

1 A bill to be entitled
2 An act relating to economic development;
3 reenacting and amending s. 288.9515, F.S.;
4 revising and clarifying powers of Enterprise
5 Florida, Inc., to develop authorized technology
6 development programs; deleting a preference
7 requirement for contractor selections;
8 clarifying a requirement for capitalization of
9 a technology development financing fund;
10 revising criteria and requirements for
11 investment of moneys in the Florida Technology
12 Research Investment Fund; providing for payment
13 of certain claims from the fund; specifying
14 nonapplication of state credit or taxing power;
15 specifying absence of state liability for
16 certain claims; directing Enterprise Florida,
17 Inc., to facilitate the formation of an
18 entrepreneurship strategy; repealing s.
19 288.9517, F.S., relating to audits of the
20 technology development board and
21 confidentiality of the identity of certain
22 contributors to the board; repealing s. 14, ch.
23 93-187, Laws of Florida, relating to the future
24 repeal and review by the Legislature of
25 statutes governing certain technology
26 development programs of Enterprise Florida,
27 Inc.; creating s. 1004.447, F.S.; establishing
28 the Florida Institute for Human and Machine
29 Cognition, Inc., at the University of West
30 Florida as a not-for-profit corporation;
31 providing that the corporation shall act as an

1 instrumentality of the state; authorizing the
2 creation of subsidiaries by the corporation;
3 providing for articles of incorporation;
4 providing powers of the corporation;
5 authorizing contracts without competitive
6 bidding; providing for a board of directors;
7 providing for an affiliation agreement;
8 providing for an annual postaudit report;
9 authorizing the corporation to secure liability
10 protection; providing for assumption of
11 responsibilities of the corporation by the
12 University of West Florida under certain
13 circumstances; providing for administration of
14 the institute by a chief executive officer and
15 providing duties; requiring appointment of a
16 council of scientific advisers and providing
17 duties; providing that the corporation and its
18 subsidiaries are not agencies for certain
19 purposes; authorizing additional affiliation
20 agreements; amending s. 471.031, F.S.;
21 providing that certain persons are exempt from
22 the prohibitions of the section, relating to
23 the engineering law, under specified
24 circumstances; revising provisions governing
25 the use of certain engineering titles;
26 providing for expiration of such provisions;
27 amending s. 220.191, F.S.; redefining the term
28 "qualifying project" for purposes of capital
29 investment tax credits; amending s. 288.1045,
30 F.S.; revising the definition of "Department of
31 Defense contract" under the tax refund program

1 for qualified defense contractors; extending
2 the period applicable to a program exemption
3 under certain conditions; amending s. 288.106,
4 F.S.; providing for special consideration to be
5 given to defense and homeland security under
6 the tax refund program for qualified target
7 industry businesses; extending the period
8 applicable to a program exemption under certain
9 conditions; amending s. 288.1088, F.S.;
10 revising requirements and providing powers of
11 the Governor with respect to using funds in the
12 Quick Action Closing Fund; amending s.
13 1004.225, F.S.; removing historical provisions;
14 conforming changes; providing for the
15 designation of an additional center of
16 excellence; providing application, evaluation,
17 and designation procedures; extending the
18 expiration of the Florida Technology
19 Development Act; providing an appropriation;
20 repealing proviso in chapter 2002-394, L.O.F.,
21 relating to the requirement for approval of an
22 expenditure plan prior to release of
23 appropriations for funding University Centers
24 of Excellence; amending s. 445.048, F.S.;
25 continuing, expanding, and revising the
26 Passport to Economic Progress demonstration
27 project; providing appropriations; amending s.
28 376.86, F.S.; revising certain restrictions on
29 investing funds maintained in the Nonmandatory
30 Land Reclamation Trust Fund; providing for a
31 schedule for legislative review of the

1 Brownfield Areas Loan Guarantee Program;
2 providing effective dates.

3
4 Be It Enacted by the Legislature of the State of Florida:

5
6 Section 1. Notwithstanding section 14 of chapter
7 93-187, Laws of Florida, section 288.9515, Florida Statutes,
8 shall not stand repealed on December 31, 2003, as scheduled by
9 such law, but that section is reenacted and amended to read:

10 288.9515 Authorized technology development programs.--

11 (1) Enterprise Florida, Inc., may create technology
12 development and applications services, and may serve as an
13 umbrella organization for the coordination of information that
14 provides technology applications service providers throughout
15 ~~the state which provide~~ critical, managerial, technological,
16 scientific, and related financial and business expertise
17 essential for international and domestic competitiveness to
18 small-sized and medium-sized manufacturing and knowledge-based
19 service firms. Enterprise Florida, Inc., is authorized the
20 following powers in order to carry out these functions:

21 (a) Providing communication and coordination services
22 among technology development and applications service
23 providers throughout the state.

24 ~~(b) Providing coordinated marketing services to~~
25 ~~small-sized and medium-sized manufacturers in the state on~~
26 ~~behalf of, and in partnership with, technology applications~~
27 ~~service providers.~~

28 (b)(c) Securing additional sources of funds on behalf
29 of, and in partnership with, technology-based businesses
30 ~~applications service providers.~~

31

1 ~~(c)(d)~~ Developing plans and policies to assist
2 small-sized and medium-sized manufacturing companies or other
3 knowledge-based firms in Florida.

4 ~~(e)~~ ~~Entering into contracts with technology~~
5 ~~applications service providers for expanded availability of~~
6 ~~high-quality assistance to small-sized and medium-sized~~
7 ~~manufacturing companies or knowledge-based service firms,~~
8 ~~including, but not limited to, technological, human resources~~
9 ~~development, market planning, finance, and interfirm~~
10 ~~collaboration. Enterprise Florida, Inc., shall ensure that all~~
11 ~~contracts in excess of \$20,000 for the delivery of such~~
12 ~~assistance to Florida firms shall be based on competitive~~
13 ~~requests for proposals and shall establish clear standards for~~
14 ~~the delivery of services under such contracts. Such standards~~
15 ~~include, but are not limited to:~~

16 ~~1. The ability and capacity to deliver services in~~
17 ~~sufficient quality and quantity.~~

18 ~~2. The ability and capacity to deliver services in a~~
19 ~~timely manner.~~

20 ~~3. The ability and capacity to meet the needs of firms~~
21 ~~in the proposed market area.~~

22 (d)(f) Assisting other educational institutions,
23 enterprises, or the entities providing business assistance to
24 small-sized and medium-sized manufacturing and knowledge-based
25 services enterprises.

26 ~~(g)~~ ~~Establishing a system to evaluate the~~
27 ~~effectiveness and efficiency of technology applications~~
28 ~~services provided to small-sized and medium-sized enterprises.~~

29 ~~(e)(h)~~ Establishing ~~special education and~~
30 informational programs for Florida enterprises and for
31

1 educational institutions and enterprises providing business
2 assistance to Florida enterprises.

3 (f)(i) Assisting in evaluating and documenting the
4 needs of firms in this state for technology development and
5 application services, and developing means to ensure that
6 these needs are met, consistent with the powers provided for
7 in this subsection.

