



Economic Expansion & Infrastructure Council

Action Packet

**April 12, 2007
8:00 am – 10:00 am
404 House Office Building**

**Marco Rubio
Speaker**

**Rep. Dean Cannon
Chair**

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dean Cannon (Chair)	X		
Gary Aubuchon	X		
Susan Bucher	X		
Edward Bullard	X		
Larry Cretul	X		
Joyce Cusack	X		
Don Davis			X
Mike Davis	X		
Keith Fitzgerald	X		
Richard Glorioso	X		
Doug Holder	X		
Dick Kravitz	X		
Peter Nehr	X		
Pat Patterson	X		
Betty Reed	X		
Totals:	14	0	1

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 559 : Private Property Rights

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher		X			
Edward Bullard		X			
Larry Cretul	X				
Joyce Cusack		X			
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed		X			
Dean Cannon (Chair)	X				
Total Yeas: 10		Total Nays: 4			

Appearances:

Private Property Rights

Betty Jackson (General Public) - Opponent

ACORN

131 SW 29th Terrace

Ft. Lauderdale FL 33312

Phone: 954 584-2365

Private Property Rights

Cameron Ulrich--WAIVED TIME (Lobbyist) - Proponent

FL United Businesses Assn.

116 S. Monroe St.

Tallahassee FL 32301

Phone: 850 681-6265

Private Property Rights

Marilynn Wills (General Public) - Opponent

League of Women Voters of FL

2326 Kilkenny Dr., W

Tallahassee FL 32309

Phone: 850 893-4104

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COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council

4/12/2007 8:00:00AM

Location: 404 HOB

Private Property Rights

David Daniel (Lobbyist) - Proponent

FL Chamber of Commerce

136 S, Bronough St.

Tallahassee FL 32301

Phone: 850 521-1250

Private Property Rights

Kenya Cory (Lobbyist) - Proponent

Associated Industries of FL

110 E. College Ave.

Tampa FL 32301

Phone: 850 681-1065

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 615 : Motor Vehicle Registration

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder			X		
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson			X		
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. 0615

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION (Y/N) 4/12/07
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Council/Committee hearing bill: Economic Expansion &
 2 Infrastructure Council
 3 Representative(s) Nehr offered the following:

4
 5 **Amendment (with title amendment)**
 6 Remove everything after the enacting clause and insert:
 7 Section 1. Paragraph (d) of subsection (16) of section
 8 320.02, Florida Statutes, is amended, and paragraph (e) is added
 9 to that subsection, to read:

10 320.02 Registration required; application for
 11 registration; forms.--

12 (16)
 13 (d) The application form for motor vehicle registration
 14 shall include language permitting the voluntary contribution of
 15 \$1 per applicant to Stop Heart Disease. The proceeds shall, to
 16 be distributed quarterly by the department to the Miami Heart
 17 Research Institute, Inc., doing business as the Florida Heart
 18 Research Institute, a corporation not for profit under s.
 19 501(c)(3) of the Internal Revenue Code, to be used by that
 20 organization for the purpose of heart disease research,
 21 education, and prevention programs.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

22 (e) The application form for motor vehicle registration
23 and renewal registration must include language permitting a
24 voluntary contribution of \$1 per applicant, which contribution
25 must be distributed to the Children's Hearing Help Fund to be
26 used for purposes provided for the fund.

27
28 For the purpose of applying the service charge provided in s.
29 215.20, contributions received under this subsection are not
30 income of a revenue nature.

31 Section 2. This act shall take effect October 1, 2007.

32
33
34 ===== T I T L E A M E N D M E N T =====

35 Remove the entire title and insert:

36 A bill to be entitled

37 An act relating to motor vehicle registration; amending s.
38 320.02, F.S.; revising provisions relating to a voluntary
39 checkoff on motor vehicle registration and renewal
40 application forms to distribute funds to the Miami Heart
41 Research Institute, Inc.; authorizing a voluntary checkoff
42 on motor vehicle registration and renewal application
43 forms to distribute \$1 to the Children's Hearing Help
44 Fund; providing an effective date.

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 903 : Special License Plates

Not Considered

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 935 : United States Marine Corps License Plate

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

U. S. Marine Corps. License Plate
 Joe Marino-WAIVED TIME (Lobbyist) (State Employee) - Proponent
 FL Dept. Veteran Affairs
 4040 Esplanade # 152
 Tallahassee FL 32301
 Phone: 850 487-1533

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 935

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 4/12/07
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Council hearing bill: Economic Expansion & Infrastructure

2 Representative Patronis offered the following:

3

4 **Amendment**

5 Remove line 35 and insert:

6 Tag/Scholarship Fund, Inc., which shall use all the fees

7 distributed by the department to fund

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 975 : Specialty License Plates

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher		X			
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 13		Total Nays: 1			

Appearances:

Specialty License Plates

Matthew D. Ubben-WAIVED TIME (Lobbyist) - Proponent
 Veterans of Foreign Wars
 2581 Noble Dr.
 Tallahassee FL 32308
 Phone: 850 556-8109

Specialty License Plates

Bill Helmich-WAIVED TIME (Lobbyist) - Proponent
 Carribean Conservation Corporation
 303 Johns Dr.
 Tallahassee Fl 32301
 Phone: 850 251-3126

Specialty License Plates

Martin C. Boire-WAIVED TIME (General Public) - Proponent
 Support Our Troops, Inc.
 595 W. Granada Blvd., Suite J
 Ormond Beach FL 32174
 Phone: 386 767-8882

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Location: 404 HOB

Specialty License Plates

John Hayes-WAIVED TIME (General Public) - Proponent

Disabled American Veterans

424 Hiawatha Farms

Monticello FL 32344

Phone: 850 997-5328

Specialty License Plates

Michael Dobson-WAIVED TIME (Lobbyist) - Information Only

"Trees are Cool" License Plate

200 W. College Ave., # 206

Tampa FL 32301

Specialty License Plates

Chris Akins-WAIVED TIME (State Employee) - Information Only

Corrections Foundation

2601 Blair Stone Rd., Ste. A315

Tallahassee FL 32399

Phone: 850 488-1250

Specialty License Plates

Les Dumas (State Employee) - Information Only

Corrections Foundation

2601 Blair Stone Rd., Ste. A315

Tallahassee FL 32399

Phone: 850 410-4457

Specialty License Plates

Peggy Mathews-WAIVED TIME (Lobbyist) - Proponent

Wildlife Trust

1520 Big Sky Way

Tallahassee FL 32317

Phone: 850 877-3848

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 0975

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)	1"N"-Bucher
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)	
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)	
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)	
WITHDRAWN	<input type="checkbox"/>	(Y/N)	
OTHER	<input type="checkbox"/>		

1 Council/Committee hearing bill: Economic Expansion &
 2 Infrastructure Council
 3 Representative(s) Hays offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. Subsections (4) and (6) of section 320.08056,
 8 Florida Statutes, are amended, and subsection (11) is added to
 9 that section, to read:

10 320.08056 Specialty license plates.--

11 (4) The following license plate annual use fees shall be
 12 collected for the appropriate specialty license plates:

13 (a) Manatee license plate, \$20.

14 (b) Challenger/Columbia license plate, \$25, except that a
 15 person that purchases 1,000 or more of such license plates shall
 16 pay an annual use fee of \$15 per plate.

17 (c) Collegiate license plate, \$25.

18 (d) Florida Salutes Veterans license plate, \$15.

19 (e) Florida panther license plate, \$25.

20 (f) Florida United States Olympic Committee license plate,
 21 \$15.

22 (g) Florida Special Olympics license plate, \$15.



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

- 23 (h) Florida educational license plate, \$20.
24 (i) Florida Professional Sports Team license plate, \$25.
25 (j) Florida Indian River Lagoon license plate, \$15.
26 (k) Invest in Children license plate, \$20.
27 (l) Florida arts license plate, \$20.
28 (m) Bethune-Cookman College license plate, \$25.
29 (n) Florida Agricultural license plate, \$20.
30 ~~(o) Girl Scout license plate, \$20.~~
31 ~~(o)~~(p) Police Athletic League license plate, \$20.
32 ~~(p)~~(q) Boy Scouts of America license plate, \$20.
33 ~~(q)~~(r) Largemouth Bass license plate, \$25.
34 ~~(r)~~(s) Sea Turtle license plate, \$23 ~~\$17.50~~.
35 ~~(s)~~(t) Protect Wild Dolphins license plate, \$20.
36 ~~(t)~~(u) Barry University license plate, \$25.
37 ~~(u)~~(v) Everglades River of Grass license plate, \$20.
38 ~~(v)~~(w) Keep Kids Drug-Free license plate, \$25.
39 ~~(w)~~(x) Florida Sheriffs Youth Ranches license plate, \$25
40 ~~\$20.~~
41 ~~(x)~~(y) Conserve Wildlife license plate, \$15.
42 ~~(y)~~(z) Florida Memorial University license plate, \$25.
43 ~~(z)~~(aa) Tampa Bay Estuary license plate, \$15.
44 ~~(aa)~~(bb) Florida Wildflower license plate, \$15.
45 ~~(bb)~~(cc) United States Marine Corps license plate, \$15.
46 ~~(cc)~~(dd) Choose Life license plate, \$20.
47 ~~(dd)~~(ee) Share the Road license plate, \$15.
48 ~~(ee)~~(ff) American Red Cross license plate, \$25.
49 ~~(ff)~~(gg) United We Stand license plate, \$25.
50 ~~(gg)~~(hh) Breast Cancer Research license plate, \$25.
51 ~~(hh)~~(ii) Protect Florida Whales license plate, \$25.
52 ~~(ii)~~(jj) Florida Golf license plate, \$25.
53 ~~(jj)~~(kk) Florida Firefighters license plate, \$20.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

