

Bill No. HB 691, 1st Eng.

Amendment No. Barcode 173608

CHAMBER ACTION

Senate

House

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Senator Garcia moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (h) of subsection (1) of section 220.191, Florida Statutes, is amended to read:

220.191 Capital investment tax credit.--

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

(h) "Qualifying project" means:

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

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

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1 June 30, 2004.

2 Section 2. Paragraph (e) of subsection (1) and
3 paragraph (b) of subsection (4) of section 288.1045, Florida
4 Statutes, are amended to read:

5 288.1045 Qualified defense contractor tax refund
6 program.--

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

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

22 (4) QUALIFIED DEFENSE CONTRACTOR TAX REFUND
23 AGREEMENT.--

24 (b) Compliance with the terms and conditions of the
25 agreement is a condition precedent for receipt of tax refunds
26 each year. The failure to comply with the terms and conditions
27 of the agreement shall result in the loss of eligibility for
28 receipt of all tax refunds previously authorized pursuant to
29 this section, and the revocation of the certification as a
30 qualified applicant by the director, unless the qualified
31 applicant is eligible to receive and elects to accept a

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1 prorated refund under paragraph (5)(g) or the office grants
2 the qualified applicant an economic-stimulus exemption.

3 1. A qualified applicant may submit, in writing, a
4 request to the office for an economic-stimulus exemption. The
5 request must provide quantitative evidence demonstrating how
6 negative economic conditions in the qualified applicant's
7 industry, or specific acts of terrorism affecting the
8 qualified applicant, have prevented the qualified applicant
9 from complying with the terms and conditions of its tax refund
10 agreement.

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

21 3. As a condition for receiving a prorated refund
22 under paragraph (5)(g) or an economic-stimulus exemption under
23 this paragraph, a qualified applicant must agree to
24 renegotiate its tax refund agreement with the office to, at a
25 minimum, ensure that the terms of the agreement comply with
26 current law and office procedures governing application for
27 and award of tax refunds. Upon approving the award of a
28 prorated refund or granting an economic-stimulus exemption,
29 the office shall renegotiate the tax refund agreement with the
30 qualified applicant as required by this subparagraph. When
31 amending the agreement of a qualified applicant receiving an

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1 economic-stimulus exemption, the office may extend the
2 duration of the agreement for a period not to exceed 1 year.

3 4. A qualified applicant may submit a request for an
4 economic-stimulus exemption to the office in lieu of any tax
5 refund claim scheduled to be submitted after January 1, 2001,
6 but before June 30, 2004 ~~July 1, 2003~~. However, a qualified
7 applicant that has received at least one economic-stimulus
8 exemption may not apply for an additional exemption.

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

12 Section 3. Paragraph (o) of subsection (1) and
13 paragraph (b) of subsection (4) of section 288.106, Florida
14 Statutes, are amended to read:

15 288.106 Tax refund program for qualified target
16 industry businesses.--

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

18 (o) "Target industry business" means a corporate
19 headquarters business or any business that is engaged in one
20 of the target industries identified pursuant to the following
21 criteria developed by the office in consultation with
22 Enterprise Florida, Inc.:

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

28 2. Stability.--The industry should not be subject to
29 periodic layoffs, whether due to seasonality or sensitivity to
30 volatile economic variables such as weather. The industry
31 should also be relatively resistant to recession, so that the

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1 demand for products of this industry is not necessarily
2 subject to decline during an economic downturn.

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

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

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

19 6. Economic benefits.--The industry should have strong
20 positive impacts on or benefits to the state and regional
21 economies.

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

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1 of Hotels and Restaurants of the Department of Business and
2 Professional Regulation.

3 (4) TAX REFUND AGREEMENT.--

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

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

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

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

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

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

24 Section 4. Subsection (4) is added to section
25 288.1088, Florida Statutes, to read:

26 288.1088 Quick Action Closing Fund.--

27 (4) The Governor may, in an emergency or special
28 circumstance and with the approval of the President of the
29 Senate and the Speaker of the House of Representatives,
30 reallocate unencumbered funds appropriated to the Quick Action
31 Closing Fund to supplement statutorily created economic

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1 development programs and operations. The Executive Office of
 2 the Governor shall recommend approval of the transfer and
 3 release of funds pursuant to the legislative consultation and
 4 review requirements set forth in s. 216.177.