8 (g)(j) Maintaining an office in such place or places
9 as the board of directors of Enterprise Florida, Inc.,
10 approves.

11 (h)(k) Making and executing contracts with any person,
12 enterprise, educational institution, association, or any other
13 entity necessary or convenient for the performance of its
14 duties and the exercise of the powers and functions of
15 Enterprise Florida, Inc., under this subsection.

16 (i)(l) Receiving funds from any source to carry out
17 the purposes of providing technology development and
18 applications services, including, but not limited to, gifts or
19 grants from any department, agency, or instrumentality of the
20 United States or of the state, or any enterprise or person,
21 for any purpose consistent with the provisions of this
22 subsection.

23 ~~(2) When choosing contractors under this section,~~
24 ~~preference shall be given to existing institutions,~~
25 ~~organizations, and enterprises so long as these existing~~
26 ~~institutions, organizations, and enterprises demonstrate the~~
27 ~~ability to perform at standards established by Enterprise~~
28 ~~Florida, Inc., under paragraph (1)(e).Neither the provisions~~
29 ~~of ss. 288.9511-288.9517 nor the actions taken by Enterprise~~
30 ~~Florida, Inc., under this section shall impair or hinder the~~
31

1 operations, performance, or resources of any existing
2 institution, organization, or enterprise.

3 (3) Enterprise Florida, Inc., may create a technology
4 development financing fund, to be called the Florida
5 Technology Research Investment Fund. The fund shall increase
6 technology development in this state by investing in
7 technology development projects that have the potential to
8 generate investment-grade technologies of importance to the
9 state's economy as evidenced by the willingness of private
10 businesses to coinvest in such projects. Enterprise Florida,
11 Inc., may also demonstrate and develop effective approaches
12 to, and benefits of, commercially oriented research
13 collaborations between businesses, universities, and state and
14 federal agencies and organizations. Enterprise Florida, Inc.,
15 shall endeavor to maintain the fund as a self-supporting fund
16 once the fund is sufficiently capitalized under Enterprise
17 Florida, Inc., program guidelines ~~as reflected in the minimum~~
18 ~~funding report required in s. 288.9516~~. The technology
19 research investment projects may include, but are not limited
20 to:

21 (a) Technology development projects expected to lead
22 to a specific investment-grade technology that is of
23 importance to industry in this state.

24 (b) Technology development centers and facilities
25 expected to generate a stream of products and processes with
26 commercial application of importance to industry in this
27 state.

28 (c) Technology development projects that have, or are
29 currently using, other federal or state funds such as federal
30 Small Business Innovation Research awards.

31

1 (4) Enterprise Florida, Inc., shall invest moneys
2 contained in the Florida Technology Research Investment Fund
3 in technology application research or for technology
4 development projects that have the potential for commercial
5 market application. ~~The partnership shall coordinate any~~
6 ~~investment in any space-related technology projects with the~~
7 ~~Florida Space Authority and the Technological Research and~~
8 ~~Development Authority.~~

9 (a) The investment of moneys contained in the Florida
10 Technology Research Investment Fund is limited to qualified
11 ~~investments in qualified securities~~ in which a private
12 enterprise in this state coinvests at least 40 percent of the
13 total project costs, in conjunction with other cash or noncash
14 investments from state educational institutions, state and
15 federal agencies, or other institutions.

16 (b) All moneys in the Florida Technology Research
17 Investment Fund shall be continuously appropriated to the fund
18 and may be used for loan guarantees, letter of credit
19 guarantees, cash reserves for loan and letter of credit
20 guarantees, payments of claims pursuant to contracts for
21 guarantees, subordinated loans, loans with warrants, royalty
22 investments, equity investments, and ~~For the purposes of this~~
23 ~~fund, qualified securities include loans, loans convertible to~~
24 ~~equity, equity, loans with warrants attached that are~~
25 ~~beneficially owned by the board, royalty agreements, or any~~
26 other contractual arrangements through which the Florida
27 Technology Research Investment Fund receives an interest,
28 rights, return of funds, or other consideration, and may be
29 used for operations of the fund. All such uses of moneys in
30 the fund are qualified investments ~~arrangement in which the~~
31 ~~board is providing scientific and technological services to~~

1 ~~any federal, state, county, or municipal agency, or to any~~
2 ~~individual, corporation, enterprise, association, or any other~~
3 ~~entity involving technology development. Any claim against the~~
4 ~~fund or Enterprise Florida, Inc., relating to investment of~~
5 ~~moneys in the fund shall be paid solely from the fund. Neither~~
6 ~~the credit nor the taxing power of the state shall be pledged~~
7 ~~to secure the fund or moneys in the fund, other than from~~
8 ~~moneys appropriated or assigned to the fund, and the state~~
9 ~~shall not be liable or obligated in any way for any claims~~
10 ~~against the fund or against Enterprise Florida, Inc.~~

11 (c) Not more than \$175,000 or 5 percent of the
12 revenues generated by investment of moneys contained in the
13 Florida Technology Research Investment Fund plus 5 percent of
14 the revenues generated by investments under the Florida Small
15 Business Technology Growth Program under s. 288.95155,
16 whichever is greater, may be used on an annual basis to pay
17 the combined operating expenses associated with operation of
18 the Florida Technology Research Investment Fund and the
19 Florida Small Business Technology Growth Program.

20 (d) In the event of liquidation or dissolution of
21 Enterprise Florida, Inc., or the Florida Technology Research
22 Investment Fund, any rights or interests in a qualified
23 security or portion of a qualified security purchased with
24 moneys invested by the State of Florida shall vest in the
25 state, under the control of the State Board of Administration.
26 The state is entitled to, in proportion to the amount of
27 investment in the fund by the state, any balance of funds
28 remaining in the Florida Technology Research Investment Fund
29 after payment of all debts and obligations upon liquidation or
30 dissolution of Enterprise Florida, Inc., or the fund.

31

1 (e) The investment of funds contained in the Florida
2 Technology Research Investment Fund does not constitute a
3 debt, liability, or obligation of the State of Florida or of
4 any political subdivision thereof, or a pledge of the faith
5 and credit of the state or of any such political subdivision.

6 (5) Enterprise Florida, Inc., may create technology
7 commercialization programs in partnership with private
8 enterprises, educational institutions, and other institutions
9 to increase the rate at which technologies with potential
10 commercial application are moved from university, public, and
11 industry laboratories into the marketplace. Such programs
12 shall be created based upon research to be conducted by
13 Enterprise Florida, Inc.

14 (6) Enterprise Florida, Inc., shall coordinate with
15 local and regional economic development organizations to
16 facilitate a statewide entrepreneurship strategy to stimulate
17 the growth of start-up businesses and technology innovations
18 in this state. This strategy should include, but need not be
19 limited to, technology transfer coordination, university
20 linkages, entrepreneurial networks and training, and start-up
21 capital access, including the formation and growth of
22 individual and business networks that may be willing to invest
23 in start-up businesses in this state.