- 54 (kk)~~(ll)~~ Police Benevolent Association license plate, \$20.
55 (ll)~~(mm)~~ Military Services license plate, \$15.
56 (mm)~~(nn)~~ Protect Our Reefs license plate, \$25.
57 (nn)~~(oo)~~ Fish Florida license plate, \$22.
58 (oo)~~(pp)~~ Child Abuse Prevention and Intervention license
59 plate, \$25.
60 (pp)~~(qq)~~ Hospice license plate, \$25.
61 (qq)~~(rr)~~ Stop Heart Disease license plate, \$25.
62 (rr)~~(ss)~~ Save Our Seas license plate, \$25, except that for
63 an owner purchasing the specialty license plate for more than 10
64 vehicles registered to that owner, the annual use fee shall be
65 \$10 per plate.
66 (ss)~~(tt)~~ Aquaculture license plate, \$25, except that for
67 an owner purchasing the specialty license plate for more than 10
68 vehicles registered to that owner, the annual use fee shall be
69 \$10 per plate.
70 (tt)~~(uu)~~ Family First license plate, \$25.
71 (uu)~~(vv)~~ Sportsmen's National Land Trust license plates,
72 \$25.
73 (vv)~~(ww)~~ Live the Dream license plate, \$25.
74 (ww)~~(xx)~~ Florida Food Banks license plate, \$25.
75 (xx)~~(yy)~~ Discover Florida's Oceans license plate, \$25.
76 (yy)~~(zz)~~ Family Values license plate, \$25.
77 (zz)~~(aaa)~~ Parents Make A Difference license plate, \$25.
78 (aaa)~~(bbb)~~ Support Soccer license plate, \$25.
79 (bbb)~~(ccc)~~ Kids Deserve Justice license plate, \$25.
80 (ccc)~~(ddd)~~ Animal Friend license plate, \$25.
81 (ddd)~~(eee)~~ Future Farmers of America license plate, \$25.
82 (eee)~~(fff)~~ Donate Organs-Pass It On license plate, \$25.
83 (fff)~~(ggg)~~ A State of Vision license plate, \$25.
84 (ggg)~~(hhh)~~ Homeownership For All license plate, \$25.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

- 85 (hhh) Florida NASCAR license plate, \$25.
86 (iii) Corrections Foundation license plate, \$25.
87 (jjj) Protect Florida Springs license plate, \$25.
88 (kkk) Trees Are Cool license plate, \$25.
89 (lll) Support Our Troops license plate, \$25.
90 (mmm) Veterans Service Organization license plate, \$25.

91 (6) Specialty license plates must bear the design required
92 by law for the appropriate specialty license plate, and the
93 designs and colors must conform to the department's design
94 specifications. In addition to a design, the specialty license
95 plates may bear the imprint of numerals from 1 to 999,
96 inclusive, capital letters "A" through "Z," or a combination
97 thereof. The department shall determine the maximum number of
98 characters, including both numerals and letters. All specialty
99 license plates must be otherwise of the same material and size
100 as standard license plates issued for any registration period. A
101 specialty license plate may bear an appropriate slogan, emblem,
102 or logo in a size and placement that conforms to the
103 department's design specifications. The sponsoring
104 organization's Internet domain name may appear on the plate.

105 (11) The annual use fee from the sale of specialty license
106 plates, the interest earned from those fees, or any fees
107 received by an agency as a result of the sale of specialty
108 license plates may not be used for the purpose of marketing to,
109 lobbying, entertaining, or rewarding an employee of a
110 governmental agency that is responsible for the sale and
111 distribution of specialty license plates.

112 Section 2. Subsections (16) through (60) of section
113 320.08058, Florida Statutes, are renumbered as subsections (15)
114 through (59), respectively, present subsections (8), (14), (15),

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

115 and (28) are amended, and new subsections (60) through (65) are
116 added to that section, to read:

117 320.08058 Specialty license plates.--

118 (8) FLORIDA EDUCATIONAL LICENSE PLATES.--

119 (a) The Department of Highway Safety and Motor Vehicles
120 shall develop a Florida educational license plate as provided in
121 this section. Florida educational license plates must bear a
122 design and colors that the department approves. The word
123 "Florida" must appear in small letters at the top of the plate.

124 (b) The license annual use fees are to be distributed
125 annually as follows:

126 1. Up to 10 percent of the moneys raised from the sale of
127 the plates may be used for continuing marketing and promotion of
128 the plates.

129 2.1. In each school district that has a district
130 prekindergarten through grade 12 public school foundation or a
131 direct-support organization, the moneys raised in that school
132 district through the sale of Florida educational license plates
133 must be distributed to the foundation or organization for
134 enhancing educational programs.

135 3.2. In each school district that does not have a district
136 prekindergarten through grade 12 public school foundation or a
137 direct-support organization, the moneys raised in that school
138 district through the sale of Florida educational license plates
139 must be distributed to the district school board and must be
140 used at the discretion of the board for enhancing educational
141 programs.

142 (14) FLORIDA AGRICULTURAL LICENSE PLATES.--

143 (a) The Department of Highway Safety and Motor Vehicles
144 shall develop a Florida Agricultural license plate. Florida
145 Agricultural license plates must bear the colors and design

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

146 approved by the department. The word "Agriculture" must appear
147 at the top of the plate, and the words "Keeps Florida Green"
148 must appear at the bottom of the plate.

149 (b) The proceeds of the Florida Agricultural license plate
150 annual use fee must be forwarded to the direct-support
151 organization created in s. 570.903. The funds must be used for
152 the sole purpose of funding and promoting the Florida
153 agriculture in the classroom program established within the
154 Department of Agriculture and Consumer Services pursuant to s.
155 570.91.

156 (c) Up to 25 percent of the funds distributed under
157 paragraphs (a) and (b) may be used for promotion, marketing, and
158 administrative costs directly associated with the license plate
159 and Florida agriculture in the classroom programs.

160 ~~(15) GIRL SCOUT LICENSE PLATES.--~~

161 ~~(a) The department shall develop a Girl Scout license~~
162 ~~plate as provided in this section to commemorate the Girl Scout~~
163 ~~councils in this state. The word "Florida" must appear at the~~
164 ~~top of the plate, and the words "For Her Future" must appear at~~
165 ~~the bottom of the plate.~~

166 ~~(b) The annual use fees shall be distributed to the Citrus~~
167 ~~Council of Girl Scouts, Inc., which shall distribute funds to~~
168 ~~the following Girl Scout councils equal to the annual use fees~~
169 ~~received from counties served by each council:~~

- 170 ~~1. Citrus Council of Girl Scouts, Inc.~~
- 171 ~~2. Gateway Girl Scout Council, Inc.~~
- 172 ~~3. Girl Scouts of Broward County, Inc.~~
- 173 ~~4. Girl Scout Council of Tropical Florida, Inc.~~
- 174 ~~5. Heart of Florida Girl Scout Council, Inc.~~
- 175 ~~6. Palm Glades Girl Scout Council, Inc.~~
- 176 ~~7. Suncoast Girl Scout Council, Inc.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

177
178 ~~Funds collected in counties not served by one of the above~~
179 ~~councils shall be used by the Citrus Council of Girl Scouts,~~
180 ~~Inc., to reimburse expenditures made on behalf of other councils~~
181 ~~to comply with s. 320.08053. Once those expenditures have been~~
182 ~~reimbursed, the funds shall be distributed to the Girl Scout~~
183 ~~councils serving those counties in the same manner as funds are~~
184 ~~distributed to the listed councils.~~

185 ~~(27)-(28)~~ FLORIDA WILDFLOWER LICENSE PLATES.--

186 (a) The department shall develop a Florida Wildflower
187 license plate as provided in this section. The word "Florida"
188 must appear at the top of the plate, and the words "State
189 Wildflower" and "coreopsis" must appear at the bottom of the
190 plate.

191 (b) The annual use fees shall be distributed to the
192 Florida Wildflower Foundation, Inc., a nonprofit corporation
193 under s. 501(c)(3) of the Internal Revenue Code Wildflower
194 ~~Account established by Keep Florida Beautiful, Inc., created by~~
195 ~~s. 403.4131.~~ The proceeds must be used to establish native
196 Florida wildflower research programs, wildflower educational
197 programs, and wildflower grant programs to municipal, county,
198 and community-based groups in this state.

199 1. The Florida Wildflower Foundation, Inc., shall develop
200 procedures of operation, research contracts, education and
201 marketing programs, and wildflower-planting grants for Florida
202 native wildflowers, plants, and grasses.

203 2. A maximum of 15 ~~10~~ percent of the proceeds from the
204 sale of such plates may be used for administrative costs and
205 marketing costs.

206 3. If the Florida Wildflower Foundation, Inc., ceases to
207 be an active nonprofit corporation under s. 501(c)(3) of the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

208 Internal Revenue Code, the proceeds from the annual use fee
209 shall be deposited into the General Inspection Trust Fund
210 created within the Department of Agriculture and Consumer
211 Services, and any unexpended funds from the proceeds held by the
212 Florida Wildflower Foundation, Inc., must be promptly
213 transferred to the General Inspection Trust Fund. The Department
214 of Agriculture and Consumer Services shall use and administer
215 the proceeds from the use fee in the manner specified in this
216 paragraph.

217 (60) FLORIDA NASCAR LICENSE PLATES.--

218 (a) The department shall develop a Florida NASCAR license
219 plate as provided in this section. Florida NASCAR license plates
220 must bear the colors and design approved by the department. The
221 word "Florida" must appear at the top of the plate, and the term
222 "NASCAR" must appear at the bottom of the plate. The National
223 Association for Stock Car Auto Racing, following consultation
224 with the Florida Sports Foundation, may submit a sample plate
225 for consideration by the department.

226 (b) The license plate annual use fees shall be distributed
227 to the Florida Sports Foundation, a direct-support organization
228 of the Office of Tourism, Trade, and Economic Development. The
229 license plate annual use fees shall be annually allocated as
230 follows:

231 1. Up to 5 percent of the proceeds from the annual use
232 fees may be used by the Florida Sports Foundation for the
233 administration of the NASCAR license plate program.

234 2. The National Association for Stock Car Auto Racing
235 shall receive up to \$60,000 in proceeds from the annual use fees
236 to be used to pay startup costs, including costs incurred in
237 developing and issuing the plates. Thereafter, 10 percent of the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

238 proceeds from the annual use fees shall be provided to the
239 association for the royalty rights for the use of its marks.

240 3. The remaining proceeds from the annual use fees shall
241 be distributed to the Florida Sports Foundation. The Florida
242 Sports Foundation shall retain 15 percent to support its
243 regional grant program, attracting sporting events to Florida;
244 20 percent to support the marketing of motorsports-related
245 tourism in the state; and 50 percent to be paid to the NASCAR
246 Foundation, a charitable organization under s. 501(c)(3) of the
247 Internal Revenue Code, to support Florida-based charitable
248 organizations.