5 Section 5. Section 445.048, Florida Statutes, is
 6 amended to read:

7 445.048 Passport to Economic Progress demonstration
 8 program.--

9 (1) AUTHORIZATION.--Notwithstanding any law to the
 10 contrary, Workforce Florida, Inc., in conjunction with the
 11 Department of Children and Family Services and the Agency for
 12 Workforce Innovation, shall implement a Passport to Economic
 13 Progress demonstration program ~~by November 1, 2001,~~ consistent
 14 with the provisions of this section in Hillsborough, ~~and~~
 15 Manatee, ~~and Sarasota~~ counties. Workforce Florida, Inc., must
 16 consult with the applicable regional workforce boards and the
 17 applicable local offices of the department which serve the
 18 demonstration areas and must encourage community input into
 19 the implementation process.

20 (2) WAIVERS.--If Workforce Florida, Inc., in
 21 consultation with the Department of Children and Family
 22 Services, finds that federal waivers would facilitate
 23 implementation of the demonstration program, the department
 24 shall immediately request such waivers, and Workforce Florida,
 25 Inc., shall report to the Governor, the President of the
 26 Senate, and the Speaker of the House of Representatives if any
 27 refusal of the federal government to grant such waivers
 28 prevents the implementation of the demonstration program. If
 29 Workforce Florida, Inc., finds that federal waivers to
 30 provisions of the Food Stamp Program would facilitate
 31 implementation of the demonstration program, the Department of

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1 Children and Family Services shall immediately request such
2 waivers in accordance with s. 414.175.

3 ~~(3) INCOME DISREGARD.--In order to provide an~~
4 ~~additional incentive for employment, and notwithstanding the~~
5 ~~amount specified in s. 414.095(12), for individuals residing~~
6 ~~in the areas designated for this demonstration program, the~~
7 ~~first \$300 plus one-half of the remainder of earned income~~
8 ~~shall be disregarded in determining eligibility for temporary~~
9 ~~cash assistance. All other conditions and requirements of s.~~
10 ~~414.095(12) shall continue to apply to such individuals.~~

11 (3)(4) TRANSITIONAL BENEFITS AND SERVICES.--In order
12 to assist them in making the transition to economic
13 self-sufficiency, former recipients of temporary cash
14 assistance residing within the areas designated for this
15 demonstration program shall be eligible for the following
16 benefits and services:

17 (a) Notwithstanding the time period specified in s.
18 445.030, transitional education and training support services
19 as specified in s. 445.030 for up to 4 years after the family
20 is no longer receiving temporary cash assistance;

21 (b) Notwithstanding the time period specified in s.
22 445.031, transitional transportation support services as
23 specified in s. 445.031 for up to 4 years after the family is
24 no longer receiving temporary cash assistance; and

25 (c) Notwithstanding the time period specified in s.
26 445.032, transitional child care as specified in s. 445.032
27 for up to 4 years after the family is no longer receiving
28 temporary cash assistance.

29
30 All other provisions of ss. 445.030, 445.031, and 445.032
31 shall apply to such individuals, as appropriate. This

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1 subsection does not constitute an entitlement to transitional
2 benefits and services. If funds are insufficient to provide
3 benefits and services under this subsection, the board of
4 directors of Workforce Florida, Inc., may limit such benefits
5 and services or otherwise establish priorities for the
6 provisions of such benefits and services.

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

8 (a) The Legislature finds that:

9 1. There are former recipients of temporary cash
10 assistance who are working full time but whose incomes are
11 below the poverty level.

12 2. Having incomes below the federal poverty level
13 makes such individuals particularly vulnerable to reliance on
14 public assistance despite their best efforts to achieve or
15 maintain economic independence through employment.

