

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Johnson offered the following::

Amendment to Unengrossed Senate Amendment (771446) (with title amendment)

On page 1, lines 20 through 23, remove: all of said lines,

and insert:

Section 8. Effective July 1, 2004, paragraph (d) of subsection (6) of section 212.20, Florida Statutes, as amended by section 92 of chapter 2003-402, Laws of Florida, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.--

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

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28 (d) The proceeds of all other taxes and fees imposed
29 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
30 and (2)(b) shall be distributed as follows:

31 1. In any fiscal year, the greater of \$500 million, minus
32 an amount equal to 4.6 percent of the proceeds of the taxes
33 collected pursuant to chapter 201, or 5 percent of all other
34 taxes and fees imposed pursuant to this chapter or remitted
35 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
36 monthly installments into the General Revenue Fund.

37 2. Two-tenths of one percent shall be transferred to the
38 Ecosystem Management and Restoration Trust Fund to be used for
39 water quality improvement and water restoration projects.

40 3. After the distribution under subparagraphs 1. and 2.,
41 8.814 percent of the amount remitted by a sales tax dealer
42 located within a participating county pursuant to s. 218.61
43 shall be transferred into the Local Government Half-cent Sales
44 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to
45 be transferred pursuant to this subparagraph to the Local
46 Government Half-cent Sales Tax Clearing Trust Fund shall be
47 reduced by 0.1 percent, and the department shall distribute this
48 amount to the Public Employees Relations Commission Trust Fund
49 less \$5,000 each month, which shall be added to the amount
50 calculated in subparagraph 4. and distributed accordingly.

51 4. After the distribution under subparagraphs 1., 2., and
52 3., 0.095 percent shall be transferred to the Local Government
53 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
54 to s. 218.65.

55 5. After the distributions under subparagraphs 1., 2., 3.,
56 and 4., 2.0440 percent of the available proceeds pursuant to

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57 | this paragraph shall be transferred monthly to the Revenue
58 | Sharing Trust Fund for Counties pursuant to s. 218.215.

59 | 6. After the distributions under subparagraphs 1., 2., 3.,
60 | and 4., 1.3409 percent of the available proceeds pursuant to
61 | this paragraph shall be transferred monthly to the Revenue
62 | Sharing Trust Fund for Municipalities pursuant to s. 218.215. If
63 | the total revenue to be distributed pursuant to this
64 | subparagraph is at least as great as the amount due from the
65 | Revenue Sharing Trust Fund for Municipalities and the Municipal
66 | Financial Assistance Trust Fund in state fiscal year 1999-2000,
67 | no municipality shall receive less than the amount due from the
68 | Revenue Sharing Trust Fund for Municipalities and the Municipal
69 | Financial Assistance Trust Fund in state fiscal year 1999-2000.
70 | If the total proceeds to be distributed are less than the amount
71 | received in combination from the Revenue Sharing Trust Fund for
72 | Municipalities and the Municipal Financial Assistance Trust Fund
73 | in state fiscal year 1999-2000, each municipality shall receive
74 | an amount proportionate to the amount it was due in state fiscal
75 | year 1999-2000.

76 | 7. Of the remaining proceeds:

77 | a. In each fiscal year, the sum of \$29,915,500 shall be
78 | divided into as many equal parts as there are counties in the
79 | state, and one part shall be distributed to each county. The
80 | distribution among the several counties shall begin each fiscal
81 | year on or before January 5th and shall continue monthly for a
82 | total of 4 months. If a local or special law required that any
83 | moneys accruing to a county in fiscal year 1999-2000 under the
84 | then-existing provisions of s. 550.135 be paid directly to the
85 | district school board, special district, or a municipal
86 | government, such payment shall continue until such time that the

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87 local or special law is amended or repealed. The state covenants
88 with holders of bonds or other instruments of indebtedness
89 issued by local governments, special districts, or district
90 school boards prior to July 1, 2000, that it is not the intent
91 of this subparagraph to adversely affect the rights of those
92 holders or relieve local governments, special districts, or
93 district school boards of the duty to meet their obligations as
94 a result of previous pledges or assignments or trusts entered
95 into which obligated funds received from the distribution to
96 county governments under then-existing s. 550.135. This
97 distribution specifically is in lieu of funds distributed under
98 s. 550.135 prior to July 1, 2000.

99 b. The department shall distribute \$166,667 monthly
100 pursuant to s. 288.1162 to each applicant that has been
101 certified as a "facility for a new professional sports
102 franchise" or a "facility for a retained professional sports
103 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be
104 distributed monthly by the department to each applicant that has
105 been certified as a "facility for a retained spring training
106 franchise" pursuant to s. 288.1162; however, not more than
107 \$208,335 may be distributed monthly in the aggregate to all
108 certified facilities for a retained spring training franchise.
109 Distributions shall begin 60 days following such certification
110 and shall continue for not more than 30 years. Nothing contained
111 in this paragraph shall be construed to allow an applicant
112 certified pursuant to s. 288.1162 to receive more in
113 distributions than actually expended by the applicant for the
114 public purposes provided for in s. 288.1162(6). However, a
115 certified applicant is entitled to receive distributions up to
116 the maximum amount allowable and undistributed under this

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117 section for additional renovations and improvements to the
118 facility for the franchise without additional certification.

