

1 A bill to be entitled
 2 An act relating to the Rural Economic Development
 3 Initiative; amending s. 288.0656, F.S.; providing
 4 legislative intent; revising REDI representation; adding a
 5 criterion for consideration in determining a rural area of
 6 critical economic concern; removing an obsolete provision;
 7 providing for certain waivers to facilitate location of a
 8 catalyst project in a rural area of critical economic
 9 concern; providing process for designation of a catalyst
 10 project; limiting the number of catalyst projects for each
 11 area; limiting the granting of waivers to a time certain;
 12 revising an annual report submission date; amending ss.
 13 163.3187, 257.193, 288.019, 288.06561, 339.2819, and
 14 627.6699, F.S.; correcting cross-references; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 288.0656, Florida Statutes, is amended
 20 to read:

21 288.0656 Rural Economic Development Initiative.--

22 (1) LEGISLATIVE INTENT.--

23 (a) Recognizing that rural communities and regions
 24 continue to face extraordinary challenges in their efforts to
 25 achieve significant improvements to their economies, it is the
 26 intent of the Legislature to encourage and facilitate the
 27 location and expansion in such rural communities of major
 28 economic development projects of significant scale that have the

29 capacity to act as a catalyst in the enhancement of rural
 30 economies.

31 (b) It is also the intent of the Legislature to encourage
 32 and facilitate the development in such rural communities of
 33 high-wage and high-skill industrial clusters that serve as
 34 catalysts in rural economies.

35 (c) It is further the intent of the Legislature that Rural
 36 Economic Development Initiative agencies provide additional
 37 support for catalyst projects that have undergone the review
 38 required in subsection (6).

39 (2)~~(1)~~ CREATION.--The Rural Economic Development
 40 Initiative, known as "REDI," is created within the Office of
 41 Tourism, Trade, and Economic Development, and the participation
 42 of state and regional agencies in this initiative is authorized.

43 (3)~~(2)~~ DEFINITIONS.--As used in this section, the term:

44 (a) "Economic distress" means conditions affecting the
 45 fiscal and economic viability of a rural community, including
 46 such factors as low per capita income, low per capita taxable
 47 values, high unemployment, high underemployment, low weekly
 48 earned wages compared to the state average, low housing values
 49 compared to the state average, high percentages of the
 50 population receiving public assistance, high poverty levels
 51 compared to the state average, and a lack of year-round stable
 52 employment opportunities.

53 (b) "Rural community" means:

- 54 1. A county with a population of 75,000 or less.
- 55 2. A county with a population of 100,000 or less that is
- 56 contiguous to a county with a population of 75,000 or less.

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57 3. A municipality within a county described in
58 subparagraph 1. or subparagraph 2.

59 4. An unincorporated federal enterprise community or an
60 incorporated rural city with a population of 25,000 or less and
61 an employment base focused on traditional agricultural or
62 resource-based industries, located in a county not defined as
63 rural, which has at least three or more of the economic distress
64 factors identified in paragraph (a) and verified by the Office
65 of Tourism, Trade, and Economic Development.

66
67 For purposes of this paragraph, population shall be determined
68 in accordance with the most recent official estimate pursuant to
69 s. 186.901.

70 (4) ~~(3)~~ RESPONSIBILITIES.--

71 (a) REDI shall be responsible for coordinating and
72 focusing the efforts and resources of state and regional
73 agencies on the problems which affect the fiscal, economic, and
74 community viability of Florida's economically distressed rural
75 communities, working with local governments, community-based
76 organizations, and private organizations that have an interest
77 in the growth and development of these communities to find ways
78 to balance environmental and growth management issues with local
79 needs.

80 (b) ~~(4)~~ REDI shall review and evaluate the impact of
81 statutes and rules on rural communities and shall work to
82 minimize any adverse impact.

83 (c) ~~(5)~~ REDI shall facilitate better access to state
84 resources by promoting direct access and referrals to

85 appropriate state and regional agencies and statewide
 86 organizations. REDI may undertake outreach, capacity-building,
 87 and other advocacy efforts to improve conditions in rural
 88 communities. These activities may include sponsorship of
 89 conferences and achievement awards.