24 Section 2. Section 288.9517, Florida Statutes, is
25 repealed.

26 Section 3. Section 14 of chapter 93-187, Laws of
27 Florida, is repealed.

28 Section 4. Section 1004.447, Florida Statutes, is
29 created to read:

30 1004.447 Florida Institute for Human and Machine
31 Cognition, Inc.--

1 (1)(a) There is created a not-for-profit corporation,
2 to be known as the "Florida Institute for Human and Machine
3 Cognition, Inc., which shall be registered, incorporated,
4 organized, and operated in compliance with chapter 617. The
5 Florida Institute for Human and Machine Cognition, Inc., is
6 established at the University of West Florida.

7 (b) The corporation is authorized to create
8 not-for-profit corporate subsidiaries that are organized under
9 the provisions of chapter 617 upon the prior approval of the
10 Board of Governors, as necessary, to fulfill its mission.

11 (2) The corporation and any authorized and approved
12 subsidiary:

13 (a) Shall be a corporation primarily acting as an
14 instrumentality of the state, pursuant to s. 768.28(2), for
15 purposes of sovereign immunity.

16 (b) Is not an agency within the meaning of s.
17 20.03(11).

18 (c) Is subject to the open records and meeting
19 requirements of s. 24, Art. I of the State Constitution,
20 chapter 119, and s. 286.011.

21 (d) May receive, hold, invest, and administer property
22 and any moneys acquired from private, local, state, and
23 federal sources, as well as technical and professional income
24 generated or derived from practice activities of the
25 institute, for the benefit of the institute and the
26 fulfillment of its mission.

27 (e) May perform all things necessary to secure letters
28 of patent, copyrights, and trademarks on any work products and
29 to enforce its rights therein. The corporation must consider
30 contributions by a state university and university personnel
31 in the development of trademarks, copyrights, and patents and

1 shall enter into written contracts establishing the interests
2 of the university and such personnel in each trademark,
3 copyright, or patent.

4 (f) May secure comprehensive general liability
5 protection, including professional liability protection, for
6 the not-for-profit corporation and its subsidiaries.

7 (g) May enter into affiliation agreements with other
8 universities or research institutes.

9 (h) Is not subject to the provisions of chapter 287.

10 (3) The officers, directors, and employees of the
11 corporation or any authorized and approved subsidiary shall be
12 governed by the code of ethics for public officers and
13 employees as set forth in part III of chapter 112.

14 (4) The articles of incorporation of the corporation
15 or any authorized and approved subsidiary must be approved in
16 a written agreement by the Board of Governors. The agreement
17 and the articles of incorporation shall:

18 (a) Provide that the corporation and any authorized
19 and approved subsidiary shall provide equal employment
20 opportunities for all persons regardless of race, color,
21 religion, gender, national origin, age, handicap, or marital
22 status.

23 (b) Provide that the corporation and any authorized
24 and approved subsidiary are subject to the public records and
25 meeting requirements of s. 24, Art. I of the State
26 Constitution.

27 (c) Provide that all officers, directors, and
28 employees of the corporation and any authorized and approved
29 subsidiary shall be governed by the code of ethics for public
30 officers and employees as set forth in part III of chapter
31 112.

1 (d) Provide that members of the board of directors of
2 the corporation are responsible for the prudent use of all
3 public and private funds and that they will ensure that the
4 use of funds is in accordance with all applicable laws,
5 bylaws, and contractual requirements.

6 (e) Provide that the fiscal year of the corporation
7 and any authorized and approved subsidiary is from July 1 to
8 June 30.

9 (5) The affairs of the corporation shall be managed by
10 a board of directors who shall serve without compensation.
11 Each director shall have only one vote.

12 (a) The board of directors shall consist of:

13 1. The chair of the Board of Governors or the chair s
14 designee.

15 2. The chair of the Board of Trustees of the
16 University of West Florida or the chair s designee.

17 3. The President of the University of West Florida or
18 the president s designee.

19 4. Three state university representatives.

20 5. Nine public representatives who are neither state
21 university employees nor state employees.

22 (b) The Governor, the President of the Senate, and the
23 Speaker of the House of Representatives shall each make one
24 initial appointment of a state university representative to
25 the board of directors. Each director who is a representative
26 of a state university shall be appointed for an initial term
27 of 3 years. The Governor shall make three initial appointments
28 of public representatives to the board of directors. The
29 President of the Senate and the Speaker of the House of
30 Representatives shall each make two initial appointments of
31 public representatives to the board of directors. The chair of

1 the Board of Trustees of the University of West Florida shall
2 make two initial appointments of public representatives to the
3 board of directors. Each director who is a representative of
4 the public shall be appointed to serve an initial term of 2
5 years.

6 (c) Upon the completion of the initial terms, a
7 director appointed under paragraph (b) shall be appointed by a
8 majority vote of the directors to an additional 3-year term.

9 (d) Any vacancy in office of a director appointed
10 under paragraph (b) shall be filled for the remainder of the
11 term by majority vote of the directors.

12 (e) Any director may be reappointed by a majority vote
13 of the board of directors.

14 (f) The chair of the board of directors shall be
15 selected by a majority vote of the directors, a quorum being
16 present.

17 (6) No later than 30 days following approval of the
18 corporation s articles of incorporation by the Board of
19 Governors, the corporation shall enter into an affiliation
20 agreement with the Board of Trustees of the University of West
21 Florida for:

22 (a) The use or mutual provision of or participation in
23 university programs or services, including use of The
24 university's moneys, facilities, furnishings, equipment, other
25 chattels, personnel, or services.

26 (b) The use of facilities and personnel for mutually
27 approved teaching and research programs conducted by
28 universities or research institutes.

29 (c) The preparation of an annual postaudit of the
30 corporation's financial accounts and the financial accounts of
31 any authorized and approved subsidiary to be conducted by an

1 independent certified public accountant. The annual audit
2 report shall include management letters and be submitted to
3 the Auditor General and the Board of Governors for review.

4 (d) Use of the facilities of the University of West
5 Florida, including all furnishings, equipment, and other
6 chattels used in the operation of those facilities.

7
8 If the agreement between the corporation and the Board of
9 Trustees of the University of West Florida is terminated, all
10 property, including buildings, land, furnishings, equipment,
11 and other chattels originally leased to the corporation, as
12 well as any subsequently constructed or otherwise acquired
13 facilities in connection with the operation of the institute,
14 automatically reverts to full ownership by the University of
15 West Florida. Such a reversionary interest of the state in all
16 after-acquired facilities of the corporation is in furtherance
17 of the goals of this section, and such a present ownership
18 interest by the university is a continuing and insurable
19 public interest.

20 (7) The corporation shall employ a chief executive
21 officer to administer the affairs of the Florida Institute for
22 Human and Machine Cognition, Inc. The chief executive officer
23 shall be appointed by and serve at the pleasure of the board
24 of directors. The chief executive officer shall exercise the
25 following powers and duties, subject to the approval of the
26 board of directors:

27 (a) Establish programs that fulfill the mission of the
28 institute, as one of the nation's premier
29 information-technology-related research organizations, in
30 research, education, scientific advancement, and economic
31 development. However, the chief executive officer may not

1 establish academic programs for which academic credit is
2 awarded, or programs that culminate in the conferring of a
3 degree, without prior approval of the University of West
4 Florida.