119 c. Beginning 30 days after notice by the Office of
120 Tourism, Trade, and Economic Development to the Department of
121 Revenue that an applicant has been certified as the professional
122 golf hall of fame pursuant to s. 288.1168 and is open to the
123 public, \$166,667 shall be distributed monthly, for up to 300
124 months, to the applicant.

125 d. Beginning 30 days after notice by the Office of
126 Tourism, Trade, and Economic Development to the Department of
127 Revenue that the applicant has been certified as the
128 International Game Fish Association World Center facility
129 pursuant to s. 288.1169, and the facility is open to the public,
130 \$83,333 shall be distributed monthly, for up to 168 months, to
131 the applicant. This distribution is subject to reduction
132 pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be
133 made, after certification and before July 1, 2000.

134 e. The department shall distribute monthly to units of
135 local government that have been certified as owning eligible
136 convention centers pursuant to s. 288.1171 an amount equal to
137 one-half of the proceeds, as defined in paragraph (5)(a),
138 received and collected in the previous month by the department
139 under the provisions of this chapter which are generated by such
140 eligible convention centers and remitted on the sales and use
141 tax returns of eligible convention centers. The total
142 distribution to each unit of local government may not exceed \$3
143 million per state fiscal year. Distributions shall begin 60 days
144 following notification of certification by the Office of
145 Tourism, Trade, and Economic Development pursuant to s. 288.1171
146 and shall continue for not more than 30 years. Distributions

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147 shall be used solely to encourage and provide economic
148 development for the attraction, recruitment, and retention of
149 corporate headquarters and of high-technology, manufacturing,
150 research and development, entertainment, and tourism industries
151 as designated by the unit of local government by resolution of
152 its governing body.

153 8. All other proceeds shall remain with the General
154 Revenue Fund.

155 Section 9. Effective July 1, 2004, section 288.1171,
156 Florida Statutes, is created to read:

157 288.1171 Convention centers owned by units of local
158 government; certification as owning eligible convention centers;
159 duties.--

160 (1) The Office of Tourism, Trade, and Economic Development
161 shall serve as the state agency for screening applicants for
162 state funding pursuant to s. 212.20(6)(d)7.e. and for certifying
163 an applicant as owning an eligible convention center.

164 (2) The Office of Tourism, Trade, and Economic Development
165 shall adopt rules pursuant to ss. 120.536(1) and 120.54 for the
166 receipt and processing of applications for funding pursuant to
167 s. 212.20(6)(d)7.e.

168 (3) As used in this section, the term "eligible convention
169 center" means a publicly owned facility having exhibition space
170 in excess of 60,000 square feet, the primary function of which
171 is to host meetings, conventions, or trade shows.

172 (4) Prior to certifying an applicant as owning an eligible
173 convention center, the Office of Tourism, Trade, and Economic
174 Development must determine that:

175 (a) The unit of local government, as defined in s.
176 218.369, owns an eligible convention center.

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177 (b) The convention center contains more than 60,000 square
178 feet of exhibit space.

179 (c) The unit of local government in which the convention
180 center is located has certified by resolution after a public
181 hearing that the application serves a public purpose pursuant to
182 subsection (7).

183 (d) The convention center is located in a county that is
184 levying a tourist development tax pursuant to s. 125.0104.

185 (5) Upon certification of an applicant, the Office of
186 Tourism, Trade, and Economic Development shall notify the
187 executive director of the Department of Revenue of such
188 certification by means of an official letter granting
189 certification. The Department of Revenue may not begin
190 distributing proceeds until 60 days following notice by the
191 Office of Tourism, Trade, and Economic Development that a unit
192 of local government has been certified as owning an eligible
193 convention center.

194 (6) No applicant previously certified under any provision
195 of this section who has received proceeds under such
196 certification shall be eligible for an additional certification.

197 (7) A unit of local government certified as owning an
198 eligible convention center may use proceeds provided pursuant to
199 s. 212.20(6)(d)7.e. solely to encourage and provide economic
200 development for the attraction, recruitment, and retention of
201 corporate headquarters and of high-technology, manufacturing,
202 research and development, entertainment, and tourism industries
203 as designated by the unit of local government by resolution of
204 its governing body.

205 (8) The Department of Revenue may audit as provided in s.
206 213.34 to verify that the distributions pursuant to this section

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207 have been expended as required in this section. Such information
208 is subject to the confidentiality requirements of chapter 213.
209 If the Department of Revenue determines that the distributions
210 have not been expended as required by this section, it may
211 pursue recovery of such proceeds pursuant to the laws and rules
212 governing the assessment of taxes.

213 (9) Failure to use the proceeds as provided in this
214 section shall be grounds for revoking certification.

215 (10) The provisions of this section shall apply only to
216 facilities existing and operating on the effective date of this
217 act.