249 (c) The Florida Sports Foundation shall provide an annual
250 financial audit in accordance with s. 215.981 of its financial
251 accounts and records by an independent certified public
252 accountant pursuant to the contract established by the Office of
253 Tourism, Trade, and Economic Development as specified in s.
254 288.1229(5). The auditor shall submit the audit report to the
255 Office of Tourism, Trade, and Economic Development for review
256 and approval. If the audit report is approved, the office shall
257 certify the audit report to the Auditor General for review.

258 (61) CORRECTIONS FOUNDATION LICENSE PLATES.--

259 (a) The department shall develop a Corrections Foundation
260 license plate as provided in this section. The word "Florida"
261 must appear at the top of the plate, the words "Corrections
262 Foundation" must appear at the bottom of the plate, and the
263 Corrections Foundation logo must appear to the left of the
264 numerals.

265 (b) The annual use fees shall be distributed to
266 Corrections Foundation, Inc., a direct-support organization
267 created pursuant to s. 944.802, and shall be used to continue

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

268 and expand the charitable work of the foundation, as provided in
269 s. 944.802 and the articles of incorporation of the foundation.

270 (62) PROTECT FLORIDA SPRINGS LICENSE PLATES.--

271 (a) The department shall develop a Protect Florida Springs
272 license plate as provided in this section. The word "Florida"
273 must appear at the top of the plate, and the words "Protect
274 Florida Springs" must appear at the bottom of the plate.

275 (b) The annual use fees shall be distributed to the
276 Wildlife Foundation of Florida, Inc., a citizen-support
277 organization created pursuant to s. 372.0215, which shall
278 administer the fees as follows:

279 1. The Wildlife Foundation of Florida, Inc., shall retain
280 the first \$60,000 of the annual use fees as direct reimbursement
281 for administrative costs, startup costs, and costs incurred in
282 the development and approval process.

283 2. Thereafter, a maximum of 10 percent of the fees may be
284 used for administrative costs directly associated with education
285 programs, conservation, springs research, and grant
286 administration of the foundation. A maximum of 15 percent of the
287 fees may be used for continuing promotion and marketing of the
288 license plate.

289 3. At least 55 percent of the fees shall be available for
290 competitive grants for targeted community-based springs research
291 for which state funding is not currently available. The
292 remaining 20 percent shall be directed toward community outreach
293 programs aimed at implementing such research findings. The
294 competitive grants shall be administered and approved by the
295 board of directors of the Wildlife Foundation of Florida, Inc.
296 The granting advisory committee shall be composed of nine
297 members, including one representative from the Fish and Wildlife
298 Conservation Commission, one representative from the Department

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

299 of Environmental Protection, one representative from the
300 Department of Health, one representative from the Department of
301 Community Affairs, three citizen representatives, and two
302 representatives from nonprofit stakeholder groups.

303 4. The remaining funds shall be distributed with the
304 approval of and accountability to the board of directors of the
305 Wildlife Foundation of Florida, Inc., and shall be used to
306 support activities contributing to education, outreach, and
307 springs conservation.

308 (63) TREES ARE COOL LICENSE PLATES.--

309 (a) The department shall develop a Trees Are Cool license
310 plate as provided in this section. The word "Florida" must
311 appear at the top of the plate, and the words "Trees Are Cool"
312 must appear at the bottom of the plate.

313 (b) The annual use fees shall be distributed to the
314 Florida Chapter of the International Society of Arboriculture,
315 Inc., which shall retain the initial revenues from the sale of
316 such plates until all startup costs for developing and
317 establishing the plate have been recovered, not to exceed
318 \$60,000. Thereafter, the proceeds of the annual use fee shall be
319 used in the following manner:

320 1. Twenty percent of the funds may be used by the Florida
321 Chapter of the International Society of Arboriculture, Inc., for
322 continuing promotion and marketing of the license plate and
323 concept. Five percent of the funds received by the Florida
324 Chapter of the International Society of Arboriculture, Inc., may
325 be used for administrative costs directly associated with the
326 operations of the Florida Chapter of the International Society
327 of Arboriculture, Inc., with respect to the management of the
328 Trees Are Cool license plate program.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

329 2. Seventy-five percent of the funds must be used to
330 fulfill the mission of the Florida Chapter of the International
331 Society of Arboriculture, Inc., which is to provide education
332 and training statewide with respect to tree care and tree
333 safety.

334 (64) SUPPORT OUR TROOPS LICENSE PLATES.--

335 (a) The department shall develop a Support Our Troops
336 license plate as provided in this section. Support Our Troops
337 license plates must bear the colors and design approved by the
338 department and must contain the soldier and child emblem and
339 "Support Our Troops" marks of Support Our Troops, Inc. The right
340 to use the mark of an eagle head upon a United States flag field
341 on a specialty license plate is reserved to Support Our Troops,
342 Inc., and such mark may be used alternatively. The word
343 "Florida" must appear at the top of the plate, and the words
344 "Support Our Troops" must appear at the bottom of the plate.
345 Upon compliance with s. 320.08056(9), Support Our Troops, Inc.,
346 may alternate the phrase at the bottom of the plate to "Support
347 Our Heroes" or "Salute Our Heroes." The field of the plate may
348 be colored.

349 (b) The license plate annual use fees shall be distributed
350 to Support Our Troops, Inc., to be used for the benefit of
351 Florida troops and their families in accordance with its
352 articles of incorporation. Support Our Troops, Inc., shall
353 receive the first \$60,000 of the annual use fees to offset
354 startup costs for developing and establishing the plate.
355 Thereafter, the department shall distribute the Support Our
356 Troops license plate annual use fee in the following manner:
357 1. Twenty-five percent shall be distributed to Support Our
358 Troops, Inc., to offset marketing, administration, and
359 promotion.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

360 2. Of the remaining proceeds, 65 percent shall be
361 distributed to Support Our Troops, Inc., and 35 percent shall be
362 distributed to the Department of Veterans Affairs State Homes
363 for Veterans Trust Fund.

364 (c) Due to the unique and special nature of the plate, s.
365 320.08056(8) (a) shall not apply to the Support Our Troops
366 license plate. Due to the unique and special nature of the
367 plate, and notwithstanding s. 320.08053, the Support Our Troops
368 license plate shall also be issued in a related design in a size
369 appropriate for motorcycles. The Department of Highway Safety
370 and Motor Vehicles shall retain the first proceeds from the
371 annual use fee from the sale of the Support Our Troops
372 motorcycle specialty license plate in an amount sufficient to
373 recover startup costs.

374 (65) VETERANS SERVICE ORGANIZATION LICENSE PLATES.--

375 (a) Notwithstanding s. 320.08053, the department shall
376 develop a series of veterans service organization license plates
377 as provided in this section. Veterans Service Organization
378 license plates must bear the colors and design approved by the
379 department. The word "Florida" must appear at the top of the
380 plate, and the name of the respective veterans service
381 organization must appear at the bottom of the plate. The
382 appropriate emblem for the particular veterans service
383 organization must appear on the left side of the plate,
384 approximately 3 inches in diameter. The Veterans Service
385 Organization license plate shall be developed for the following:

- 386 1. The American Legion.
387 2. The Disabled American Veterans.
388 3. The Veterans of Foreign Wars.
389 4. The AMVETS.
390 5. The Vietnam Veterans of America.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

391 (b) The department shall retain 40 percent of all revenues
392 from the sale of such plates until all startup costs for
393 developing and issuing the plates have been recovered, during
394 which time 60 percent of all revenue shall be deposited into the
395 State Homes for Veterans Trust Fund and used solely to
396 construct, operate, and maintain domiciliary and nursing homes
397 for veterans subject to the requirements of chapter 216.
398 Thereafter, 40 percent of the annual use fees shall be remitted
399 to the appropriate organization to support its veterans and
400 military activities, programs, and projects within the state.
401 The remaining 60 percent shall be deposited into the State Homes
402 for Veterans Trust Fund and used solely to construct, operate,
403 and maintain domiciliary and nursing homes for veterans subject
404 to the requirements of chapter 216.

405 Section 3. Effective July 1, 2007, paragraph (c) of
406 subsection (2) of section 320.0848, Florida Statutes, is
407 repealed.

408 Section 4. Paragraphs (a) and (b) of subsection (1) of
409 section 320.089, Florida Statutes, are amended to read:

410 320.089 Members of National Guard and active United States
411 Armed Forces reservists; former prisoners of war; survivors of
412 Pearl Harbor; Purple Heart, Silver Star, and Bronze Star medal
413 recipients; Operation Iraqi Freedom and Operation Enduring
414 Freedom Veterans; special license plates; fee.--

415 (1) (a) Each owner or lessee of an automobile or truck for
416 private use or recreational vehicle as specified in s.

417 320.08(9)(c) or (d), which is not used for hire or commercial
418 use, who is a resident of the state and an active or retired
419 member of the Florida National Guard, a survivor of the attack
420 on Pearl Harbor, a recipient of the Purple Heart medal, a
421 recipient of the Silver Star medal, a recipient of the Bronze

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

422 Star medal, or an active or retired member of any branch of the
423 United States Armed Forces Reserve shall, upon application to
424 the department, accompanied by proof of active membership or
425 retired status in the Florida National Guard, proof of
426 membership in the Pearl Harbor Survivors Association or proof of
427 active military duty in Pearl Harbor on December 7, 1941, proof
428 of being a Purple Heart, Silver Star, or Bronze Star medal
429 recipient, or proof of active or retired membership in any
430 branch of the Armed Forces Reserve, and upon payment of the
431 license tax for the vehicle as provided in s. 320.08, be issued
432 a license plate as provided by s. 320.06, upon which, in lieu of
433 the serial numbers prescribed by s. 320.06, shall be stamped the
434 words "National Guard," "Pearl Harbor Survivor," "Combat-wounded
435 veteran," "Silver Star," "Bronze Star," or "U.S. Reserve," as
436 appropriate, followed by the serial number of the license plate.
437 Additionally, the Purple Heart plate may have the words "Purple
438 Heart" stamped on the plate and the likeness of the Purple Heart
439 medal appearing on the plate.