16 3. It is necessary to implement a performance-based
17 program that defines economic incentives for achieving
18 specific benchmarks toward self-sufficiency while the
19 individual is working full time.

20 (b) Workforce Florida, Inc., in cooperation with the
21 Department of Children and Family Services and the Agency for
22 Workforce Innovation, shall offer performance-based incentive
23 bonuses as a component of the Passport to Economic Progress
24 demonstration program in the areas of the state which are
25 designated for the demonstration program. The bonuses do not
26 represent a program entitlement and shall be contingent on
27 achieving specific benchmarks prescribed in the
28 self-sufficiency plan. If the funds appropriated for this
29 purpose are insufficient to provide this financial incentive,
30 the board of directors of Workforce Florida, Inc., shall
31 reduce or suspend the bonuses in order not to exceed the

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1 appropriation.

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

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

4 ~~1. There are former recipients of temporary cash~~
5 ~~assistance who are working full time but whose incomes are~~
6 ~~below the federal poverty level.~~

7 ~~2. Having incomes below the federal poverty level~~
8 ~~makes such individuals particularly vulnerable to reliance on~~
9 ~~public assistance despite their best efforts to achieve or~~
10 ~~maintain economic independence through employment.~~

11 ~~3. It is necessary to supplement the wages of such~~
12 ~~individuals for a limited period of time in order to assist~~
13 ~~them in fulfilling the transition to economic~~
14 ~~self-sufficiency.~~

15 ~~(b) Workforce Florida, Inc., in cooperation with the~~
16 ~~Department of Children and Family Services and the Agency for~~
17 ~~Workforce Innovation, shall create a transitional wage~~
18 ~~supplementation program by November 1, 2001, as a component of~~
19 ~~the Passport to Economic Progress demonstration program in the~~
20 ~~areas designated for the demonstration program. This wage~~
21 ~~supplementation program does not constitute an entitlement to~~
22 ~~wage supplementation. If funds appropriated are insufficient~~
23 ~~to provide wage supplementation, the board of directors of~~
24 ~~Workforce Florida, Inc., may limit wage supplementation or~~
25 ~~otherwise establish priorities for wage supplementation.~~

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

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

30 ~~2. Be employed full time, which for the purposes of~~
31 ~~this subsection means employment averaging at least 32 hours~~

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1 per week until the United States Congress enacts legislation
2 reauthorizing the Temporary Assistance for Needy Families
3 block grant, and, after the reauthorization, means employment
4 complying with the employment requirements of the reauthorized
5 law; and

6 3. Have an average family income for the 6 months
7 preceding the date of application for an incentive bonus wage
8 supplementation which is less than 100 percent of the federal
9 poverty level.

10 ~~(d) Workforce Florida, Inc., shall determine the~~
11 ~~schedule for the payment of wage supplementation under this~~
12 ~~subsection. An individual eligible for wage supplementation~~
13 ~~under this subsection may receive a payment that equals the~~
14 ~~amount necessary to bring the individual's total family income~~
15 ~~for the period covered by the payment to 100 percent of the~~
16 ~~federal poverty level. An individual may not receive wage~~
17 ~~supplementation payments for more than a total of 12 months.~~

18 ~~(e) The wage supplementation program authorized by~~
19 ~~this subsection shall be administered through the regional~~
20 ~~workforce boards and the one-stop delivery system, under~~
21 ~~policy guidelines, criteria, and applications developed by~~
22 ~~Workforce Florida, Inc., in cooperation with the Department of~~
23 ~~Children and Family Services and the Agency for Workforce~~
24 ~~Innovation. To the maximum extent possible, the regional~~
25 ~~workforce boards shall use electronic debit card technologies~~
26 ~~to provide wage supplementation payments under this program.~~

27 ~~(5)(6) EVALUATIONS AND RECOMMENDATIONS.--~~Workforce
28 Florida, Inc., in conjunction with the Department of Children
29 and Family Services, the Agency for Workforce Innovation, and
30 the regional workforce boards in the areas designated for this
31 demonstration program, shall conduct a comprehensive

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1 evaluation of the effectiveness of the demonstration program
 2 operated under this section. By January 1, 2005 ~~2003~~,
 3 Workforce Florida, Inc., shall submit a report on such
 4 evaluation to the Governor, the President of the Senate, and
 5 the Speaker of the House of Representatives. The report must
 6 include recommendations as to whether the demonstration
 7 program should be expanded to other service areas or statewide
 8 and whether the program should be revised to enhance its
 9 administration or effectiveness.