90 (5)-(6) AGENCY AND ORGANIZATION REPRESENTATION ON REDI.--

91 (a) By August 1 of each year, the head of each of the
 92 following agencies and organizations shall designate a high-
 93 level staff person from within the agency or organization to
 94 serve as the REDI representative for the agency or organization:

- 95 1. The Department of Community Affairs.
- 96 2. The Department of Transportation.
- 97 3. The Department of Environmental Protection.
- 98 4. The Department of Agriculture and Consumer Services.
- 99 5. The Department of State.
- 100 6. The Department of Health.
- 101 7. The Department of Children and Family Services.
- 102 8. The Department of Corrections.
- 103 9. The Agency for Workforce Innovation.
- 104 10. The Department of Education.
- 105 11. The Department of Juvenile Justice.
- 106 12. The Fish and Wildlife Conservation Commission.
- 107 13. Each water management district.
- 108 14. Enterprise Florida, Inc.
- 109 15. Workforce Florida, Inc.
- 110 16. The Florida Commission on Tourism or VISIT Florida.
- 111 17. The Florida Regional Planning Council Association.

112 18. The Agency for Health Care Administration ~~Florida~~
 113 ~~State Rural Development Council~~.

114 19. The Institute of Food and Agricultural Sciences
 115 (IFAS).

116
 117 An alternate for each designee shall also be chosen, and the
 118 names of the designees and alternates shall be sent to the
 119 director of the Office of Tourism, Trade, and Economic
 120 Development.

121 (b) Each REDI representative must have comprehensive
 122 knowledge of his or her agency's functions, both regulatory and
 123 service in nature, and of the state's economic goals, policies,
 124 and programs. This person shall be the primary point of contact
 125 for his or her agency with REDI on issues and projects relating
 126 to economically distressed rural communities and with regard to
 127 expediting project review, shall ensure a prompt effective
 128 response to problems arising with regard to rural issues, and
 129 shall work closely with the other REDI representatives in the
 130 identification of opportunities for preferential awards of
 131 program funds and allowances and waiver of program requirements
 132 when necessary to encourage and facilitate long-term private
 133 capital investment and job creation.

134 (c) The REDI representatives shall work with REDI in the
 135 review and evaluation of statutes and rules for adverse impact
 136 on rural communities and the development of alternative
 137 proposals to mitigate that impact.

138 (d) Each REDI representative shall be responsible for
 139 ensuring that each district office or facility of his or her

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140 agency is informed about the Rural Economic Development
141 Initiative and for providing assistance throughout the agency in
142 the implementation of REDI activities.

143 (6) ~~(7)~~ RURAL AREAS OF CRITICAL ECONOMIC CONCERN; CATALYST
144 PROJECTS.--

145 (a) REDI may recommend to the Governor up to three rural
146 areas of critical economic concern. A rural area of critical
147 economic concern must be a rural community, or a region composed
148 of such, that has been adversely affected by an extraordinary
149 economic event, chronic and severe economic distress, or a
150 natural disaster or that presents a unique economic development
151 opportunity of regional impact that will create more than 1,000
152 jobs over a 5-year period. The Governor may by executive order
153 designate up to three rural areas of critical economic concern
154 which will establish these areas as priority assignments for
155 REDI as well as to allow the Governor, acting through REDI, to
156 waive criteria, requirements, or similar provisions of any
157 economic development incentive. Such incentives shall include,
158 but not be limited to: the Qualified Target Industry Tax Refund
159 Program under s. 288.106, the Quick Response Training Program
160 under s. 288.047, ~~the Quick Response Training Program for~~
161 ~~participants in the welfare transition program under s.~~
162 ~~288.047(8)~~, transportation projects under s. 288.063, the
163 brownfield redevelopment bonus refund under s. 288.107, and the
164 rural job tax credit program under ss. 212.098 and 220.1895.

165 (b) Designation as a rural area of critical economic
166 concern under this subsection shall be contingent upon the
167 execution of a memorandum of agreement among the Office of

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168 Tourism, Trade, and Economic Development; the governing body of
169 the county; and the governing bodies of any municipalities to be
170 included within a rural area of critical economic concern. Such
171 agreement shall specify the terms and conditions of the
172 designation, including, but not limited to, the duties and
173 responsibilities of the county and any participating
174 municipalities to take actions designed to facilitate the
175 retention and expansion of existing businesses in the area, as
176 well as the recruitment of new businesses to the area.