440 (b) Notwithstanding any other provision of law to the
441 contrary, ~~beginning with fiscal year 2002-2003 and annually~~
442 ~~thereafter~~, the first \$100,000 in general revenue generated each
443 year from the sale of license plates issued under this section
444 ~~which are stamped with the words "National Guard," "Pearl Harbor~~
445 ~~Survivor," "Combat-wounded veteran," or "U.S. Reserve"~~ shall be
446 deposited into the Grants and Donations Trust Fund, as described
447 in s. 296.38(2), to be used for the purposes established by law
448 for that trust fund, and any additional general revenue
449 generated each year up to \$100,000 shall be deposited into the
450 State Homes for Veterans Trust Fund and used solely to
451 construct, operate, and maintain domiciliary and nursing homes
452 for veterans subject to the requirements of chapter 216.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

453 Section 5. Section 320.0894, Florida Statutes, is created
454 to read:

455 320.0894 Motor vehicle license plates to Gold Star family
456 members.--The department shall develop a special license plate
457 honoring the family members of servicemembers who have been
458 killed while serving in the Armed Forces of the United States.
459 The license plate shall be officially designated as the Gold
460 Star license plate and shall be developed and issued as provided
461 in this section.

462 (1) The Gold Star license plate must bear the colors and
463 design approved by the department in cooperation with supporters
464 of the license plate. The word "Florida" must appear at the top
465 of the plate, and the words "Gold Star Family" must appear at
466 the bottom of the plate. The plate shall bear a unique design
467 that includes the symbol for a fallen servicemember, a gold star
468 with blue fringe on a white background with a red border. The
469 symbol shall be no larger than 3 inches by 3 inches and shall be
470 placed in a conspicuous place to the left of the identifying
471 number of the plate, which identifying number shall consist of
472 no more than six alphanumeric characters.

473 (2) This section shall not be implemented until such time
474 as the state has, through a licensing agreement or otherwise,
475 received such license or other permission as may be required to
476 implement this section. The designs of the initial and
477 subsequent editions of the Gold Star license plate, except any
478 part of the designs owned by others and licensed to the state,
479 shall be owned solely by the state for its exclusive use and
480 control, except as authorized by the department. The department
481 may take such steps as may be necessary to give notice of and
482 protect such right, including the copyright or copyrights.
483 However, such steps shall be cumulative of the ownership and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

484 exclusive use and control established by this subsection as a
485 matter of law, and no person shall reproduce or otherwise use
486 such designs except as authorized by the department.

487 (3) (a) Each owner or lessee of an automobile or truck for
488 private use, truck weighing not more than 7,999 pounds, or
489 recreational vehicle as specified in s. 320.08(9)(c) or (d),
490 which automobile, truck, or vehicle is not used for hire or
491 commercial use, who is a resident of this state and who meets
492 the qualifications provided in subsection (4) shall, upon
493 application therefor to the department and payment of the
494 license tax and appropriate fees established in this chapter, be
495 issued a Gold Star license plate. Each initial application for a
496 Gold Star license plate must be accompanied by proof that the
497 applicant meets the requirements provided in subsection (4).

498 (b) The surviving spouse and the surviving parents meeting
499 the requirements in subsection (4) shall each, upon application
500 therefor, be issued the Gold Star license plate for one vehicle
501 per person for a charge of \$10 in lieu of all other taxes and
502 fees. Renewal decals for the plate issued under this paragraph
503 shall be issued at a total cost of \$10 per renewal year. Moneys
504 collected for the license plate and renewal decals issued
505 pursuant to this paragraph shall be retained by the department
506 to defray the cost of providing the plate and renewal decals.

507 (4) (a) 1. The Gold Star license plate shall be issued only
508 to family members of a servicemember if the servicemember was a
509 bona fide resident of the state for 1 year immediately preceding
510 the servicemember's death and shall be issued subject to the
511 rules, restrictions, and limitations set forth in this section.

512 2. To qualify for issuance of a Gold Star license plate,
513 the applicant must be directly related to a fallen servicemember
514 as spouse, legal mother or father, or stepparent who is

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

515 currently married to the mother or father of the fallen
516 servicemember.

517 3. A servicemember is deemed to have been killed while in
518 service as listed by the United States Department of Defense,
519 and that status may be verified by documentation directly from
520 the Department of Defense or from its subordinate agencies, such
521 as the Coast Guard, Reserve, or National Guard.

522 (b) The applicant must provide documentation of the fact
523 that the servicemember was killed while serving and proof of
524 relationship to the servicemember to the tax collector or
525 license plate agent before being issued a Gold Star license
526 plate. The tax collector or license plate agent may waive the
527 requirement for such documentation and proof if he or she has
528 actual knowledge of the family relationship and that the
529 servicemember was killed while serving.

530 (5) An eligible family member may request a Gold Star
531 license plate at any time during his or her registration period.
532 If such a license plate is to replace a current valid license
533 plate, the license plate shall be issued with appropriate
534 renewal decals attached.

535 Section 6. Except as otherwise expressly provided in this
536 act, this act shall take effect October 1, 2007.

537
538
539 ===== T I T L E A M E N D M E N T =====

540 Remove the entire title and insert:

541 A bill to be entitled

542 An act relating to motor vehicles; amending s. 320.08056,
543 F.S.; discontinuing the annual use fee for the Girl Scout
544 license plate; increasing annual use fees for the Sea
545 Turtle license plate and the Florida Sheriffs Youth

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

546 Ranches license plate; establishing annual use fees for
547 the Florida NASCAR license plate, the Corrections
548 Foundation license plate, the Protect Florida Springs
549 license plate, the Trees Are Cool license plate, the
550 Support Our Troops license plate, and the Veterans Service
551 Organization license plate; authorizing the placement of a
552 sponsoring organization's Internet domain name on a
553 specialty license plate; prohibiting annual use fees from
554 the sale of specialty license plates, or the interest
555 earned thereon, or any fees received by an agency
556 resulting from sale of specialty license plates from being
557 used for the purpose of marketing to, lobbying,
558 entertaining, or rewarding an employee of a governmental
559 agency that is responsible for the sale and distribution
560 of specialty license plates; amending s. 320.08058, F.S.;
561 authorizing the use of a specified percentage of the
562 proceeds from the sale of the Florida educational license
563 plate for marketing and promotion expenses; authorizing
564 the use of certain proceeds from the sale of the Florida
565 Agricultural license plate for promotion, marketing, and
566 administrative costs associated with the plate and Florida
567 agriculture in the classroom programs; deleting provisions
568 establishing the Girl Scout license plate; revising
569 provisions for distribution of proceeds from the Florida
570 Wildflower license plate use fee; creating the Florida
571 NASCAR license plate; providing for the distribution of
572 use fees received from the sale of such plates to the
573 Florida Sports Foundation, the National Association for
574 Stock Car Auto Racing, and the NASCAR Foundation;
575 requiring the Florida Sports Association to provide for an
576 annual audit to be submitted to the Office of Tourism,

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

577 Trade, and Economic Development for certification to the
578 Auditor General; creating the Corrections Foundation
579 license plate; providing for the distribution of annual
580 use fees received from the sale of such plates to a
581 direct-support organization; creating the Protect Florida
582 Springs license plate; providing for the annual use fees
583 from the sale of such plates to be distributed to the
584 Wildlife Foundation of Florida, Inc.; creating the Trees
585 Are Cool license plate; providing for the distribution of
586 annual use fees received from the sale of such plates;
587 creating the Support Our Troops license plate; requiring
588 the use of certain images and marks of Support Our Troops,
589 Inc.; providing that the right to use a certain mark is
590 reserved to that corporation; authorizing that corporation
591 to change the design of the Support Our Troops license
592 plate under certain circumstances; providing that issuance
593 of the Support Our Troops license plate shall not be
594 discontinued if the number of registrations falls below a
595 certain number; providing for the distribution of use fees
596 received from the sale of such plates to Support Our
597 Troops, Inc., and the State Homes for Veterans Trust Fund;
598 creating the Veterans Service Organization license plate;
599 providing for the distribution of annual use fees received
600 from the sale of such plates; repealing s. 320.0848(2)(c),
601 F.S., relating to an administrative processing fee imposed
602 upon issuance of a disabled parking permit; amending s.
603 320.089, F.S.; creating a special license plate for
604 recipients of the Bronze Star and Silver Star medals;
605 providing for use of revenue received from the sale of
606 certain special license plates; creating s. 320.0894,
607 F.S.; directing the Department of Highway Safety and Motor

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

608 Vehicles to develop and issue a Gold Star license plate
609 honoring the family members of servicemembers who have
610 been killed in action while serving in the Armed Forces of
611 the United States; providing for design of the plate;
612 providing requirements to be fulfilled prior to
613 implementation; providing eligibility requirements;
614 providing for payment of certain taxes and fees; providing
615 effective dates.

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COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION — (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN — (Y/N)
OTHER —

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Council/Committee hearing bill: Economic Expansion &
Infrastructure Council
Representative(s) **Bucher** offered the following:

**Amendment to Strike-All Amendment (20708) by Representative
Hays (with title amendment)**

Remove line(s) 534 and insert:
renewal decals attached.

Section 6. Section 320.08068, Florida Statutes, is amended
to read:

320.08068 Motorcycle specialty license plates.--

(1) Notwithstanding the provisions of s. 320.08053, the
department shall develop a reduced dimensions specialty license
plate for display on motorcycles.

(2) The department shall issue a specialty license plate
to the owner or lessee of any motorcycle upon request and
payment of the appropriate license taxes and fees.

(3) Each request must be made annually to the department,
accompanied by the following taxes and fees:

- (a) The license tax required under s. 320.08.
- (b) A license plate fee as required by s. 320.06(1)(b).
- (c) A processing fee of \$2.

Amendment No. 11 (for drafter's use only)

23 (d) A license plate annual use fee as required in
24 subsection (4).

25 (4) A license plate annual use fee of \$20 shall be
26 collected for each motorcycle specialty license plate. Annual
27 use fees shall be distributed to The Able Trust as custodial
28 agent. The Able Trust may retain a maximum of 10 percent of the
29 proceeds from the sale of the license plate for administrative
30 costs. The Able Trust shall distribute the remaining funds as
31 follows:

32 (a) Twenty percent to the Brain and Spinal Cord Injury
33 Program Trust Fund.

34 (b) Twenty percent to Prevent Blindness Florida.

35 (c) Twenty percent to the Blind Services Foundation of
36 Florida.

37 (d) Twenty percent to the Foundation for Vocational
38 Rehabilitation to support the Personal Care Attendant Program
39 pursuant to s. 413.402.

40 (e) Twenty percent to the Florida Association of Centers
41 for Independent Living to be used to leverage additional funding
42 and new sources of revenue for the centers for independent
43 living in this state.

44 (5) If an owner or lessee to whom the department has
45 issued a motorcycle specialty license plate acquires a
46 replacement vehicle within the owner's registration period, the
47 department must authorize a transfer of the specialty license
48 plate to the replacement vehicle in accordance with s. 320.0609.
49 The annual use fee or processing fee may not be refunded.