10 ~~(6)(7)~~ CONFLICTS.--If there is a conflict between the
 11 implementation procedures described in this section and
 12 federal requirements and regulations, federal requirements and
 13 regulations shall control.

14 Section 6. Section 1004.225, Florida Statutes, is
 15 amended to read:

16 1004.225 Florida Technology Development Act.--

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

19 (2) "Center of excellence," as used in this section,
 20 means an organization of personnel, facilities, and equipment
 21 established at or in collaboration with one or more
 22 universities in Florida to accomplish the purposes and
 23 objectives of this section. The purposes and objectives of a
 24 center of excellence include:

25 (a) Identifying and pursuing opportunities for
 26 university scholars, research center scientists and engineers,
 27 and private businesses to form collaborative partnerships to
 28 foster and promote the research required to develop
 29 commercially promising, advanced, and innovative technologies
 30 and to transfer those technologies to commercial sectors.

31 (b) Acquiring and leveraging public and private sector

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1 funding to provide the totality of funds, personnel,
2 facilities, equipment, and other resources needed to support
3 the research required to develop commercially promising,
4 advanced, and innovative technologies and to transfer those
5 technologies to commercial sectors.

6 (c) Recruiting and retaining world class scholars,
7 high-performing students, and leading scientists and engineers
8 in technology disciplines to engage in research in this state
9 to develop commercially promising, advanced, and innovative
10 technologies.

11 (d) Enhancing and expanding technology curricula and
12 laboratory resources at universities and research centers in
13 this state.

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

17 (f) Stimulating and supporting the inception, growth,
18 and diversification of technology-based businesses and
19 ventures in Florida and increasing employment opportunities
20 for the workforce needed to support such businesses.

21 (3) ~~Subject to legislative appropriation,~~ The Emerging
22 Technology Commission, or "commission," is created within the
23 Executive Office of the Governor to guide the establishment of
24 centers of excellence.

25 (a) The commission shall consist of five regular
26 members appointed by the Governor, one of whom the Governor
27 shall appoint as chair of the commission; two regular members
28 appointed by the President of the Senate; two regular members
29 appointed by the Speaker of the House of Representatives;
30 ~~before January 7, 2003, the Secretary of Education as an ex~~
31 ~~officio nonvoting member; effective January 7, 2003, the~~

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1 Commissioner of Education as an ex officio nonvoting member;
2 and, as ex officio nonvoting members, the member of the Senate
3 and the member of the House of Representatives who serve as
4 members of the Florida Research Consortium, Inc. The regular
5 members shall be business leaders, industrial researchers,
6 academic researchers, scientists, or engineers who have been
7 recognized as leaders in the state's emerging and advanced
8 technology sectors. ~~Regular members must be appointed on or~~
9 ~~before July 1, 2002.~~

10 (b) Members of the commission shall serve without
11 compensation but shall be entitled to receive per diem and
12 travel expenses in accordance with s. 112.061 while in
13 performance of their duties.

14 (c) The Executive Office of the Governor shall provide
15 staff support for the activities of the commission and per
16 diem and travel expenses for commission members.

17 (4) By August 1, 2002, Florida Research Consortium,
18 Inc., shall provide a report to the commission which describes
19 in detail and prioritizes factors that contribute to the
20 success of the creation of centers of excellence. At a
21 minimum, the report should describe and prioritize the
22 following factors:

23 (a) Maturity of existing university programs relating
24 to a proposed center of excellence.

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

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

29 (d) Regional economic structure and climate.

30 (e) The degree to which a university proposed to house
31 a center of excellence identifies and seizes opportunities to

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1 collaborate with other public or private entities for research
2 purposes.