177 (c) The Governor, acting through REDI, may also waive
178 criteria, requirements, or provisions of REDI agency programs,
179 including, but not limited to, those providing infrastructure,
180 technical assistance, and training, to facilitate the location
181 of a catalyst project in a rural area of critical economic
182 concern, provided that the project is specifically identified as
183 a catalyst project by Enterprise Florida, Inc., confirmed as a
184 catalyst project by the Office of Tourism, Trade, and Economic
185 Development, and recommended by REDI. No more than one catalyst
186 project may be recommended for a rural area of critical economic
187 concern consisting of eight counties or fewer. No more than two
188 catalyst projects may be recommended for a rural area of
189 critical economic concern consisting of more than eight
190 counties. Waivers may be granted pursuant to this paragraph only
191 through June 30, 2012.

192 (7)-(8) ANNUAL REPORT.--Beginning with the fiscal year
193 ending June 30, 2007, REDI shall submit a report to the
194 Governor, the President of the Senate, and the Speaker of the
195 House of Representatives each year on or before September 30

196 ~~February 1~~ on all REDI activities. This report shall include a
 197 status report on all projects currently being coordinated
 198 through REDI, the number of preferential awards and allowances
 199 made pursuant to this section, the dollar amount of such awards,
 200 and the names of the recipients. The report shall also include a
 201 description of all waivers of program requirements granted. The
 202 report shall also include information as to the economic impact
 203 of the projects coordinated by REDI.

204 Section 2. Paragraphs (c) and (o) of subsection (1) of
 205 section 163.3187, Florida Statutes, are amended to read:

206 163.3187 Amendment of adopted comprehensive plan.--

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

210 (c) Any local government comprehensive plan amendments
 211 directly related to proposed small scale development activities
 212 may be approved without regard to statutory limits on the
 213 frequency of consideration of amendments to the local
 214 comprehensive plan. A small scale development amendment may be
 215 adopted only under the following conditions:

216 1. The proposed amendment involves a use of 10 acres or
 217 fewer and:

218 a. The cumulative annual effect of the acreage for all
 219 small scale development amendments adopted by the local
 220 government shall not exceed:

221 (I) A maximum of 120 acres in a local government that
 222 contains areas specifically designated in the local
 223 comprehensive plan for urban infill, urban redevelopment, or

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224 downtown revitalization as defined in s. 163.3164, urban infill
225 and redevelopment areas designated under s. 163.2517,
226 transportation concurrency exception areas approved pursuant to
227 s. 163.3180(5), or regional activity centers and urban central
228 business districts approved pursuant to s. 380.06(2)(e);
229 however, amendments under this paragraph may be applied to no
230 more than 60 acres annually of property outside the designated
231 areas listed in this sub-sub-subparagraph. Amendments adopted
232 pursuant to paragraph (k) shall not be counted toward the
233 acreage limitations for small scale amendments under this
234 paragraph.

235 (II) A maximum of 80 acres in a local government that does
236 not contain any of the designated areas set forth in sub-sub-
237 subparagraph (I).

238 (III) A maximum of 120 acres in a county established
239 pursuant to s. 9, Art. VIII of the State Constitution.

240 b. The proposed amendment does not involve the same
241 property granted a change within the prior 12 months.

242 c. The proposed amendment does not involve the same
243 owner's property within 200 feet of property granted a change
244 within the prior 12 months.

245 d. The proposed amendment does not involve a text change
246 to the goals, policies, and objectives of the local government's
247 comprehensive plan, but only proposes a land use change to the
248 future land use map for a site-specific small scale development
249 activity.

250 e. The property that is the subject of the proposed
251 amendment is not located within an area of critical state

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252 concern, unless the project subject to the proposed amendment
253 involves the construction of affordable housing units meeting
254 the criteria of s. 420.0004(3), and is located within an area of
255 critical state concern designated by s. 380.0552 or by the
256 Administration Commission pursuant to s. 380.05(1). Such
257 amendment is not subject to the density limitations of sub-
258 subparagraph f., and shall be reviewed by the state land
259 planning agency for consistency with the principles for guiding
260 development applicable to the area of critical state concern
261 where the amendment is located and shall not become effective
262 until a final order is issued under s. 380.05(6).

263 f. If the proposed amendment involves a residential land
264 use, the residential land use has a density of 10 units or less
265 per acre or the proposed future land use category allows a
266 maximum residential density of the same or less than the maximum
267 residential density allowable under the existing future land use
268 category, except that this limitation does not apply to small
269 scale amendments involving the construction of affordable
270 housing units meeting the criteria of s. 420.0004(3) on property
271 which will be the subject of a land use restriction agreement,
272 or small scale amendments described in sub-sub-subparagraph
273 a.(I) that are designated in the local comprehensive plan for
274 urban infill, urban redevelopment, or downtown revitalization as
275 defined in s. 163.3164, urban infill and redevelopment areas
276 designated under s. 163.2517, transportation concurrency
277 exception areas approved pursuant to s. 163.3180(5), or regional
278 activity centers and urban central business districts approved
279 pursuant to s. 380.06(2)(e).