50 (6) (a) The license plate shall be 4 inches wide by 7
51 inches long and incorporate a red, white, and blue color scheme
52 approved by the department and may bear the imprint of numerals
53 from 1 to 999, inclusive, capital letters "A" through "Z," or a
54 combination thereof. The department shall determine the maximum

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 11 (for drafter's use only)

55 number of characters, including numerals and letters. Motorcycle
56 specialty license plates must be otherwise of the same material
57 as standard license plates issued for any registration period.
58 In small letters, the word "Florida" must appear at the top of
59 the plate.

60 (b) Notwithstanding any other provision of this chapter,
61 the department shall develop reduced dimension specialty license
62 plates for display on motorcycles so that each license plate
63 authorized pursuant to s. 320.08058, has a motorcycle license
64 plate patterned after the full-sized specialty license plate
65 design available for purchase. In addition to the taxes and
66 fees required by subsection (3), a license plate annual use fee
67 of \$20 shall be collected by the department for each motorcycle
68 specialty license plate and shall be distributed as provided in
69 subsection (4).

70 (7) The department may issue personalized prestige plates
71 for license plates authorized in this section. Such plates shall
72 be issued in accordance with applicable provisions contained in
73 s. 320.0805.

74

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

76 Remove line(s) 614 and insert:
77 providing for payment of certain taxes and fees; amending s.
78 320.08068, F.S.; creating additional motorcycle specialty
79 license plates; providing for annual use fees for such license
80 plates; providing for distribution of revenues; providing

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 1143 : Century Commission for a Sustainable Florida

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder			X		
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Century Commission for a Sustainable Florida
 Steve Seibert-WAIVED TIME (General Public) - Proponent
 Century Commission
 8048 Evening Star Lane
 Tallahassee FL 32312
 Phone: 850 321-9051

Child Care Services
 Charles Pattison-WAIVED TIME - Proponent
 1000 Friends of Florida
 926 E. Park Ave.
 TLH FL 32301
 Phone: 850 222-6277, Ex. 103

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 1225 : Motor Vehicle Manufacturers, Importers, Distributors, and Dealers

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Motor Vehicle Manufacturers, Importers, Distributors & Dealers

Ron Laface--WAIVED TIME (Lobbyist) - Opponent

FORD

101 E. College Ave.

Tallahassee FL 32301

Phone: 850 222-6891

Motor Vehicle Manufacturers, Importers, Distributors & Dealers

Wade Hopping (Lobbyist) - Opponent

Alliance of Auto Manufacturers

710 N. Ride

Tallahassee FL 32303

Phone: 850 222-7500

Motor Vehicle Manufacturers, Importers, Distributors & Dealers

David Ramba (Lobbyist) - Proponent

FL Automobile Dealers Assn.

Tallahassee FL 32301

Motor Vehicle Manufacturers, Importers, Distributors & Dealers

Ron Book (Lobbyist) - Proponent

AutoNation

104 E. College Ave.

Tallahassee FL 32301

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 1225

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 4/12/07
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Council hearing bill: Economic Expansion & Infrastructure
 2 Representative R. Garcia offered the following:

3
 4 **Amendment**

5 Remove line 32 and insert:
 6 behalf of a licensee shall ~~not~~ be determined to be equal to ~~less~~
 7 ~~than~~ the

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

HB 1283 : Black Business Investment

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder	X				
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Black Business Investment

Keevin Williams-WAIVED TIME (Lobbyist) - Proponent

FL Black Business Investment Board

2019 Centre Point Blvd., Ste. 101

Tallahassee FL 32308

Phone: 850 878-4566

Black Business Investment

Jim Richmond-WAIVED TIME (Lobbyist) (State Employee) - Information Only

FL Building Commission

2555 Shumard Oak Plvd.

Tallahassee FL 32399

Phone: 850 922-1675

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

Bill No. HB 1283

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 4/12/01
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Economic Expansion &
 2 Infrastructure Council
 3 Representative Carroll offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

8 Section 1. Paragraphs (g), (h), (i), and (j) of subsection
 9 (2) of section 14.2015, Florida Statutes, are redesignated as
 10 paragraphs (h), (i), (j), and (k), respectively, and a new
 11 paragraph (g) is added to that subsection, to read:

12 14.2015 Office of Tourism, Trade, and Economic
 13 Development; creation; powers and duties.--

14 (2) The purpose of the Office of Tourism, Trade, and
 15 Economic Development is to assist the Governor in working with
 16 the Legislature, state agencies, business leaders, and economic
 17 development professionals to formulate and implement coherent
 18 and consistent policies and strategies designed to provide
 19 economic opportunities for all Floridians. To accomplish such
 20 purposes, the Office of Tourism, Trade, and Economic Development
 21 shall:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

22 (g) Administer the Black Business Loan Program, the
23 purpose of which is to leverage state, local, and private funds
24 to provide loans and loan guarantees to black business
25 enterprises that cannot obtain capital through conventional
26 lending institutions but that otherwise could compete
27 successfully in the private sector.

28 Section 2. Section 288.702, Florida Statutes, is amended
29 to read:

30 288.702 Short title.--This section and sections 288.703-
31 288.706 This act shall be known and may be cited as the "Florida
32 Small and Minority Business Assistance Act of 1985."

33 Section 3. Paragraph (a) of subsection (3) of section
34 288.703, Florida Statutes, is amended to read:

35 288.703 Definitions.--As used in this act, the following
36 words and terms shall have the following meanings unless the
37 content shall indicate another meaning or intent:

38 (3) "Minority person" means a lawful, permanent resident
39 of Florida who is:

40 (a) An African American, a person having origins in any of
41 the black racial groups of the African Diaspora, regardless of
42 cultural origin.

43 Section 4. Subsection (11) of section 288.706, Florida
44 Statutes, is amended, and subsection (12) is added to that
45 section, to read:

46 288.706 Florida Minority Business Loan Mobilization
47 Program.--

48 (11) The Department of Management Services shall maintain
49 a listing of financial institutions willing to participate in
50 the Florida Minority Business Loan Mobilization Program, ~~which~~
51 ~~may include the Florida Black Business Investment Board, Inc.,~~
52 ~~and black business investment corporations.~~ This list of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

53 financial institutions shall not be exclusive. A minority
54 business enterprise vendor who has a working relationship with a
55 financial institution is encouraged to request that the
56 financial institution apply to participate as a financial
57 institution for the program.

58 (12) The Department of Management Services shall
59 collaborate with the Florida Black Business Investment Board,
60 Inc., and the Office of Tourism, Trade, and Economic Development
61 to assist in the development and enhancement of black business
62 enterprises.

63 Section 5. Section 288.7065, Florida Statutes, is created
64 to read:

65 288.7065 Short title.--This section and sections 288.707-
66 288.714 may be cited as the "Florida Black Business Investment
67 Act."

68 Section 6. Section 288.707, Florida Statutes, is amended
69 to read:

70 (Substantial rewording of section. See
71 s. 288.707, F.S., for present text.)

72 288.707 Florida Black Business Investment Board, Inc.;
73 findings; creation; membership; organization; meetings;
74 disclosure.--

75 (1) The Legislature finds that the public interest of the
76 state will be served by the creation of a not-for-profit public-
77 private entity the primary mission of which shall be to assist
78 in the development and expansion of black business enterprises
79 by:

80 (a) Advising the Office of Tourism, Trade, and Economic
81 Development in its oversight of the Black Business Loan Program
82 and creating long-range strategic policy for the program.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

83 (b) Evaluating the unmet need for capital by black
84 business enterprises in the state.

85 (c) Creating partnerships between state and local
86 governments and private enterprises to aid in the development
87 and expansion of black business enterprises.

88 (d) Providing a network of information resources for black
89 business enterprises and providing technical assistance through
90 this network.

91 (2) (a) There is created a not-for-profit corporation to be
92 known as the "Florida Black Business Investment Board, Inc.,"
93 referred to in ss. 288.707-288.714 as the board, which shall be
94 registered, incorporated, organized, and operated in compliance
95 with chapter 617 and shall not be a unit or entity of state
96 government. The Legislature determines, however, that public
97 policy dictates that the board operate in the most open and
98 accessible manner consistent with its public purpose. Therefore,
99 the Legislature specifically declares that the board and its
100 advisory committees or similar groups created by the board,
101 including any subsidiaries, are subject to the provisions of
102 chapter 119, relating to public records, and the provisions of
103 chapter 286, relating to public meetings and records.

104 (b) The board shall contract with the Office of Tourism,
105 Trade, and Economic Development to implement the provisions of
106 ss. 288.707-288.714.

107 (3) The board shall be governed by a board of directors
108 chosen as follows:

109 (a) Five members appointed by the Governor who shall serve
110 terms of 4 years each, except that in making initial
111 appointments, the Governor shall appoint three members to serve
112 for terms of 2 years each and two members to serve for terms of
113 3 years each.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

114 (b) One member appointed by the President of the Senate
115 who shall serve a term of 2 years.

116 (c) One member appointed by the Speaker of the House of
117 Representatives who shall serve a term of 2 years.

118 (d) The vice chair of Enterprise Florida, Inc., or his or
119 her designee.

120 (e) The chair of the Florida Development Finance
121 Corporation created pursuant to s. 288.9604.

122 (f) Four presidents of participating black business
123 investment corporations who shall be appointed by the Executive
124 Director of the Office of Tourism, Trade, and Economic
125 Development upon the recommendation of the Florida Consortium of
126 Black Business Investment Corporations, Inc., to serve for terms
127 of 3 years each. Each shall be eligible for reappointment to one
128 additional term of 3 years.

129 (4) Members of the board must have experience in business,
130 including financial services, banking, or economic development.
131 At least one of the Governor's appointees must have experience
132 in venture capitalism.

133 (5) Any person appointed to fill a vacancy on the board
134 shall be appointed in a like manner and shall serve for only the
135 remainder of the unexpired term. Any member shall be eligible
136 for reappointment.

137 (6) The Governor shall appoint the chairperson, who shall
138 be a member of the board and shall serve at the pleasure of the
139 Governor. The board shall annually elect one of its members as
140 vice chairperson.

141 (7) The board shall meet at least four times annually upon
142 the call of the chair or vice chair or at the request of a
143 majority of the membership. A majority of the total number of
144 current members of the board shall constitute a quorum. The

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

145 board may take official action by a majority vote of the members
146 present at any meeting at which a quorum is present.