3 (f) The presence of a comprehensive performance and
4 accountability measurement system.

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

7 (h) The ability of a university proposed to house a
8 center of excellence to raise research funds and leverage
9 public and private investment dollars to support advanced and
10 emerging technological research and development projects.

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

14 (j) The degree to which a university proposed to house
15 a center of excellence stimulates and supports new venture
16 creation.

17 (k) The existence of a plan to enhance academic
18 curricula by improving communication between academia and
19 industry.

20 (l) The existence of a plan to increase the number,
21 quality, and retention rate of faculty, graduate students, and
22 eminent scholars in advanced and emerging technology-based
23 disciplines.

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

27 (n) Ability to provide capital facilities necessary to
28 support research and development.

29 (5) By September 15, 2002, the commission shall
30 develop and approve criteria for evaluating proposals
31 submitted under this section ~~subsection (6)~~. When developing

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1 such criteria, the commission shall consider the report
2 provided by Florida Research Consortium, Inc., under
3 subsection (4) and hold at least two public hearings, at times
4 and locations designated by the chair of the commission, for
5 the purpose of soliciting expert testimony. By October 1,
6 2002, the commission shall provide a list of such criteria to
7 each university in the State University System and to the
8 State Technology Office for publishing on the Internet within
9 24 hours after the office's receipt of the list.

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

21 (7) By February 1, 2003, the commission shall submit
22 to the State Board of Education a minimum of two, but no more
23 than five, recommended plans for the establishment of one or
24 more centers of excellence in the state. Recommended plans
25 must specifically address the evaluation criteria developed by
26 the commission and delineate how funding would be used to
27 develop one or more centers of excellence. When developing
28 such recommended plans, the commission shall consider the
29 university proposals submitted under subsection (6) and hold
30 at least three public hearings, at times and locations
31 designated by the chair of the commission, for the purpose of

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1 soliciting expert testimony including, but not limited to,
2 viewing presentations of university proposals.

3 (8) By March 15, 2003, the State Board of Education
4 shall develop and approve a final plan for the establishment
5 of one or more centers of excellence in the state and
6 authorize expenditures for implementation of the plan. The
7 final plan must allocate at least \$10 million to each center
8 of excellence established by the plan. When developing this
9 final plan, the board shall consider the commission's
10 recommended plans submitted under subsection (7) and hold at
11 least one public hearing for the purpose of soliciting expert
12 testimony. The final plan must include performance and
13 accountability measures that can be used to assess the
14 progress of plan implementation and the success of the centers
15 of excellence established under the final plan. By March 22,
16 2003, the board shall provide a copy of the final plan to the
17 Governor, the President of the Senate, and the Speaker of the
18 House of Representatives.

19 (9) Beginning June 30, 2003, the commission shall
20 report quarterly, in writing, to the Commissioner of Education
21 on the progress of the implementation of the final plan
22 approved under subsection (8) and the success of the centers
23 of excellence established under that plan.

24 (10)(a) Notwithstanding any provision in this section
25 to the contrary, and subject to appropriation by the
26 Legislature in the General Appropriations Act for fiscal year
27 2003-2004, the commission shall, by August 1, 2003, reissue
28 the list of criteria developed and approved under subsection
29 (5) to each university in the state and to the State
30 Technology Office for publishing on the Internet within 24
31 hours after the office's receipt of the list.

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1 (b) Concurrent with the provision of the list of
2 criteria under paragraph (a), the commission shall notify each
3 university, in writing, of the opportunity to submit to the
4 commission written proposals for establishing one center of
5 excellence under this subsection, which center shall be in
6 addition to any centers of excellence established under other
7 provisions of this section. Proposals must specifically
8 address the evaluation criteria developed by the commission
9 and delineate how funding would be used to develop the center
10 of excellence. Proposals must be submitted to the commission
11 before October 1, 2003.