280 2.a. A local government that proposes to consider a plan
 281 amendment pursuant to this paragraph is not required to comply
 282 with the procedures and public notice requirements of s.
 283 163.3184(15)(c) for such plan amendments if the local government
 284 complies with the provisions in s. 125.66(4)(a) for a county or
 285 in s. 166.041(3)(c) for a municipality. If a request for a plan
 286 amendment under this paragraph is initiated by other than the
 287 local government, public notice is required.

288 b. The local government shall send copies of the notice
 289 and amendment to the state land planning agency, the regional
 290 planning council, and any other person or entity requesting a
 291 copy. This information shall also include a statement
 292 identifying any property subject to the amendment that is
 293 located within a coastal high-hazard area as identified in the
 294 local comprehensive plan.

295 3. Small scale development amendments adopted pursuant to
 296 this paragraph require only one public hearing before the
 297 governing board, which shall be an adoption hearing as described
 298 in s. 163.3184(7), and are not subject to the requirements of s.
 299 163.3184(3)-(6) unless the local government elects to have them
 300 subject to those requirements.

301 4. If the small scale development amendment involves a
 302 site within an area that is designated by the Governor as a
 303 rural area of critical economic concern under s. 288.0656 (6) ~~(7)~~
 304 for the duration of such designation, the 10-acre limit listed
 305 in subparagraph 1. shall be increased by 100 percent to 20
 306 acres. The local government approving the small scale plan
 307 amendment shall certify to the Office of Tourism, Trade, and

308 Economic Development that the plan amendment furthers the
 309 economic objectives set forth in the executive order issued
 310 under s. 288.0656 (6) ~~(7)~~, and the property subject to the plan
 311 amendment shall undergo public review to ensure that all
 312 concurrency requirements and federal, state, and local
 313 environmental permit requirements are met.

314 (o) A comprehensive plan amendment that is submitted by an
 315 area designated by the Governor as a rural area of critical
 316 economic concern under s. 288.0656 (6) ~~(7)~~ and that meets the
 317 economic development objectives may be approved without regard
 318 to the statutory limits on the frequency of adoption of
 319 amendments to the comprehensive plan.

320 Section 3. Subsection (2) of section 257.193, Florida
 321 Statutes, is amended to read:

322 257.193 Community Libraries in Caring Program.--

323 (2) The purpose of the Community Libraries in Caring
 324 Program is to assist libraries in rural communities, as defined
 325 in s. 288.0656 (3) ~~(2)~~ (b) and subject to the provisions of s.
 326 288.06561, to strengthen their collections and services, improve
 327 literacy in their communities, and improve the economic
 328 viability of their communities.

329 Section 4. Section 288.019, Florida Statutes, is amended
 330 to read:

331 288.019 Rural considerations in grant review and
 332 evaluation processes.--Notwithstanding any other law, and to the
 333 fullest extent possible, the member agencies and organizations
 334 of the Rural Economic Development Initiative (REDI) as defined
 335 in s. 288.0656 (5) ~~(6)~~ (a) shall review all grant and loan

336 application evaluation criteria to ensure the fullest access for
337 rural counties as defined in s. 288.0656 (3) ~~(2)~~ (b) to resources
338 available throughout the state.

339 (1) Each REDI agency and organization shall review all
340 evaluation and scoring procedures and develop modifications to
341 those procedures which minimize the impact of a project within a
342 rural area.

343 (2) Evaluation criteria and scoring procedures must
344 provide for an appropriate ranking based on the proportionate
345 impact that projects have on a rural area when compared with
346 similar project impacts on an urban area.

347 (3) Evaluation criteria and scoring procedures must
348 recognize the disparity of available fiscal resources for an
349 equal level of financial support from an urban county and a
350 rural county.

351 (a) The evaluation criteria should weight contribution in
352 proportion to the amount of funding available at the local
353 level.

354 (b) In-kind match should be allowed and applied as
355 financial match when a county is experiencing financial distress
356 through elevated unemployment at a rate in excess of the state's
357 average by 5 percentage points or because of the loss of its ad
358 valorem base.

