

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Johnson offered the following:

2  
3 **Substitute Amendment for Amendment (314795)**

4 **Amendment to Unengrossed Senate Amendment (771446) (with**  
5 **title amendment)**

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

8  
9 and insert:

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

14 212.20 Funds collected, disposition; additional powers of  
15 department; operational expense; refund of taxes adjudicated  
16 unconstitutionally collected.--

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17 (6) Distribution of all proceeds under this chapter and s.  
18 202.18(1)(b) and (2)(b) shall be as follows:

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

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

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

31 3. After the distribution under subparagraphs 1. and 2.,  
32 8.814 percent of the amount remitted by a sales tax dealer  
33 located within a participating county pursuant to s. 218.61  
34 shall be transferred into the Local Government Half-cent Sales  
35 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to  
36 be transferred pursuant to this subparagraph to the Local  
37 Government Half-cent Sales Tax Clearing Trust Fund shall be  
38 reduced by 0.1 percent, and the department shall distribute this  
39 amount to the Public Employees Relations Commission Trust Fund  
40 less \$5,000 each month, which shall be added to the amount  
41 calculated in subparagraph 4. and distributed accordingly.

42 4. After the distribution under subparagraphs 1., 2., and  
43 3., 0.095 percent shall be transferred to the Local Government  
44 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
45 to s. 218.65.

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46           5. After the distributions under subparagraphs 1., 2., 3.,  
47 and 4., 2.0440 percent of the available proceeds pursuant to  
48 this paragraph shall be transferred monthly to the Revenue  
49 Sharing Trust Fund for Counties pursuant to s. 218.215.

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

67           7. Of the remaining proceeds:

68           a. In each fiscal year, the sum of \$29,915,500 shall be  
69 divided into as many equal parts as there are counties in the  
70 state, and one part shall be distributed to each county. The  
71 distribution among the several counties shall begin each fiscal  
72 year on or before January 5th and shall continue monthly for a  
73 total of 4 months. If a local or special law required that any  
74 moneys accruing to a county in fiscal year 1999-2000 under the

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75 then-existing provisions of s. 550.135 be paid directly to the  
76 district school board, special district, or a municipal  
77 government, such payment shall continue until such time that the  
78 local or special law is amended or repealed. The state covenants  
79 with holders of bonds or other instruments of indebtedness  
80 issued by local governments, special districts, or district  
81 school boards prior to July 1, 2000, that it is not the intent  
82 of this subparagraph to adversely affect the rights of those  
83 holders or relieve local governments, special districts, or  
84 district school boards of the duty to meet their obligations as  
85 a result of previous pledges or assignments or trusts entered  
86 into which obligated funds received from the distribution to  
87 county governments under then-existing s. 550.135. This  
88 distribution specifically is in lieu of funds distributed under  
89 s. 550.135 prior to July 1, 2000.

90 b. The department shall distribute \$166,667 monthly  
91 pursuant to s. 288.1162 to each applicant that has been  
92 certified as a "facility for a new professional sports  
93 franchise" or a "facility for a retained professional sports  
94 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
95 distributed monthly by the department to each applicant that has  
96 been certified as a "facility for a retained spring training  
97 franchise" pursuant to s. 288.1162; however, not more than  
98 \$208,335 may be distributed monthly in the aggregate to all  
99 certified facilities for a retained spring training franchise.  
100 Distributions shall begin 60 days following such certification  
101 and shall continue for not more than 30 years. Nothing contained  
102 in this paragraph shall be construed to allow an applicant  
103 certified pursuant to s. 288.1162 to receive more in

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104 distributions than actually expended by the applicant for the  
105 public purposes provided for in s. 288.1162(6). However, a  
106 certified applicant is entitled to receive distributions up to  
107 the maximum amount allowable and undistributed under this  
108 section for additional renovations and improvements to the  
109 facility for the franchise without additional certification.