5 (b) Control the budget and the moneys appropriated or
6 donated to the institute from private, local, state, and
7 federal sources, as well as technical and professional income
8 generated or derived from research activities of the
9 institute. However, income generated by university faculty
10 from research activities at the institute shall be shared
11 between the institute and the university, as determined by the
12 chief executive officer and the appropriate university
13 president or the president's designee.

14 (c) Appoint representatives of the institute to carry
15 out the research and educational activities of the institute
16 and establish the compensation, benefits, and terms of service
17 of such representatives. Representatives may hold concurrent
18 appointments at affiliated academic institutions. University
19 faculty may hold concurrent appointments at the institute.

20 (d) Control the use and assignment of space and
21 equipment within the facilities.

22 (e) Create the administrative structure necessary to
23 carry out the mission of the institute.

24 (f) Annually report in writing to the Commissioner of
25 Education on the activities of the institute and state budget
26 allocation expenditures.

27 (g) Provide a copy of the institute's annual report to
28 the Governor, the President of the Senate, the Speaker of the
29 House of Representatives, the chair of the Board of Governors,
30 and the University of West Florida.

31

1 (h) Appoint a council of scientific advisers to the
2 chief executive officer comprised of leading researchers and
3 scientists who shall review programs and recommend research
4 priorities and initiatives to maximize the state's investment
5 in the institute.

6 1. The board of directors shall ratify the
7 appointments of scientific advisers to the council.

8 2. Each member of the council shall be appointed to
9 serve a 2-year term and may be reappointed.

10 (8) The Board of Governors, the Board of Trustees of
11 the University of West Florida, the Auditor General, and the
12 Office of Program Policy Analysis and Government
13 Accountability may require and receive from the corporation
14 and any subsidiary, or from their independent auditor, any
15 detail or supplemental data relative to the operation of the
16 corporation or subsidiary.

17 (9) The Board of Trustees of the University of West
18 Florida shall annually certify to the Governor, the President
19 of the Senate, the Speaker of the House of Representatives,
20 and the Board of Governors that the corporation and its
21 authorized subsidiaries are complying with the requirements of
22 this section and are acting in the best interests of the
23 state.

24 Section 5. The corporation created pursuant to section
25 1004.447(1), Florida Statutes, may enter into affiliation
26 agreements similar to the agreement described in section
27 1004.447(6), Florida Statutes, with the boards of trustees of
28 other public or private universities.

29 Section 6. Subsections (3) and (4) are added to
30 section 471.031, Florida Statutes, to read:

31 471.031 Prohibitions; penalties.--

1 (3) The prohibitions of this section shall not apply
2 to any employee or contractor of a sole proprietorship, firm,
3 limited liability company, partnership, joint stock
4 association, corporation, or other business entity that:

5 (a) Provides products, services, or a project, as
6 defined in s. 288.1045(1)(i), to an agency or department of
7 the United States, any agency or department of a state
8 government, or the government of a foreign country which
9 involves the design, development, production, sale, or
10 provision of defense or aerospace products or services;

11 (b) Consists of or supports commercial aircraft and
12 the entity holds a certificate issued by the Federal Aviation
13 Administration under Chapter 21, Title 14, Code of Federal
14 Regulations;

15 (c) Consists of space vehicles or space services that
16 are subject to licensing or regulation by an agency or
17 department of the United States under Title 14, 47 or 48 of
18 the Code of Federal Regulations, or for sale or use outside
19 the United States; or

20 (d) Allows the use of the term "engineer" or
21 "engineering" in a job title or personnel classification of an
22 employee or contractor to the extent that the use of the title
23 or classification is related to activities described in this
24 subsection.

25
26 This subsection expires July 1, 2004, unless reenacted by the
27 Legislature before that date.

28 (4) Notwithstanding any other provision of this
29 chapter, a person who is not required to be licensed under s.
30 471.003(2) and who is employed by an entity not offering
31 engineering services to the public may use the title

1 "engineer" or any title listed in paragraph (1)(b), except for
2 the terms "professional engineer," "licensed engineer," or
3 "registered engineer," if such use does not indicate that the
4 person is licensed and authorized to practice engineering
5 beyond the scope of the exemptions set forth in s. 471.003(2).
6 This subsection expires July 1, 2004, unless reenacted by the
7 Legislature before that date.

8 Section 7. Effective upon this act becoming a law,
9 paragraph (h) of subsection (1) of section 220.191, Florida
10 Statutes, is amended to read:

11 220.191 Capital investment tax credit.--

12 (1) DEFINITIONS.--For purposes of this section:

13 (h) "Qualifying project" means:

14 1. A new or expanding facility in this state which
15 creates at least 100 new jobs in this state and is in one of
16 the high-impact sectors identified by Enterprise Florida,
17 Inc., and certified by the office pursuant to s. 288.108(6),
18 including, but not limited to, aviation, aerospace,
19 automotive, and silicon technology industries; ~~or-~~

20 2. A new financial services facility in this state
21 which creates at least 2,000 new jobs in this state, pays an
22 average annual wage of at least \$50,000, and makes a capital
23 investment of at least \$30 million. This subparagraph expires
24 June 30, 2004.

25 Section 8. Paragraph (e) of subsection (1) and
26 paragraph (b) of subsection (4) of section 288.1045, Florida
27 Statutes, are amended to read:

28 288.1045 Qualified defense contractor tax refund
29 program.--

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

31

1 (e) "Department of Defense contract" means a
2 competitively bid Department of Defense contract or
3 subcontract or a competitively bid federal agency contract or
4 subcontract issued on behalf of the Department of Defense for
5 manufacturing, assembling, fabricating, research, development,
6 or design with a duration of 2 or more years, but excluding
7 any contract or subcontract to provide goods, improvements to
8 real or tangible property, or services directly to or for any
9 particular military base or installation in this state. The
10 term includes contracts or subcontracts for products or
11 services for military or homeland security use which contracts
12 or subcontracts are approved by the United States Department
13 of Defense, the United States Department of State, or the
14 United States Department of Homeland Security ~~Coast Guard~~.

15 (4) QUALIFIED DEFENSE CONTRACTOR TAX REFUND
16 AGREEMENT.--

17 (b) Compliance with the terms and conditions of the
18 agreement is a condition precedent for receipt of tax refunds
19 each year. The failure to comply with the terms and conditions
20 of the agreement shall result in the loss of eligibility for
21 receipt of all tax refunds previously authorized pursuant to
22 this section, and the revocation of the certification as a
23 qualified applicant by the director, unless the qualified
24 applicant is eligible to receive and elects to accept a
25 prorated refund under paragraph (5)(g) or the office grants
26 the qualified applicant an economic-stimulus exemption.

27 1. A qualified applicant may submit, in writing, a
28 request to the office for an economic-stimulus exemption. The
29 request must provide quantitative evidence demonstrating how
30 negative economic conditions in the qualified applicant's
31 industry, or specific acts of terrorism affecting the

1 qualified applicant, have prevented the qualified applicant
2 from complying with the terms and conditions of its tax refund
3 agreement.