218 Section 10. There are hereby appropriated for fiscal year
219 2003-2004 the following amounts to the Office of Tourism, Trade,
220 and Economic Development for strategic economic development
221 programs and initiatives:

222 (1) The sum of \$10 million from the General Revenue Fund
223 to the Quick Action Closing Fund created in s. 288.1088, Florida
224 Statutes.

225 (2) The sum of \$5 million from the General Revenue Fund to
226 the entertainment industry financial incentive program created
227 in s. 288.1254, Florida Statutes.

228 (3) The sum of \$3 million from the General Revenue Fund to
229 the Quick Action Closing Fund created in s. 288.1088, Florida
230 Statutes, all of which shall be used to fund projects in rural
231 communities as defined in s. 288.0656(2)(b), Florida Statutes.

232 (4) The sum of \$2 million from the General Revenue Fund to
233 the Rural Infrastructure Fund created in s. 288.0655, Florida
234 Statutes.

235 (5) The sum of \$7.5 million from the General Revenue Fund
236 for fixed capital outlay military base retention projects

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237 allocated to the following bases: Tyndall (\$1 million), Mayport
238 (\$1 million), McDill (\$1 million), and \$4.5 for projects
239 approved pursuant to s. 288.980, Florida Statutes.

240 (6) The sum of \$2.5 million from the General Revenue Fund
241 to fund the first ranked fixed capital outlay project of the
242 Regional Cultural Facilities Program Rollover Priority List from
243 fiscal year 2003-2004, which was developed in accordance with
244 1T-1.001(20), Florida Administrative Code.

245 (7) The sum of \$1 million from the General Revenue Fund to
246 the Mote Marine Laboratory for scientific research to prevent
247 harmful algal blooms for the purpose of enhancing Florida
248 seafood production.

249 (8) The sum of \$8 million from the General Revenue Fund
250 for the purpose of providing a one-time fixed capital outlay
251 grant to the University of South Florida to acquire the Fowler
252 Avenue South site as part of its Bioengineering and Life
253 Sciences Research Park.

254 (9) The sum of \$5,000 from the General Revenue Fund for
255 the purpose of developing a plan to implement the convention
256 center sales tax rebate program as established in sections 5 and
257 6.

258 (10) The sum of \$3 million from the General Revenue Fund
259 for the purpose of providing one-time grants to further
260 biotechnology research, training, and facilities to the
261 following institutions as follows:

262 (a) Edward Waters College, \$1 million.

263 (b) Bethune-Cookman College, \$1 million.

264 (c) Florida Memorial College, \$1 million.

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

268 Remove the entire title, and insert:

269 A bill to be entitled

270 An act relating to economic development strategic
271 initiatives; creating s. 288.955, F.S.; creating the
272 Scripps Florida Funding Corporation to facilitate the
273 establishment and operation of a biomedical research
274 institution for the purposes of enhancing education and
275 research and promoting economic development and diversity;
276 providing for its board of directors; prohibiting
277 conflicts of interest; providing penalties; providing
278 powers and duties of the corporation; providing for
279 investment of funds; requiring an operating plan;
280 requiring the corporation and Scripps Florida or another
281 entity operating such an institution to enter into a
282 contract; providing for disbursement and reinvestment of
283 funds; requiring reports, audits, and evaluations;
284 providing for performance measures as conditions for
285 disbursement of funds; limiting the use of funds;
286 providing that the appropriation of funds does not
287 constitute a debt of the state or a subdivision of the
288 state nor does it subject the state or a subdivision to
289 liability; creating the Joint Legislative Committee on
290 Biomedical Investment Oversight; providing its membership
291 and duties; providing legislative intent with respect to
292 creating economic opportunity and improving public health
293 through the establishment of a biomedical research
294 institution; amending s. 403.973, F.S.; specifying that
295 projects that are part of the biomedical research
296 institution and campus are eligible for the expedited

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297 permitting process; providing for challenges to state
298 agency action in expedited permitting related to the
299 institution and campus; providing for the reversion of
300 funds to the General Revenue Fund under certain
301 circumstances; providing for an extension of the contract
302 deadline under certain circumstances in which the grantee
303 cannot meet the conditions of the contract; amending s.
304 288.1088, F.S., relating to the Quick Action Closing Fund;
305 requiring a recommendation by the Executive Office of the
306 Governor; providing requirements for such recommendation;
307 amending s. 212.20, F.S.; providing for distribution of a
308 portion of revenues from the tax on sales, use, and other
309 transactions to specified units of local government owning
310 eligible convention centers; creating s. 288.1171, F.S.;
311 providing for certification of units of local government
312 owning eligible convention centers by the Office of
313 Tourism, Trade, and Economic Development; requiring the
314 office to adopt specified rules; providing a definition;
315 providing requirements for certification; providing for
316 use of proceeds distributed to units of local government
317 under the act; providing for audits by the Department of
318 Revenue; providing for revocation of certification;
319 providing application; providing appropriations; providing
320 effective dates.