359 (4) For existing programs, the modified evaluation
360 criteria and scoring procedure must be delivered to the Office
361 of Tourism, Trade, and Economic Development for distribution to
362 the REDI agencies and organizations. The REDI agencies and
363 organizations shall review and make comments. Future rules,

364 programs, evaluation criteria, and scoring processes must be
 365 brought before a REDI meeting for review, discussion, and
 366 recommendation to allow rural counties fuller access to the
 367 state's resources.

368 Section 5. Section 288.06561, Florida Statutes, is amended
 369 to read:

370 288.06561 Reduction or waiver of financial match
 371 requirements.--Notwithstanding any other law, the member
 372 agencies and organizations of the Rural Economic Development
 373 Initiative (REDI), as defined in s. 288.0656(5)~~(6)~~(a), shall
 374 review the financial match requirements for projects in rural
 375 areas as defined in s. 288.0656(3)~~(2)~~(b).

376 (1) Each agency and organization shall develop a proposal
 377 to waive or reduce the match requirement for rural areas.

378 (2) Agencies and organizations shall ensure that all
 379 proposals are submitted to the Office of Tourism, Trade, and
 380 Economic Development for review by the REDI agencies.

381 (3) These proposals shall be delivered to the Office of
 382 Tourism, Trade, and Economic Development for distribution to the
 383 REDI agencies and organizations. A meeting of REDI agencies and
 384 organizations must be called within 30 days after receipt of
 385 such proposals for REDI comment and recommendations on each
 386 proposal.

387 (4) Waivers and reductions must be requested by the county
 388 or community, and such county or community must have three or
 389 more of the factors identified in s. 288.0656(3)~~(2)~~(a).

390 (5) Any other funds available to the project may be used
 391 for financial match of federal programs when there is fiscal

392 hardship, and the match requirements may not be waived or
 393 reduced.

394 (6) When match requirements are not reduced or eliminated,
 395 donations of land, though usually not recognized as an in-kind
 396 match, may be permitted.

397 (7) To the fullest extent possible, agencies and
 398 organizations shall expedite the rule adoption and amendment
 399 process if necessary to incorporate the reduction in match by
 400 rural areas in fiscal distress.

401 (8) REDI shall include in its annual report an evaluation
 402 on the status of changes to rules, number of awards made with
 403 waivers, and recommendations for future changes.

404 Section 6. Paragraph (b) of subsection (4) of section
 405 339.2819, Florida Statutes, is amended to read:

406 339.2819 Transportation Regional Incentive Program.--

407 (4)

408 (b) In allocating Transportation Regional Incentive
 409 Program funds, priority shall be given to projects that:

410 1. Provide connectivity to the Strategic Intermodal System
 411 developed under s. 339.64.

412 2. Support economic development and the movement of goods
 413 in rural areas of critical economic concern designated under s.
 414 288.0656 (6) ~~(7)~~.

415 3. Are subject to a local ordinance that establishes
 416 corridor management techniques, including access management
 417 strategies, right-of-way acquisition and protection measures,
 418 appropriate land use strategies, zoning, and setback
 419 requirements for adjacent land uses.

420 4. Improve connectivity between military installations and
 421 the Strategic Highway Network or the Strategic Rail Corridor
 422 Network.

423 Section 7. Paragraph (d) of subsection (15) of section
 424 627.6699, Florida Statutes, is amended to read:

425 627.6699 Employee Health Care Access Act.--

426 (15) SMALL EMPLOYERS ACCESS PROGRAM.--

427 (d) Eligibility.--

428 1. Any small employer that is actively engaged in
 429 business, has its principal place of business in this state,
 430 employs up to 25 eligible employees on business days during the
 431 preceding calendar year, employs at least 2 employees on the
 432 first day of the plan year, and has had no prior coverage for
 433 the last 6 months may participate.

434 2. Any municipality, county, school district, or hospital
 435 employer located in a rural community as defined in s.
 436 288.0656 (3) ~~(2)~~ (b) may participate.

437 3. Nursing home employers may participate.

438 4. Each dependent of a person eligible for coverage is
 439 also eligible to participate.

440
 441 Any employer participating in the program must do so until the
 442 end of the term for which the carrier providing the coverage is
 443 obligated to provide such coverage to the program. Coverage for
 444 a small employer group that ceases to meet the eligibility
 445 requirements of this section may be terminated at the end of the
 446 policy period for which the necessary premiums have been paid.

447 Section 8. This act shall take effect July 1, 2007.