4 2. Upon receipt of a request under subparagraph 1.,
5 the director shall have 45 days to notify the requesting
6 qualified applicant, in writing, if its exemption has been
7 granted or denied. In determining if an exemption should be
8 granted, the director shall consider the extent to which
9 negative economic conditions in the requesting qualified
10 applicant's industry, or specific acts of terrorism affecting
11 the qualified applicant, have prevented the qualified
12 applicant from complying with the terms and conditions of its
13 tax refund agreement.

14 3. As a condition for receiving a prorated refund
15 under paragraph (5)(g) or an economic-stimulus exemption under
16 this paragraph, a qualified applicant must agree to
17 renegotiate its tax refund agreement with the office to, at a
18 minimum, ensure that the terms of the agreement comply with
19 current law and office procedures governing application for
20 and award of tax refunds. Upon approving the award of a
21 prorated refund or granting an economic-stimulus exemption,
22 the office shall renegotiate the tax refund agreement with the
23 qualified applicant as required by this subparagraph. When
24 amending the agreement of a qualified applicant receiving an
25 economic-stimulus exemption, the office may extend the
26 duration of the agreement for a period not to exceed 1 year.

27 4. A qualified applicant may submit a request for an
28 economic-stimulus exemption to the office in lieu of any tax
29 refund claim scheduled to be submitted after January 1, 2001,
30 but before June 30, 2004 ~~July 1, 2003~~. However, a qualified
31

1 applicant that has received at least one economic-stimulus
2 exemption may not apply for an additional exemption.

3 5. A qualified applicant that receives an
4 economic-stimulus exemption may not receive a tax refund for
5 the period covered by the exemption.

6 Section 9. Paragraph (o) of subsection (1) and
7 paragraph (b) of subsection (4) of section 288.106, Florida
8 Statutes, are amended to read:

9 288.106 Tax refund program for qualified target
10 industry businesses.--

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

12 (o) "Target industry business" means a corporate
13 headquarters business or any business that is engaged in one
14 of the target industries identified pursuant to the following
15 criteria developed by the office in consultation with
16 Enterprise Florida, Inc.:

17 1. Future growth.--Industry forecasts should indicate
18 strong expectation for future growth in both employment and
19 output, according to the most recent available data. Special
20 consideration should be given to Florida's growing access to
21 international markets or to replacing imports.

22 2. Stability.--The industry should not be subject to
23 periodic layoffs, whether due to seasonality or sensitivity to
24 volatile economic variables such as weather. The industry
25 should also be relatively resistant to recession, so that the
26 demand for products of this industry is not necessarily
27 subject to decline during an economic downturn.

28 3. High wage.--The industry should pay relatively high
29 wages compared to statewide or area averages.

30
31

1 4. Market and resource independent.--The location of
2 industry businesses should not be dependent on Florida markets
3 or resources as indicated by industry analysis.

4 5. Industrial base diversification and
5 strengthening.--The industry should contribute toward
6 expanding or diversifying the state's or area's economic base,
7 as indicated by analysis of employment and output shares
8 compared to national and regional trends. Special
9 consideration should be given to industries that strengthen
10 regional economies by adding value to basic products or
11 building regional industrial clusters as indicated by industry
12 analysis. Special consideration also should be given to
13 developing strong industrial clusters, including defense and
14 homeland security.

15 6. Economic benefits.--The industry should have strong
16 positive impacts on or benefits to the state and regional
17 economies.

18
19 The office, in consultation with Enterprise Florida, Inc.,
20 shall develop a list of such target industries annually and
21 submit such list as part of the final agency legislative
22 budget request submitted pursuant to s. 216.023(1). A target
23 industry business may not include any industry engaged in
24 retail activities; any electrical utility company; any
25 phosphate or other solid minerals severance, mining, or
26 processing operation; any oil or gas exploration or production
27 operation; or any firm subject to regulation by the Division
28 of Hotels and Restaurants of the Department of Business and
29 Professional Regulation.

30 (4) TAX REFUND AGREEMENT.--

31

1 (b) Compliance with the terms and conditions of the
2 agreement is a condition precedent for the receipt of a tax
3 refund each year. The failure to comply with the terms and
4 conditions of the tax refund agreement results in the loss of
5 eligibility for receipt of all tax refunds previously
6 authorized under this section and the revocation by the
7 director of the certification of the business entity as a
8 qualified target industry business, unless the business is
9 eligible to receive and elects to accept a prorated refund
10 under paragraph (5)(d) or the office grants the business an
11 economic-stimulus exemption.

12 1. A qualified target industry business may submit, in
13 writing, a request to the office for an economic-stimulus
14 exemption. The request must provide quantitative evidence
15 demonstrating how negative economic conditions in the
16 business's industry, or specific acts of terrorism affecting
17 the qualified target industry business, have prevented the
18 business from complying with the terms and conditions of its
19 tax refund agreement.

20 2. Upon receipt of a request under subparagraph 1.,
21 the director shall have 45 days to notify the requesting
22 business, in writing, if its exemption has been granted or
23 denied. In determining if an exemption should be granted, the
24 director shall consider the extent to which negative economic
25 conditions in the requesting business's industry, or specific
26 acts of terrorism affecting the qualified target industry
27 business, have prevented the business from complying with the
28 terms and conditions of its tax refund agreement.

29 3. As a condition for receiving a prorated refund
30 under paragraph (5)(d) or an economic-stimulus exemption under
31 this paragraph, a qualified target industry business must

1 agree to renegotiate its tax refund agreement with the office
2 to, at a minimum, ensure that the terms of the agreement
3 comply with current law and office procedures governing
4 application for and award of tax refunds. Upon approving the
5 award of a prorated refund or granting an economic-stimulus
6 exemption, the office shall renegotiate the tax refund
7 agreement with the business as required by this subparagraph.
8 When amending the agreement of a business receiving an
9 economic-stimulus exemption, the office may extend the
10 duration of the agreement for a period not to exceed 1 year.

11 4. A qualified target industry business may submit a
12 request for an economic-stimulus exemption to the office in
13 lieu of any tax refund claim scheduled to be submitted after
14 January 1, 2001, but before June 30, 2004 ~~July 1, 2003~~.
15 However, a qualified target industry business that has
16 received at least one economic-stimulus exemption may not
17 apply for an additional exemption.

18 5. A qualified target industry business that receives
19 an economic-stimulus exemption may not receive a tax refund
20 for the period covered by the exemption.

21 Section 10. Effective upon this act becoming a law,
22 subsection (4) is added to section 288.1088, Florida Statutes,
23 to read:

24 288.1088 Quick Action Closing Fund.--

25 (4) The Governor may, in an emergency or special
26 circumstance and with the approval of the President of the
27 Senate and the Speaker of the House of Representatives,
28 reallocate unencumbered funds appropriated to the Quick Action
29 Closing Fund to supplement statutorily created economic
30 development programs and operations. The Executive Office of
31 the Governor shall recommend approval of the transfer and

1 release of funds pursuant to the legislative consultation and
2 review requirements set forth in s. 216.177.

3 Section 11. Section 1004.225, Florida Statutes, is
4 amended to read:

5 1004.225 Florida Technology Development Act.--

6 (1) This section may be cited as the "Florida
7 Technology Development Act."