147 (8) Members of the board shall serve without compensation,
148 but members, the president of the board, and other board
149 employees may be reimbursed for all reasonable, necessary, and
150 actual expenses as determined and approved by the board pursuant
151 to s. 112.061.

152 (9) Each member of the board who is not otherwise required
153 to disclose financial interests pursuant to s. 8, Art. II of the
154 State Constitution or s. 112.3144 shall file a statement of
155 financial interests pursuant to s. 112.3145.

156 Section 7. Section 288.708, Florida Statutes, is amended
157 to read:

158 288.708 President; employees.--

159 (1) The president of the board corporation, who may also
160 be designated as secretary-treasurer, shall be appointed by the
161 board and shall serve at the pleasure of the board. The board
162 shall establish and adjust the compensation of the president.
163 The president shall be the chief administrative and operational
164 officer of the board corporation and shall direct and supervise
165 administrative affairs and the general management of the board
166 corporation. The board may delegate to its president those
167 powers and responsibilities it deems appropriate, except for
168 appointment of the president. The president:

169 (a) May contract with or employ legal and technical
170 experts and such other employees, permanent and temporary, as
171 shall be authorized by the board;

172 (b) Shall attend meetings of the board; and

173 (c) Shall cause copies to be made of all minutes and other
174 records and documents of the board and shall certify that such

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

175 copies are true copies. All persons dealing with the ~~corporation~~
176 ~~or~~ board may rely upon such certification.

177 (2) ~~The corporation and its officers and board members are~~
178 ~~responsible for the prudent use of all public and private funds~~
179 ~~and shall ensure that the use of such funds is in accordance~~
180 ~~with all applicable laws, bylaws, or contractual requirements.~~

181 An employee of the board corporation may not receive
182 compensation for employment that exceeds the salary paid to the
183 Governor, unless the board corporation and the employee have
184 executed a contract that prescribes specific and measurable
185 performance outcomes for the employee, the satisfaction of which
186 provides the basis for the award of incentive payments that
187 increase the employee's total compensation to a level above the
188 salary paid to the Governor. The Department of Management
189 Services shall establish a lease-agreement program under which
190 an employee of the board, as of June 30, 2002, retains his or
191 her status as a state employee until the employee voluntarily or
192 involuntarily terminates his or her status with the board.

193 Status as a state employee shall include the right to
194 participate in the Florida Retirement System.

195 Section 8. Section 288.709, Florida Statutes, is amended
196 to read:

197 288.709 Powers of the Florida Black Business Investment
198 Board, Inc.--The board shall have all the powers granted under
199 chapter 617 and any powers necessary or convenient to carry out
200 and effectuate the purposes and provisions of ss. 288.707-
201 288.714, including, but not limited to, the power to:

202 (1) Adopt bylaws for the regulation of its affairs and the
203 conduct of its business and adopt policies to implement the
204 provisions of law conferring duties upon it. The Such bylaws
205 shall provide that the board corporation is subject to the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

206 requirements of s. 24, Art. I of the State Constitution and
207 chapter 119 and s. 286.011.

208 ~~(2) Adopt an official seal.~~

209 ~~(3) Sue and be sued in its own name.~~

210 ~~(4) Make and execute contracts and other instruments~~
211 ~~necessary or convenient for the exercise of its power and~~
212 ~~functions.~~

213 ~~(5) Acquire, hold, and dispose of personal property for~~
214 ~~its corporate purposes.~~

215 (2)(6) Enter into agreements or other transactions with
216 any federal, state, or local agency or private entity.

217 ~~(7) Encourage financial institutions to participate in~~
218 ~~consortia for the purpose of investing in black business~~
219 ~~enterprises.~~

220 ~~(8) Ensure that funds available to the board for purposes~~
221 ~~set forth in ss. 288.707-288.714 are disbursed on a statewide~~
222 ~~basis and are not concentrated in one geographical area.~~

223 (3)(9) Invest any funds held in reserves or sinking funds,
224 or any funds not required for immediate disbursement, in such
225 investments as may be authorized for trust funds under s.
226 215.47; however, such investments will be made on behalf of the
227 board by the Chief Financial Officer or by another trustee
228 appointed for that purpose.

229 (4)(10) Appear in its own behalf before boards,
230 commissions, departments, or other agencies of municipal,
231 county, state, or Federal Government.

232 ~~(11) Procure insurance or require bond against any loss in~~
233 ~~connection with its property in such amounts and from such~~
234 ~~insurers as may be necessary or desirable.~~

235 (5)(12) Apply for, accept, and disburse from any state or
236 nonstate source ~~Receive and accept from any federal, state, or~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

237 ~~local agency~~ grants, loans, or advances for, or in aid of, the
238 purposes of ss. 288.707-288.714, and to receive and accept
239 contributions from any source of either money, property, labor,
240 or other things of value, to be held, used, and applied for said
241 purposes.

242 ~~(13) Create, issue, and buy and sell stock, evidences of~~
243 ~~indebtedness, and other capital participation instruments; to~~
244 ~~hold such stock, evidences of indebtedness, and capital~~
245 ~~participation instruments; and to underwrite the creation of a~~
246 ~~capital market for these securities in a manner designed to~~
247 ~~enhance development of capital ownership in the target group.~~

248 ~~(6)(14)~~ Provide and pay for such advisory services and
249 technical assistance as may be necessary or desirable to carry
250 out the purposes of this act.

251 ~~(7)(15)~~ Engage in special programs to enhance the
252 development of black business enterprises as authorized by this
253 act.

254 ~~(16) Promote black ownership of financial institutions in~~
255 ~~Florida.~~

256 ~~(17) Take, hold, and improve property, including real~~
257 ~~property.~~

258 ~~(18) Do any and all things necessary or convenient to~~
259 ~~carry out the purposes of, and exercise the powers given and~~
260 ~~granted in, ss. 288.707-288.714, and exercise any other powers,~~
261 ~~rights, or responsibilities of a corporation.~~

262 ~~(8)(19)~~ In addition to any indemnification available under
263 chapter 617, indemnify, and purchase and maintain insurance on
264 behalf of, directors, officers, and employees of the board
265 ~~corporation~~ and its boards against any personal liability or
266 accountability by reason of actions taken while acting within
267 the scope of their authority.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

268 (9)-(20) Provide in its bylaws that, upon the dissolution
269 of the board corporation, all of its assets acquired through the
270 use of state funds, after payment of all legal debts and
271 liabilities, revert to the this state.

272 Section 9. Section 288.7091, Florida Statutes, is amended
273 to read:

274 (Substantial rewording of section. See
275 s. 288.7091, F.S., for present text.)

276 288.7091 Duties of the Florida Black Business Investment
277 Board, Inc.--The board shall:

278 (1) Serve as an advisory board to the Office of Tourism,
279 Trade, and Economic Development, through contract with the
280 office, to assist the office with the implementation of ss.
281 288.707-288.714.

282 (2) Aid the development and expansion of black business
283 enterprises by leveraging state, local, and private funds to be
284 held by the board for use according to the provisions of ss.
285 288.707-288.714.

286 (3) Serve as the clearinghouse for information and sources
287 of technical assistance that will enhance the development and
288 expansion of black business enterprises and facilitate the
289 provision of technical assistance in communities in which such
290 services are otherwise underserved.

291 (4) Aggressively market the Black Business Loan Program
292 and related services to black business enterprises through all
293 appropriate media outlets, including media targeting the
294 African-American community.

295 (5) Collaborate with Enterprise Florida, Inc., or its
296 affiliates to develop and expand black business enterprises.

297 (6) Collaborate with the Department of Transportation, the
298 Department of Management Services, including the Florida

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

299 Minority Business Loan Mobilization Program, Workforce Florida,
300 Inc., and other state agencies and partners, the State
301 University System, including the Florida Agricultural and
302 Mechanical University's Institute of Urban Policy and Commerce,
303 school boards, and local governments to create a network of
304 information and to identify available resources to enhance the
305 development and expansion of black business enterprises.

306 (7) Develop strategies to increase financial institution
307 investment in black business enterprises.

308 (8) Provide a 5-year projection of the need for capital by
309 black business enterprises. The board may contract with an
310 independent entity to prepare the projection once every 5 years.

311 (9) Annually provide for a financial audit, as defined in
312 s. 11.45, of the board's accounts and records by an independent
313 certified public accountant. The audit shall include an
314 explanation of all investments made by the board and an
315 explanation of administrative costs. Within 6 months after the
316 end of the fiscal year, the audit report shall be provided to
317 the Governor, the President of the Senate, the Speaker of the
318 House of Representatives, and the Auditor General.

319 Section 10. Section 288.7094, Florida Statutes, is created
320 to read:

321 288.7094 Black business investment corporations.--

322 (1) The term "black business investment corporation" means
323 a corporation that provides loans, loan guarantees, or
324 investments to black business enterprises under s. 288.7102.

325 (2) A black business investment corporation that meets the
326 requirements of s. 288.7102(3) is eligible to participate in the
327 Black Business Loan Program and shall receive priority
328 consideration by the Office of Tourism, Trade, and Economic
329 Development for participation in the program.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

330 Section 11. Section 288.7102, Florida Statutes, is created
331 to read:

332 288.7102 Black Business Loan Program.--The Black Business
333 Loan Program is established in the Office of Tourism, Trade, and
334 Economic Development. Under the program, the office shall
335 annually certify eligible recipients and subsequently disburse
336 funds appropriated by the Legislature, through such eligible
337 recipients, to black business enterprises that cannot obtain
338 capital through conventional lending institutions but that could
339 otherwise compete successfully in the private sector.

340 (1) The office shall establish a uniform, open, and
341 competitive application and annual certification process for
342 eligible recipients who seek funds to provide loans, loan
343 guarantees, or investments in black business enterprises
344 pursuant to the Florida Black Business Investment Act. The board
345 shall receive the applications and make recommendations for
346 certification to the office.

347 (2) The office, in consultation with the board, shall
348 develop an allocation policy to ensure that services provided
349 under ss. 288.707-288.714 for the benefit of black business
350 enterprises are disbursed equitably throughout the state. The
351 board shall facilitate the formation of black business
352 investment corporations in communities that are not served by
353 such corporations.

354 (3) To be eligible to receive funds and provide loans,
355 loan guarantees, or investments under this section, a recipient
356 must:

357 (a) Be a corporation registered in the state.