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

116 d. Beginning 30 days after notice by the Office of  
117 Tourism, Trade, and Economic Development to the Department of  
118 Revenue that the applicant has been certified as the  
119 International Game Fish Association World Center facility  
120 pursuant to s. 288.1169, and the facility is open to the public,  
121 \$83,333 shall be distributed monthly, for up to 168 months, to  
122 the applicant. This distribution is subject to reduction  
123 pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be  
124 made, after certification and before July 1, 2000.

125 e. The department shall distribute monthly to units of  
126 local government that have been certified as owning eligible  
127 convention centers pursuant to s. 288.1171 an amount equal to  
128 one-half of the proceeds, as defined in paragraph (5)(a),  
129 received and collected in the previous month by the department  
130 under the provisions of this chapter which are generated by such  
131 eligible convention centers and remitted on the sales and use  
132 tax returns of eligible convention centers. The total

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133 distribution to each unit of local government may not exceed \$3  
134 million per state fiscal year. Distributions shall begin 60 days  
135 following notification of certification by the Office of  
136 Tourism, Trade, and Economic Development pursuant to s. 288.1171  
137 and shall continue for not more than 30 years. Distributions  
138 shall be used solely to encourage and provide economic  
139 development for the attraction, recruitment, and retention of  
140 corporate headquarters and of high-technology, manufacturing,  
141 research and development, entertainment, and tourism industries  
142 as designated by the unit of local government by resolution of  
143 its governing body.

144 8. All other proceeds shall remain with the General  
145 Revenue Fund.

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

148 288.1171 Convention centers owned by units of local  
149 government; certification as owning eligible convention centers;  
150 duties.--

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

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

159 (3) As used in this section, the term "eligible convention  
160 center" means a publicly owned facility having exhibition space

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161 in excess of 60,000 square feet, the primary function of which  
162 is to host meetings, conventions, or trade shows.

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

166 (a) The unit of local government, as defined in s.  
167 218.369, owns an eligible convention center.

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

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

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

176 (5) Upon certification of an applicant, the Office of  
177 Tourism, Trade, and Economic Development shall notify the  
178 executive director of the Department of Revenue of such  
179 certification by means of an official letter granting  
180 certification. The Department of Revenue may not begin  
181 distributing proceeds until 60 days following notice by the  
182 Office of Tourism, Trade, and Economic Development that a unit  
183 of local government has been certified as owning an eligible  
184 convention center.

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

188 (7) A unit of local government certified as owning an  
189 eligible convention center may use proceeds provided pursuant to

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190 s. 212.20(6)(d)7.e. solely to encourage and provide economic  
191 development for the attraction, recruitment, and retention of  
192 corporate headquarters and of high-technology, manufacturing,  
193 research and development, entertainment, and tourism industries  
194 as designated by the unit of local government by resolution of  
195 its governing body.

196 (8) The Department of Revenue may audit as provided in s.  
197 213.34 to verify that the distributions pursuant to this section  
198 have been expended as required in this section. Such information  
199 is subject to the confidentiality requirements of chapter 213.  
200 If the Department of Revenue determines that the distributions  
201 have not been expended as required by this section, it may  
202 pursue recovery of such proceeds pursuant to the laws and rules  
203 governing the assessment of taxes.

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

206 (10) The provisions of this section shall apply only to  
207 facilities existing and operating on the effective date of this  
208 act.

209 Section 10. There are hereby appropriated for fiscal year  
210 2003-2004 the following amounts to the Office of Tourism, Trade,  
211 and Economic Development for strategic economic development  
212 programs and initiatives:

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

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

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219       (3) The sum of \$6 million from the General Revenue Fund to  
220 the Quick Action Closing Fund created in s. 288.1088, Florida  
221 Statutes, all of which shall be used to fund projects in rural  
222 communities as defined in s. 288.0656(2)(b), Florida Statutes.

223       (4) The sum of \$4 million from the General Revenue Fund to  
224 the Rural Infrastructure Fund created in s. 288.0655, Florida  
225 Statutes.