8 (2) "Center of excellence," as used in this section,
9 means an organization of personnel, facilities, and equipment
10 established at or in collaboration with one or more
11 universities in Florida to accomplish the purposes and
12 objectives of this section. The purposes and objectives of a
13 center of excellence include:

14 (a) Identifying and pursuing opportunities for
15 university scholars, research center scientists and engineers,
16 and private businesses to form collaborative partnerships to
17 foster and promote the research required to develop
18 commercially promising, advanced, and innovative technologies
19 and to transfer those technologies to commercial sectors.

20 (b) Acquiring and leveraging public and private sector
21 funding to provide the totality of funds, personnel,
22 facilities, equipment, and other resources needed to support
23 the research required to develop commercially promising,
24 advanced, and innovative technologies and to transfer those
25 technologies to commercial sectors.

26 (c) Recruiting and retaining world class scholars,
27 high-performing students, and leading scientists and engineers
28 in technology disciplines to engage in research in this state
29 to develop commercially promising, advanced, and innovative
30 technologies.

31

1 (d) Enhancing and expanding technology curricula and
2 laboratory resources at universities and research centers in
3 this state.

4 (e) Increasing the number of high-performing students
5 in technology disciplines who graduate from universities in
6 this state and pursue careers in this state.

7 (f) Stimulating and supporting the inception, growth,
8 and diversification of technology-based businesses and
9 ventures in Florida and increasing employment opportunities
10 for the workforce needed to support such businesses.

11 (3) ~~Subject to legislative appropriation,~~The Emerging
12 Technology Commission, or "commission," is created within the
13 Executive Office of the Governor to guide the establishment of
14 centers of excellence.

15 (a) The commission shall consist of five regular
16 members appointed by the Governor, one of whom the Governor
17 shall appoint as chair of the commission; two regular members
18 appointed by the President of the Senate; two regular members
19 appointed by the Speaker of the House of Representatives;
20 ~~before January 7, 2003, the Secretary of Education as an ex~~
21 ~~officio nonvoting member; effective January 7, 2003, the~~
22 Commissioner of Education as an ex officio nonvoting member;
23 and, as ex officio nonvoting members, the member of the Senate
24 and the member of the House of Representatives who serve as
25 members of the Florida Research Consortium, Inc. The regular
26 members shall be business leaders, industrial researchers,
27 academic researchers, scientists, or engineers who have been
28 recognized as leaders in the state's emerging and advanced
29 technology sectors. ~~Regular members must be appointed on or~~
30 ~~before July 1, 2002.~~

31

1 (b) Members of the commission shall serve without
2 compensation but shall be entitled to receive per diem and
3 travel expenses in accordance with s. 112.061 while in
4 performance of their duties.

5 (c) The Executive Office of the Governor shall provide
6 staff support for the activities of the commission and per
7 diem and travel expenses for commission members.

8 (4) By August 1, 2002, Florida Research Consortium,
9 Inc., shall provide a report to the commission which describes
10 in detail and prioritizes factors that contribute to the
11 success of the creation of centers of excellence. At a
12 minimum, the report should describe and prioritize the
13 following factors:

14 (a) Maturity of existing university programs relating
15 to a proposed center of excellence.

16 (b) Existing amount of university resources dedicated
17 to activities relating to a proposed center of excellence.

18 (c) Comprehensiveness and effectiveness of site plans
19 relating to a proposed center of excellence.

20 (d) Regional economic structure and climate.

21 (e) The degree to which a university proposed to house
22 a center of excellence identifies and seizes opportunities to
23 collaborate with other public or private entities for research
24 purposes.

25 (f) The presence of a comprehensive performance and
26 accountability measurement system.

27 (g) The use of an integrated research and development
28 strategy utilizing multiple levels of the educational system.

29 (h) The ability of a university proposed to house a
30 center of excellence to raise research funds and leverage
31

1 public and private investment dollars to support advanced and
2 emerging technological research and development projects.

3 (i) The degree to which a university proposed to house
4 a center of excellence transfers advanced and emerging
5 technologies from its laboratories to the commercial sector.

6 (j) The degree to which a university proposed to house
7 a center of excellence stimulates and supports new venture
8 creation.

9 (k) The existence of a plan to enhance academic
10 curricula by improving communication between academia and
11 industry.

12 (l) The existence of a plan to increase the number,
13 quality, and retention rate of faculty, graduate students, and
14 eminent scholars in advanced and emerging technology-based
15 disciplines.

16 (m) The existence of a plan to increase the likelihood
17 of faculty, graduate students, and eminent scholars pursuing
18 private sector careers in the state.

19 (n) Ability to provide capital facilities necessary to
20 support research and development.

21 (5) By September 15, 2002, the commission shall
22 develop and approve criteria for evaluating proposals
23 submitted under this section ~~subsection (6)~~. When developing
24 such criteria, the commission shall consider the report
25 provided by Florida Research Consortium, Inc., under
26 subsection (4) and hold at least two public hearings, at times
27 and locations designated by the chair of the commission, for
28 the purpose of soliciting expert testimony. By October 1,
29 2002, the commission shall provide a list of such criteria to
30 each university in the State University System and to the
31

1 State Technology Office for publishing on the Internet within
2 24 hours after the office's receipt of the list.

3 (6) Concurrent with the provision of the list of
4 criteria to the universities, the commission shall notify each
5 university, in writing, of the opportunity to submit to the
6 commission written proposals for establishing one or more
7 centers of excellence. Proposals must specifically address the
8 evaluation criteria developed by the commission and delineate
9 how funding would be used to develop one or more centers of
10 excellence. Proposals must be submitted to the commission by
11 December 1, 2002. Notwithstanding this deadline, the
12 commission, upon an affirmative vote of a majority of its
13 members, may accept a proposal submitted after the deadline.

14 (7) By February 1, 2003, the commission shall submit
15 to the State Board of Education a minimum of two, but no more
16 than five, recommended plans for the establishment of one or
17 more centers of excellence in the state. Recommended plans
18 must specifically address the evaluation criteria developed by
19 the commission and delineate how funding would be used to
20 develop one or more centers of excellence. When developing
21 such recommended plans, the commission shall consider the
22 university proposals submitted under subsection (6) and hold
23 at least three public hearings, at times and locations
24 designated by the chair of the commission, for the purpose of
25 soliciting expert testimony including, but not limited to,
26 viewing presentations of university proposals.

27 (8) By March 15, 2003, the State Board of Education
28 shall develop and approve a final plan for the establishment
29 of one or more centers of excellence in the state and
30 authorize expenditures for implementation of the plan. The
31 final plan must allocate at least \$10 million to each center

1 of excellence established by the plan. When developing this
2 final plan, the board shall consider the commission's
3 recommended plans submitted under subsection (7) and hold at
4 least one public hearing for the purpose of soliciting expert
5 testimony. The final plan must include performance and
6 accountability measures that can be used to assess the
7 progress of plan implementation and the success of the centers
8 of excellence established under the final plan. By March 22,
9 2003, the board shall provide a copy of the final plan to the
10 Governor, the President of the Senate, and the Speaker of the
11 House of Representatives.