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

24 (d) By February 1, 2004, the State Board of Education
25 shall develop and approve a final plan for the establishment
26 of one center of excellence in the state under this subsection
27 and authorize expenditures for implementation of the plan. The
28 board shall consider the commission's recommended plan under
29 paragraph (c) and hold at least one public hearing for the
30 purpose of soliciting expert testimony. The final plan must
31 include performance and accountability measures that can be

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1 used to assess the progress of plan implementation and the
 2 success of the center of excellence established under the
 3 final plan. By February 15, 2004, the board shall provide a
 4 copy of the final plan to the Governor, the President of the
 5 Senate, and the Speaker of the House of Representatives.

6 (e) Beginning June 30, 2004, the commission shall
 7 report quarterly, in writing, to the Commissioner of Education
 8 on the progress of the implementation of the final plan
 9 approved under paragraph (d) and the success of the center of
 10 excellence established under that plan.

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

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

18 Section 8. Subsections (3) and (8) of section 376.86,
 19 Florida Statutes, are amended to read:

20 376.86 Brownfield Areas Loan Guarantee Program.--

21 (3) The council may enter into an investment agreement
 22 with the Department of Environmental Protection and the State
 23 Board of Administration concerning the ~~investment of the~~
 24 ~~earnings accrued and collected upon the~~ investment of the
 25 balance of funds maintained in the Nonmandatory Land
 26 Reclamation Trust Fund. The investment must be limited as
 27 follows:

28 (a) Not more than ~~\$1.5~~\$5 million of the ~~investment~~
 29 ~~earnings earned on the investment of the~~ minimum balance of
 30 the Nonmandatory Land Reclamation Trust Fund in a fiscal year
 31 may be at risk at any time on loan guarantees or as loan loss

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1 reserves. Of that amount, 15 percent shall be reserved for
2 investment agreements involving predominantly minority-owned
3 businesses which meet the requirements of subsection (4).

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

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

27 Section 9. The proviso immediately following Specific
28 Appropriation 173A of chapter 2002-394, Laws of Florida, is
29 repealed.

30 Section 10. The sum of \$2,859,200 is appropriated from
31 the Welfare Transition Trust Fund to the Agency for Workforce

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1 Innovation for implementing the Passport to Economic Progress
2 demonstration program during the 2003-2004 fiscal year.

3 Section 11. This act shall take effect upon becoming a
4 law.

5

6

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

8 And the title is amended as follows:

9 Delete everything before the enacting clause

10

11 and insert:

12

A bill to be entitled

13

An act relating to economic stimulus; amending

14

s. 220.191, F.S.; redefining the term

15

"qualifying project" for purposes of capital

16

investment tax credits; amending s. 288.1045,

17

F.S.; revising the definition of "Department of

18

Defense contract" under the tax refund program

19

for qualified defense contractors; extending

20

the period applicable to a program exemption

21

under certain conditions; amending s. 288.106,

22

F.S.; providing for special consideration to be

23

given to defense and homeland security under

24

the tax refund program for qualified target

25

industry businesses; extending the period

26

applicable to a program exemption under certain

27

conditions; amending s. 288.1088, F.S.;

28

revising requirements and providing powers of

29

the Governor with respect to using funds in the

30

Quick Action Closing Fund; amending s. 445.048,

31

F.S.; continuing and expanding the Passport to

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1 Economic Progress demonstration project;
 2 amending s. 1004.225, F.S.; removing historical
 3 provisions; conforming changes; providing for
 4 the designation of an additional center of
 5 excellence; providing application, evaluation,
 6 and designation procedures; extending the
 7 expiration of the Florida Technology
 8 Development Act; amending s. 376.86, F.S.;
 9 revising certain restrictions on investing
 10 funds maintained in the Nonmandatory Land
 11 Reclamation Trust Fund; providing for a
 12 schedule for legislative review of the
 13 Brownfield Areas Loan Guarantee Program;
 14 providing appropriations; repealing proviso in
 15 ch. 2002-324, L.O.F., relating to the
 16 requirement for approval of an expenditure plan
 17 prior to release of appropriations for funding
 18 University Centers of Excellence; providing an
 19 effective date.

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