2 (c) Twenty percent of the program funds shall be
3 reserved for use by borrowers pursuant to s.

4 420.507(24)(23)(a)3.

5
6 If the application of these percentages would cause the
7 reservation of program funds under paragraph (a) to be less
8 than \$1 million, the reservation for paragraph (a) shall be
9 increased to \$1 million or all available funds, whichever
10 amount is less, with the increase to be accomplished by
11 reducing the reservation for paragraph (b) and, if necessary,
12 paragraph (c).

13 Section 8. The implementation of subsection (7) of
14 section 1 of this act is subject to specific appropriation or
15 the availability of funds from the Department of Community
16 Affairs.

17 Section 9. This act shall take effect July 1, 2002.

18
19

20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 remove: the entire title

23

24 and insert:

25 A bill to be entitled
26 An act relating to rural development; creating
27 the Florida Rural Heritage and Economic
28 Stimulus Act; providing legislative findings;
29 providing definitions; providing for the
30 designation of a Rural Heritage Area; providing
31 for a community-based planning process;

1 specifying guidelines for Rural Heritage Area
2 plans; providing procedure for adoption of a
3 plan; providing for economic incentives,
4 reports, and technical assistance; creating the
5 Rural Heritage Grant Program, to be
6 administered by the Department of Community
7 Affairs, to assist local governments in
8 adopting Rural Heritage Areas; providing for
9 priority of funding; requiring the Department
10 of Community Affairs to adopt rules; providing
11 for development of a micro-loan program for
12 nature-based tourism and heritage tourism
13 businesses; providing for wireless
14 community-based network technology pilot
15 programs to be recommended by the Department of
16 Health; providing for pilot projects to
17 encourage diversification of agricultural
18 products and marketing to be recommended by the
19 Department of Agriculture and Consumer
20 Services; providing for review and evaluation
21 by the Office of Program Policy Analysis and
22 Government Accountability; amending s.
23 163.3187, F.S.; providing conditions for
24 adoption of local comprehensive plan amendments
25 for Rural Heritage Areas or Rural Activity
26 Centers; amending s. 163.356, F.S.; authorizing
27 specified municipalities to increase the number
28 of commissioners appointed to the board of
29 commissioners of the community redevelopment
30 agency; amending s. 187.201, F.S.; modifying
31 goals of the State Comprehensive Plan to

402-138X-27

Bill No. CS/HB 789

Amendment No. ____ (for drafter's use only)

1 include housing for specified persons in rural
2 areas and development of nature-based tourism;
3 providing a policy of fostering integrated and
4 coordinated community-based planning efforts;
5 providing support for rural communities in
6 developing nature-based tourism and heritage
7 tourism enterprises; providing support for
8 landowners who wish their lands to remain in
9 agricultural use; amending s. 420.507, F.S.;
10 modifying powers of the Florida Housing Finance
11 Corporation; amending ss. 420.5087 and
12 420.5088, F.S.; correcting cross references;
13 providing that specified provisions are subject
14 to appropriation or the availability of agency
15 funds; providing an effective date.

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