226       (5) The sum of \$7.5 million from the General Revenue Fund  
227 for fixed capital outlay military base retention projects  
228 allocated to the following bases: Tyndall (\$1 million), Mayport  
229 (\$1 million), McDill (\$1 million), and \$4.5 for projects  
230 approved pursuant to s. 288.980, Florida Statutes.

231       (6) The sum of \$2.5 million from the General Revenue Fund  
232 to fund the first ranked fixed capital outlay project of the  
233 Regional Cultural Facilities Program Rollover Priority List from  
234 fiscal year 2003-2004, which was developed in accordance with  
235 1T-1.001(20), Florida Administrative Code.

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

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

245       (9) The sum of \$5,000 from the General Revenue Fund for  
246 the purpose of developing a plan to implement the convention

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247 | center sales tax rebate program as established in sections 5 and  
248 | 6.

249 | (10) The sum of \$3 million from the General Revenue Fund  
250 | for the purpose of providing one-time grants to further  
251 | biotechnology research, training, and facilities to the  
252 | following institutions as follows:

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

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

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

256 | (11) The sum of \$1 million from the General Revenue Fund  
257 | for the purpose of providing a one-time grant to the Free Trade  
258 | Areas of the Americas, Inc., to host the ministerial summit and  
259 | secure the permanent secretariat.

260 |  
261 | ===== T I T L E A M E N D M E N T =====

262 | Remove the entire title, and insert:

263 | A bill to be entitled

264 | An act relating to economic development strategic  
265 | initiatives; creating s. 288.955, F.S.; creating the  
266 | Scripps Florida Funding Corporation to facilitate the  
267 | establishment and operation of a biomedical research  
268 | institution for the purposes of enhancing education and  
269 | research and promoting economic development and diversity;  
270 | providing for its board of directors; prohibiting  
271 | conflicts of interest; providing penalties; providing  
272 | powers and duties of the corporation; providing for  
273 | investment of funds; requiring an operating plan;  
274 | requiring the corporation and Scripps Florida or another  
275 | entity operating such an institution to enter into a

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276 contract; providing for disbursement and reinvestment of  
277 funds; requiring reports, audits, and evaluations;  
278 providing for performance measures as conditions for  
279 disbursement of funds; limiting the use of funds;  
280 providing that the appropriation of funds does not  
281 constitute a debt of the state or a subdivision of the  
282 state nor does it subject the state or a subdivision to  
283 liability; creating the Joint Legislative Committee on  
284 Biomedical Investment Oversight; providing its membership  
285 and duties; providing legislative intent with respect to  
286 creating economic opportunity and improving public health  
287 through the establishment of a biomedical research  
288 institution; amending s. 403.973, F.S.; specifying that  
289 projects that are part of the biomedical research  
290 institution and campus are eligible for the expedited  
291 permitting process; providing for challenges to state  
292 agency action in expedited permitting related to the  
293 institution and campus; providing for the reversion of  
294 funds to the General Revenue Fund under certain  
295 circumstances; providing for an extension of the contract  
296 deadline under certain circumstances in which the grantee  
297 cannot meet the conditions of the contract; amending s.  
298 288.1088, F.S., relating to the Quick Action Closing Fund;  
299 requiring a recommendation by the Executive Office of the  
300 Governor; providing requirements for such recommendation;  
301 amending s. 212.20, F.S.; providing for distribution of a  
302 portion of revenues from the tax on sales, use, and other  
303 transactions to specified units of local government owning  
304 eligible convention centers; creating s. 288.1171, F.S.;

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305 providing for certification of units of local government  
306 owning eligible convention centers by the Office of  
307 Tourism, Trade, and Economic Development; requiring the  
308 office to adopt specified rules; providing a definition;  
309 providing requirements for certification; providing for  
310 use of proceeds distributed to units of local government  
311 under the act; providing for audits by the Department of  
312 Revenue; providing for revocation of certification;  
313 providing application; providing appropriations; providing  
314 effective dates.