12 (9) Beginning June 30, 2003, the commission shall
13 report quarterly, in writing, to the Commissioner of Education
14 on the progress of the implementation of the final plan
15 approved under subsection (8) and the success of the centers
16 of excellence established under that plan.

17 (10)(a) Notwithstanding any provision in this section
18 to the contrary, and subject to appropriation by the
19 Legislature in the General Appropriations Act for fiscal year
20 2003-2004, the commission shall, by August 1, 2003, reissue
21 the list of criteria developed and approved under subsection
22 (5) to each university in the state and to the State
23 Technology Office for publishing on the Internet within 24
24 hours after the office's receipt of the list.

25 (b) Concurrent with the provision of the list of
26 criteria under paragraph (a), the commission shall notify each
27 university, in writing, of the opportunity to submit to the
28 commission written proposals for establishing one center of
29 excellence under this subsection, which center shall be in
30 addition to any centers of excellence established under other
31 provisions of this section. Proposals must specifically

1 address the evaluation criteria developed by the commission
2 and delineate how funding would be used to develop the center
3 of excellence. Proposals must be submitted to the commission
4 before October 1, 2003.

5 (c) By December 1, 2003, the commission shall submit
6 to the State Board of Education a recommended plan for the
7 establishment of one center of excellence under this
8 subsection. The recommended plan must specifically address the
9 evaluation criteria developed by the commission and delineate
10 how funding would be used to develop the center of excellence.
11 When developing the recommended plan, the commission shall
12 consider the proposals submitted under this subsection and
13 hold at least two public hearings, at times and locations
14 designated by the chair of the commission, for the purpose of
15 soliciting expert testimony, including, but not limited to,
16 viewing presentations of university proposals.

17 (d) By February 1, 2004, the State Board of Education
18 shall develop and approve a final plan for the establishment
19 of one center of excellence in the state under this subsection
20 and authorize expenditures for implementation of the plan. The
21 board shall consider the commission's recommended plan under
22 paragraph (c) and hold at least one public hearing for the
23 purpose of soliciting expert testimony. The final plan must
24 include performance and accountability measures that can be
25 used to assess the progress of plan implementation and the
26 success of the center of excellence established under the
27 final plan. By February 15, 2004, the board shall provide a
28 copy of the final plan to the Governor, the President of the
29 Senate, and the Speaker of the House of Representatives.

30 (e) Beginning June 30, 2004, the commission shall
31 report quarterly, in writing, to the Commissioner of Education

1 on the progress of the implementation of the final plan
2 approved under paragraph (d) and the success of the center of
3 excellence established under that plan.

4 ~~(11)(10)~~ This section expires July 1, 2005 ~~2004~~.

5 Section 12. The sum of \$50,000 is appropriated from
6 the General Revenue Fund to the Executive Office of the
7 Governor for the purpose of providing staff and administrative
8 support to the Emerging Technology Commission and per diem and
9 travel expenses for commission members during the 2003-2004
10 fiscal year.

11 Section 13. Effective upon this act becoming a law,
12 the proviso immediately following Specific Appropriation 173A
13 of Chapter 2002-394, Laws of Florida, is repealed.

14 Section 14. Section 445.048, Florida Statutes, is
15 amended to read:

16 445.048 Passport to Economic Progress demonstration
17 program.--

18 (1) AUTHORIZATION.--Notwithstanding any law to the
19 contrary, Workforce Florida, Inc., in conjunction with the
20 Department of Children and Family Services and the Agency for
21 Workforce Innovation, shall implement a Passport to Economic
22 Progress demonstration program ~~by November 1, 2001~~, consistent
23 with the provisions of this section in Hillsborough, ~~and~~
24 Manatee, ~~and Sarasota~~ counties. Workforce Florida, Inc., must
25 consult with the applicable regional workforce boards and the
26 applicable local offices of the department which serve the
27 demonstration areas and must encourage community input into
28 the implementation process.

29 (2) WAIVERS.--If Workforce Florida, Inc., in
30 consultation with the Department of Children and Family
31 Services, finds that federal waivers would facilitate

1 implementation of the demonstration program, the department
2 shall immediately request such waivers, and Workforce Florida,
3 Inc., shall report to the Governor, the President of the
4 Senate, and the Speaker of the House of Representatives if any
5 refusal of the federal government to grant such waivers
6 prevents the implementation of the demonstration program. If
7 Workforce Florida, Inc., finds that federal waivers to
8 provisions of the Food Stamp Program would facilitate
9 implementation of the demonstration program, the Department of
10 Children and Family Services shall immediately request such
11 waivers in accordance with s. 414.175.

12 ~~(3) INCOME DISREGARD.--In order to provide an~~
13 ~~additional incentive for employment, and notwithstanding the~~
14 ~~amount specified in s. 414.095(12), for individuals residing~~
15 ~~in the areas designated for this demonstration program, the~~
16 ~~first \$300 plus one-half of the remainder of earned income~~
17 ~~shall be disregarded in determining eligibility for temporary~~
18 ~~cash assistance. All other conditions and requirements of s.~~
19 ~~414.095(12) shall continue to apply to such individuals.~~

20 (3)(4) TRANSITIONAL BENEFITS AND SERVICES.--In order
21 to assist them in making the transition to economic
22 self-sufficiency, former recipients of temporary cash
23 assistance residing within the areas designated for this
24 demonstration program shall be eligible for the following
25 benefits and services:

26 (a) Notwithstanding the time period specified in s.
27 445.030, transitional education and training support services
28 as specified in s. 445.030 for up to 4 years after the family
29 is no longer receiving temporary cash assistance;

30 (b) Notwithstanding the time period specified in s.
31 445.031, transitional transportation support services as

1 specified in s. 445.031 for up to 4 years after the family is
2 no longer receiving temporary cash assistance; and

3 (c) Notwithstanding the time period specified in s.
4 445.032, transitional child care as specified in s. 445.032
5 for up to 4 years after the family is no longer receiving
6 temporary cash assistance.

7
8 All other provisions of ss. 445.030, 445.031, and 445.032
9 shall apply to such individuals, as appropriate. This
10 subsection does not constitute an entitlement to transitional
11 benefits and services. If funds are insufficient to provide
12 benefits and services under this subsection, the board of
13 directors of Workforce Florida, Inc., may limit such benefits
14 and services or otherwise establish priorities for the
15 provisions of such benefits and services.

16 (4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.--

17 (a) The Legislature finds that:

18 1. There are former recipients of temporary cash
19 assistance who are working full time but whose incomes are
20 below the poverty level.

21 2. Having incomes below the federal poverty level
22 makes such individuals particularly vulnerable to reliance on
23 public assistance despite their best efforts to achieve or
24 maintain economic independence through employment.

25 3. It is necessary to implement a performance-based
26 program that defines economic incentives for achieving
27 specific benchmarks toward self-sufficiency while the
28 individual is working full time.