358 (b) Demonstrate that its board of directors includes
359 citizens of the state experienced in the development of black
360 business enterprises.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

361 (c) Demonstrate that the recipient has a business plan
362 that allows the recipient to operate in a manner consistent with
363 ss. 288.707-288.714 and the rules of the office.

364 (d) Demonstrate that the recipient has the technical
365 skills to analyze and evaluate applications by black business
366 enterprises for loans, loan guarantees, or investments.

367 (e) Demonstrate that the recipient has established viable
368 partnerships with public and private funding sources, economic
369 development agencies, and workforce development and job referral
370 networks.

371 (f) Demonstrate that the recipient can provide a private
372 match equal to 20 percent of the amount of funds provided by the
373 office.

374 (g) Agree to maintain the recipient's books and records
375 relating to funds received by the office according to generally
376 accepted accounting principles and in accordance with the
377 requirements of s. 215.97(7) and to make those books and records
378 available to the office for inspection upon reasonable notice.

379 (4) The board shall annually recommend to the office
380 certification of each eligible recipient, who must meet the
381 provisions of ss. 288.707-288.714, the terms of the contract
382 between the recipient and the office, and any other applicable
383 state or federal laws. An entity may not receive funds under ss.
384 288.707-288.714 unless the entity meets annual certification
385 requirements.

386 (5) Upon approval by the office and prior to release of the
387 funds as provided in this section, the office shall issue a
388 letter certifying the applicant as qualified for an award. The
389 office and the applicant shall enter into an agreement that sets
390 forth the conditions for award of the funds. The agreement must
391 include the total amount of funds awarded; the performance

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

392 conditions that must be met once the funding has been awarded,
393 including, but not limited to, compliance with all the
394 requirements of this section for eligible recipients of funds
395 under this section; and sanctions for failure to meet
396 performance conditions, including any provisions to recover
397 awards.

398 (6) (a) The office, in consultation with the board, shall
399 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
400 this section.

401 (b) The board shall adopt policies and procedures
402 necessary to implement this section.

403 (7) A black business investment corporation, certified by
404 the office as an eligible recipient under this section, is
405 authorized to use funds appropriated for the Black Business Loan
406 Program, in any of the following forms:

407 (a) Purchases of stock, preferred or common, voting or
408 nonvoting; however, no more than 40 percent of the funds may be
409 used for direct investments in black business enterprises;

410 (b) Loans or loan guarantees, with or without recourse, in
411 either a subordinated or priority position; or

412 (c) Technical support to black business enterprises, not
413 to exceed 7 percent of the funds received, and direct
414 administrative costs, not to exceed 10 percent of the funds
415 received.

416 (8) It is the intent of the Legislature that if any one
417 type of investment mechanism authorized in subsection (7) is
418 held to be invalid all other valid mechanisms remain available.

419 (9) All loans, loan guarantees, and investments, and any
420 income related thereto, shall be used to carry out the public
421 purpose of ss. 288.707-288.714, which is to develop black
422 business enterprises. This is not meant to preclude a reasonable

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

423 profit for the participating black business investment
424 corporation or for return of equity developed to the state and
425 participating financial institutions upon any distribution of
426 the assets or excess income of the investment corporation.

427 Section 12. Section 288.71025, Florida Statutes, is
428 created to read:

429 288.71025 Prohibited acts; penalties.--

430 (1) It is unlawful for any person to hold itself out as a
431 black business investment corporation without being certified by
432 the board as eligible to participate in the Florida Black
433 Business Loan Program.

434 (2) In addition to any other penalties or remedies
435 provided under law, the board may bring a civil action in any
436 court of competent jurisdiction against any person for a knowing
437 or willful violation of the provisions of this section. Upon an
438 adverse adjudication, the court may impose a civil penalty of up
439 to \$500, and payment of court costs and reasonable attorney's
440 fees incurred by the plaintiff.

441 Section 13. Section 288.7103, Florida Statutes, is created
442 to read:

443 288.7103 Eligibility for loan, loan guarantee, or
444 investment.--A black business enterprise is not eligible to
445 receive a loan, loan guarantee, or investment from funds
446 disbursed pursuant to s. 288.7102 unless the black business
447 enterprise demonstrates that:

448 (1) The proposed loan, loan guarantee, or investment is
449 economically sound and will assist the black business enterprise
450 in entering the conventional lending market, increasing
451 opportunities for employment, and strengthening the economy of
452 the state.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

453 (2) The black business enterprise will be able to compete
454 successfully in the private sector if the black business
455 enterprise obtains the requested financial assistance and has
456 obtained or will obtain appropriate and credible technical or
457 managerial support through an organization approved by the
458 corporation.

459 Section 14. Section 288.712, Florida Statutes, is amended
460 to read:

461 (Substantial rewording of section. See
462 s. 288.712, F.S., for present text.)
463 288.712 Guarantor funds.--

464 (1) The board is authorized to establish, with or without
465 public or private partners, guarantor funds to assist qualified
466 black business enterprises in obtaining surety bonds and other
467 credit instruments when required.

468 (2) The board may contract with a regulated surety company
469 to conduct a surety bond program for black business enterprises.

470 (3) For purposes of this section, the board may utilize
471 the Black Contractors Bond Trust Fund, consisting of moneys
472 deposited or credited to the Black Contractors Bond Trust Fund
473 pursuant to any appropriation made by law; any grants, gifts,
474 and contributions received pursuant to ss. 288.707-288.714; all
475 moneys recovered following defaults; all premiums charged and
476 collected in accordance with this section and any interest
477 income earned; and any other moneys obtained by the board for
478 this purpose. The fund shall be administered by the board in
479 trust for the purposes of this section and shall at no time be
480 part of general public funds under the following procedures:

481 (a) Any claims against the state arising from defaults
482 shall be payable from the Black Contractors Bond Trust Fund.
483 Nothing in this section grants or pledges to any obligee or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

484 other person any state moneys other than the moneys in the Black
485 Contractors Bond Trust Fund.

486 (b) The board may guarantee bonds executed by sureties for
487 black business enterprises under this section as principals on
488 contracts with the state, any political subdivision or
489 instrumentality, or any person as the obligee. The board, as
490 guarantor, may exercise all the rights and powers of a company
491 authorized by the Department of Financial Services to guarantee
492 bonds under chapter 624, but otherwise is not subject to any
493 laws related to a guaranty company under chapter 624 or to any
494 rules of the department.

495 (c) The board shall adopt policies and procedures for the
496 application for bond guarantees and for the review and approval
497 of applications for bond guarantees submitted by sureties that
498 execute bonds eligible for guarantees under this section.

499 (d) In accordance with the policies and procedures adopted
500 pursuant to this section, the board may guarantee up to 90
501 percent of the loss incurred and paid by sureties on bonds
502 guaranteed under this section.

503 (e) The policies and procedures of the board shall require
504 the black business enterprise to pay a premium in advance for
505 the bond to be established by the board. All premiums paid by
506 the black business enterprise shall be paid into the Black
507 Contractors Bond Trust Fund.

508 (f) The penal sum amounts of all outstanding bonds issued
509 by the board shall not exceed the amount of moneys in the Black
510 Contractors Bond Trust Fund.

511 (g) Any funds to the credit of the Black Contractors Bond
512 Trust Fund in excess of the amount necessary to fund the
513 appropriation authority for the fund shall be held as a loss

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

514 reserve to pay claims arising from defaults on surety bonds
515 guaranteed in accordance with this section.

516 (4) Nothing in this section shall be construed to prohibit
517 or restrict the board from entering into a joint venture or
518 other contractual agreement with a private insurer or to invest
519 in a private entity to handle all or part of a black contractors
520 bonding program for black business enterprises. The board is
521 authorized and encouraged to contract with a regulated surety
522 company to conduct a surety bond program for black business
523 enterprises. Moneys from the Black Contractors Bond Trust Fund
524 may be used for these purposes. The board may approve one
525 application per fiscal year from each surety company to support
526 one fiscal year of that company's activities under this section.
527 A surety bond company that applies for a bond guarantee under
528 this section, regardless of whether the guarantee is approved,
529 is not restricted from also applying for individual bond
530 guarantees under this section.

531 (5) The board shall do all of the following to implement
532 the black contractors bonding program:

533 (a) Conduct outreach, marketing, and recruitment of black
534 contractors.

535 (b) Provide assistance to the Office of Supplier Diversity
536 within the Department of Management Services, as needed, to
537 certify new black business enterprises and to train appropriate
538 department staff.

539 (c) Provide business development services to black
540 business enterprises in the developmental and transitional
541 stages of the program, including financing and bonding
542 assistance and management and technical assistance.

543 (d) Develop a mentor program to bring businesses into a
544 working relationship with black contractors in a way that

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

545 commercially benefits both entities and serves the purpose of
546 the program.

547 (e) No later than December 31, 2007, prepare and submit to
548 the Governor a detailed report outlining and evaluating the
549 progress made in implementing the black contractors bonding
550 program.

551 (f) Establish a process by which black contractors may
552 apply for contract assistance, financial and bonding assistance,
553 management and technical assistance, and mentoring
554 opportunities.

555 Section 15. Section 288.714, Florida Statutes, is amended
556 to read:

557 (Substantial rewording of section. See
558 s. 288.714, F.S., for present text.)
559 288.714 Quarterly and annual reports.--

560 (1) Each recipient of state funds under s. 288.7102 shall
561 provide to the board a quarterly report within 15 days after the
562 end of each calendar quarter that includes a detailed summary of
563 the recipient's performance of the duties imposed by s.
564 288.7102, including, but not limited to:

565 (a) The dollar amount of all loans or loan guarantees made
566 to black business enterprises, the percentages of the loans
567 guaranteed, and the names and identification of the types of
568 businesses served.

569 (b) Loan performance information.

570 (c) The amount and nature of all other financial
571 assistance provided to black business enterprises.

572 (d) The amount and nature of technical assistance provided
573 to black business enterprises, including technical assistance
574 services provided in areas in which such services are otherwise
575 unavailable.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

576 (e) A balance sheet for the recipient, including an
577 explanation of all investments and administrative and
578 operational expenses.

579 (f) A summary of all services provided to non-black
580 business enterprises, including the dollar value and nature of
581 such services and the names and identification of the types of
582 businesses served.

583 (g) Any other information as required by policies adopted
584 by the board.

585 (2) The board must compile and provide the office a
586 summary of all quarterly reports within 30 days after the end of
587 each calendar quarter that includes a detailed summary of the
588 recipient's performance of the duties imposed by s. 288.7102.