29 (b) Workforce Florida, Inc., in cooperation with the
30 Department of Children and Family Services and the Agency for
31 Workforce Innovation, shall offer performance-based incentive

1 bonuses as a component of the Passport to Economic Progress
2 demonstration program in the areas of the state which are
3 designated for the demonstration program. The bonuses do not
4 represent a program entitlement and shall be contingent on
5 achieving specific benchmarks prescribed in the
6 self-sufficiency plan. If the funds appropriated for this
7 purpose are insufficient to provide this financial incentive,
8 the board of directors of Workforce Florida, Inc., shall
9 reduce or suspend the bonuses in order not to exceed the
10 appropriation.

11 ~~(5) WAGE SUPPLEMENTATION.--~~

12 ~~(a) The Legislature finds that:~~

13 ~~1. There are former recipients of temporary cash~~
14 ~~assistance who are working full time but whose incomes are~~
15 ~~below the federal poverty level.~~

16 ~~2. Having incomes below the federal poverty level~~
17 ~~makes such individuals particularly vulnerable to reliance on~~
18 ~~public assistance despite their best efforts to achieve or~~
19 ~~maintain economic independence through employment.~~

20 ~~3. It is necessary to supplement the wages of such~~
21 ~~individuals for a limited period of time in order to assist~~
22 ~~them in fulfilling the transition to economic~~
23 ~~self-sufficiency.~~

24 ~~(b) Workforce Florida, Inc., in cooperation with the~~
25 ~~Department of Children and Family Services and the Agency for~~
26 ~~Workforce Innovation, shall create a transitional wage~~
27 ~~supplementation program by November 1, 2001, as a component of~~
28 ~~the Passport to Economic Progress demonstration program in the~~
29 ~~areas designated for the demonstration program. This wage~~
30 ~~supplementation program does not constitute an entitlement to~~
31 ~~wage supplementation. If funds appropriated are insufficient~~

1 ~~to provide wage supplementation, the board of directors of~~
2 ~~Workforce Florida, Inc., may limit wage supplementation or~~
3 ~~otherwise establish priorities for wage supplementation.~~

4 (c) To be eligible for an incentive bonus wage
5 ~~supplementation~~ under this subsection, an individual must:

6 1. Be a former recipient of temporary cash assistance
7 who last received such assistance on or after January 1, 2000;

8 2. Be employed full time, which for the purposes of
9 this subsection means employment averaging at least 32 hours
10 per week until the United States Congress enacts legislation
11 reauthorizing the Temporary Assistance for Needy Families
12 block grant, and, after the reauthorization, means employment
13 complying with the employment requirements of the reauthorized
14 law; and

15 3. Have an average family income for the 6 months
16 preceding the date of application for an incentive bonus wage
17 ~~supplementation~~ which is less than 100 percent of the federal
18 poverty level.

19 ~~(d) Workforce Florida, Inc., shall determine the~~
20 ~~schedule for the payment of wage supplementation under this~~
21 ~~subsection. An individual eligible for wage supplementation~~
22 ~~under this subsection may receive a payment that equals the~~
23 ~~amount necessary to bring the individual's total family income~~
24 ~~for the period covered by the payment to 100 percent of the~~
25 ~~federal poverty level. An individual may not receive wage~~
26 ~~supplementation payments for more than a total of 12 months.~~

27 ~~(e) The wage supplementation program authorized by~~
28 ~~this subsection shall be administered through the regional~~
29 ~~workforce boards and the one-stop delivery system, under~~
30 ~~policy guidelines, criteria, and applications developed by~~
31 ~~Workforce Florida, Inc., in cooperation with the Department of~~

1 ~~Children and Family Services and the Agency for Workforce~~
2 ~~Innovation. To the maximum extent possible, the regional~~
3 ~~workforce boards shall use electronic debit card technologies~~
4 ~~to provide wage supplementation payments under this program.~~

5 (5)~~(6)~~ EVALUATIONS AND RECOMMENDATIONS.--Workforce
6 Florida, Inc., in conjunction with the Department of Children
7 and Family Services, the Agency for Workforce Innovation, and
8 the regional workforce boards in the areas designated for this
9 demonstration program, shall conduct a comprehensive
10 evaluation of the effectiveness of the demonstration program
11 operated under this section. By January 1, 2005 ~~2003~~,
12 Workforce Florida, Inc., shall submit a report on such
13 evaluation to the Governor, the President of the Senate, and
14 the Speaker of the House of Representatives. The report must
15 include recommendations as to whether the demonstration
16 program should be expanded to other service areas or statewide
17 and whether the program should be revised to enhance its
18 administration or effectiveness.

19 (6)~~(7)~~ CONFLICTS.--If there is a conflict between the
20 implementation procedures described in this section and
21 federal requirements and regulations, federal requirements and
22 regulations shall control.

23 Section 15. The sum of \$2,859,200 is appropriated from
24 the Welfare Transition Trust Fund to the Agency for Workforce
25 Innovation for implementing the Passport to Economic Progress
26 demonstration program during the 2003-2004 fiscal year.

27 Section 16. Subsections (3) and (8) of section 376.86,
28 Florida Statutes, are amended to read:

29 376.86 Brownfield Areas Loan Guarantee Program.--

30 (3) The council may enter into an investment agreement
31 with the Department of Environmental Protection and the State

1 Board of Administration concerning the ~~investment of the~~
2 ~~earnings accrued and collected upon the~~ investment of the
3 balance of funds maintained in the Nonmandatory Land
4 Reclamation Trust Fund. The investment must be limited as
5 follows:

6 (a) Not more than ~~\$1.5~~^{\$5} million of the ~~investment~~
7 ~~earnings earned on the investment of the~~ minimum balance of
8 the Nonmandatory Land Reclamation Trust Fund in a fiscal year
9 may be at risk at any time on loan guarantees or as loan loss
10 reserves. Of that amount, 15 percent shall be reserved for
11 investment agreements involving predominantly minority-owned
12 businesses which meet the requirements of subsection (4).

13 (b) Such funds at risk at any time ~~The investment~~
14 ~~earnings~~ may not be used to guarantee any loan guaranty or
15 loan loss reserve agreement for a period longer than 5 years.

16 (8) The council shall provide an annual report to the
17 Legislature by February 1 of each year describing its
18 activities and agreements approved relating to redevelopment
19 of brownfield areas. The provisions of this section pledging
20 portions of the Nonmandatory Land Reclamation Trust Fund as a
21 contingency on loan guarantees made pursuant to this section
22 shall be reviewed by the Legislature by January 1, 2006, to
23 determine the ability of that trust fund to continue serving
24 as a contingency fund on loan guarantees. New loan guarantees
25 may not be approved in 2006 until the review by the
26 Legislature has been completed and a determination made as to
27 an appropriate trust fund to serve as a contingency fund on
28 loan guarantees. This section shall be reviewed by the
29 Legislature by January 1, 2006 ~~October 1, 2003~~, and a
30 determination made related to the need to continue or modify
31 this section. New loan guarantees may not be approved in 2006

1 ~~2003~~ until the review by the Legislature has been completed
2 and a determination has been made as to the feasibility of
3 continuing the use of the Nonmandatory Land Reclamation Trust
4 Fund to guarantee portions of loans under this section.

5 Section 17. Except as otherwise expressly provided in
6 this act, this act shall take effect July 1, 2003.

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