589 (3) By May 1 of each year, the board shall provide to the
590 Governor, the President of the Senate, and the Speaker of the
591 House of Representatives a detailed report of the performance of
592 the Black Business Loan Program, including:

593 (a) A cumulative summary of quarterly report data required
594 by subsection (1).

595 (b) A description of the strategies implemented by the
596 board to increase private investment in black business
597 enterprises.

598 (c) A summary of the board's performance of its duties
599 under ss. 288.707-288.712.

600 (d) The most recent 5-year projection of the need for
601 capital by black business enterprises.

602 (e) Recommendations for legislative or other changes to
603 enhance the development and expansion of black business
604 enterprises in the state.

605 (f) A projection of the program's activities during the
606 next 12 months.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

607 Section 16. Subsection (4) of section 288.9015, Florida
608 Statutes, is amended to read:

609 288.9015 Enterprise Florida, Inc.; purpose; duties.--

610 (4) Enterprise Florida, Inc., shall incorporate the needs
611 of small and minority businesses into the economic-development,
612 international-trade and reverse-investment, and workforce-
613 development responsibilities assigned to the organization by
614 this section. ~~Where practicable and consistent with the~~
615 ~~expertise of the Black Business Investment Board, Inc.,~~
616 Enterprise Florida, Inc., shall collaborate ~~contract~~ with the
617 Florida Black Business Investment Board, Inc., and the Office of
618 Tourism, Trade, and Economic Development ~~corporation~~ for the
619 delivery of services in fulfillment of the responsibilities of
620 Enterprise Florida, Inc., relating to small and minority
621 businesses.

622 Section 17. The Office of Program Policy Analysis and
623 Government Accountability shall prepare a status report on the
624 initial implementation of the Florida Black Business Investment
625 Act by the Office of Tourism, Trade, and Economic Development,
626 the Florida Black Business Investment Board, and the recipients
627 of funds disbursed pursuant to s. 288.7102, Florida Statutes,
628 and shall provide the report to the Governor, the President of
629 the Senate, and the Speaker of the House of Representatives by
630 December 1, 2008. The office shall a conduct a program review of
631 the performance of the Office of Tourism, Trade, and Economic
632 Development, the Florida Black Business Investment Board, and
633 the recipients of funds disbursed pursuant to s. 288.7102,
634 Florida Statutes, in meeting the goals of the Florida Black
635 Business Investment Act and shall provide a report to the
636 Governor, the President of the Senate, and the Speaker of the
637 House of Representatives by December 1, 2009.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

638 Section 18. Subsection (6) of section 288.90151, Florida
639 Statutes, is amended to read:

640 288.90151 Return on investment from activities of
641 Enterprise Florida, Inc.--

642 (6) Enterprise Florida, Inc., shall fully comply with the
643 performance measures, standards, and sanctions in its contracts
644 with the Office of Tourism, Trade, and Economic Development
645 under s. 14.2015(2)(i)~~(h)~~ and (7). The Office of Tourism, Trade,
646 and Economic Development shall ensure, to the maximum extent
647 possible, that the contract performance measures are consistent
648 with performance measures that the office is required to develop
649 and track under performance-based program budgeting.

650 Section 19. Sections 288.7092, 288.7095, 288.71, 288.7101,
651 288.711, and 288.713, Florida Statutes, are repealed.

652 Section 22. The Legislature finds that the public interest
653 of the state has been served with respect to the use of any
654 state funds received by the Florida Black Business Investment
655 Board, Inc., and any black business investment corporation prior
656 to and through the 2005-2006 fiscal year.

657 Section 20. The nonrecurring sum of \$6 million is
658 appropriated to the Office of Tourism, Trade, and Economic
659 Development for the 2007-2008 fiscal year, of which \$4 million
660 shall be transferred from the Department of Community Affairs
661 Operating Trust Fund to the Economic Development Trust Fund and
662 \$2 million shall be from the General Revenue Fund. These funds
663 shall be provided for the purpose of implementing and
664 administering the Black Business Loan Program. Of these funds,
665 \$300,000 shall be provided to the Black Business Investment
666 Board for operations and administration of the board, and
667 \$25,000 may be used by the Office of Tourism, Trade, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

668 Economic Development for start-up costs associated with
669 administering the provisions of this bill.

670 Section 22. This act shall take effect July 1, 2007.

671

672

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

674 Remove the entire title and insert:

675 An act relating to black business investment; amending s.
676 14.2015, F.S.; requiring the Office of Tourism, Trade, and
677 Economic Development to administer the Black Business Loan
678 Program; providing purposes; amending s. 288.702, F.S.;
679 revising a short title; amending s. 288.703, F.S.;
680 revising the definition of "minority person"; amending s.
681 288.706, F.S.; deleting references to the Florida Black
682 Business Investment Board, Inc., and black business
683 investment corporations from a list of certain financial
684 institutions maintained by the Department of Management
685 Services; requiring the Department of Management Services
686 to collaborate with the Florida Black Business Investment
687 Board, Inc., and the Office of Tourism, Trade, and
688 Economic Development for certain purposes; creating s.
689 288.7065, F.S.; providing a short title; amending s.
690 288.707, F.S.; revising provisions creating the Florida
691 Black Business Investment Board, Inc.; revising
692 legislative findings; creating the board; requiring the
693 board to contract with the Office of Tourism, Trade, and
694 Economic Development for certain purposes; specifying
695 application of public records and public meetings
696 requirements; providing for appointment of a board of
697 directors; specifying terms of office and experience
698 requirements of board members; providing for filling of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

699 board vacancies; requiring the Governor to appoint a
700 chair; providing for meetings; requiring members to serve
701 without compensation; providing for reimbursement of
702 expenses; requiring members to file a statement of
703 financial interests; amending s. 288.708, F.S.; providing
704 for appointment and duties of the president of the board;
705 deleting a provision specifying prudent use of certain
706 funds and requiring use of funds according to applicable
707 laws, bylaws, or contracts; applying certain salary
708 limitation provisions to employees of the board; requiring
709 the Department of Management Services to establish a
710 lease-agreement program for board employees; amending s.
711 288.709, F.S.; revising the powers of the board; amending
712 s. 288.7091, F.S.; revising the duties of the board;
713 creating s. 288.7094, F.S.; providing a definition;
714 specifying eligibility of certain black business
715 investment corporations to participate in the Black
716 Business Loan Program; requiring the Office of Tourism,
717 Trade, and Economic Development to give priority
718 consideration to such corporations for participation in
719 the program; creating s. 288.7102, F.S.; establishing the
720 Black Business Loan Program in the Office of Tourism,
721 Trade, and Economic Development; requiring the office to
722 disburse funds appropriated by the Legislature, through
723 eligible recipients, to certain black business
724 enterprises; providing duties and responsibilities of the
725 office and the board in administering the program;
726 establishing a competitive application and annual
727 certification process for eligible recipients for funds to
728 provide loans, loan guarantees, and investments to black
729 business enterprises; requiring an allocation policy for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

730 equitable distribution throughout the state; providing
731 eligibility requirements for recipients to receive funds
732 and to provide loans, loan guarantees, or investments;
733 requiring annual certification of eligibility; providing
734 for award agreements and reimbursement of funds under
735 certain circumstances; requiring the office to consult
736 with the board; requiring the office to adopt rules;
737 requiring the board to adopt policies and procedures;
738 providing restrictions for the use of funds by black
739 business investment corporations; providing Legislative
740 intent if an investment mechanism is held invalid;
741 providing for reasonable profit for a black business
742 investment corporation; creating s. 288.71025, F.S. ;
743 providing a prohibited act; providing for filing of a
744 civil complaint and imposition of a fine, and the payment
745 of court costs and reasonable attorney's fees; creating s.
746 288.7103, F.S. ; providing black business enterprise
747 eligibility requirements for receiving loans, loan
748 guarantees, or investments; amending s. 288.712, F.S. ;
749 revising provisions relating to guarantor funds to assist
750 qualified black business enterprises obtain surety bonds
751 and other credit instruments; authorizing board to
752 contract with regulated surety companies; revising uses of
753 the Black Contractors Bond Trust Fund; eliminating the
754 Black Business Loan Guaranty Trust Fund and the Black
755 Contractors Bond Program Administrative and Loss Reserve
756 Fund; revising board exceptions to laws and rules related
757 to a guaranty company; requiring board adoption of
758 policies and procedures relating to board guarantee of
759 loss and to required payment of premiums; authorizing
760 contracting with private entity to administer black

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

761 contractors bonding program; delineating board use of a
762 surety bond company; delineating board requirements for
763 encouraging program participation; amending s. 288.714,
764 F.S.; requiring recipients to provide quarterly and annual
765 reports; specifying report requirements; requiring the
766 board to submit an annual program report to the Governor
767 and Legislature; specifying report requirements; requiring
768 certain black business investment corporations to submit
769 quarterly reports to the board on uses of certain state
770 funds; specifying report requirements; amending s.
771 288.9015, F.S.; requiring Enterprise Florida, Inc., to
772 collaborate with the Florida Black Business Investment
773 Board, Inc., and the Office of Tourism, Trade, and
774 Economic Development for certain purposes; requiring the
775 Office of Program Policy Analysis and Government
776 Accountability to submit a status report to the Governor
777 and Legislature on the Office of Tourism, Trade, and
778 Economic Development's implementation of the Florida Black
779 Business Investment Act; requiring the Office of Program
780 Policy Analysis and Government Accountability to conduct a
781 program review of the performance of the Office of
782 Tourism, Trade, and Economic Development, the Black
783 Business Investment Board, and the program fund recipients
784 in meeting goals of the Florida Black Business Investment
785 Act and to submit a program review report to the Governor
786 and Legislature; amending s. 288.90151, F.S.; correcting a
787 cross reference; repealing s. 288.7092, F.S., relating to
788 return on investment from activities of the corporation;
789 repealing s. 288.7095, F.S., relating to duties of black
790 business investment corporations; repealing s. 288.71,
791 F.S., relating to conditions for board action; repealing

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.04 (for drafter's use only)

792 s. 288.7101, F.S., relating to the state employee leasing
793 program of the Department of Management Services for
794 employees of the Florida Black Business Investment Board,
795 Inc.; repealing s. 288.711, F.S., relating to the Florida
796 Investment Incentive Trust Fund; repealing s. 288.713,
797 F.S., relating to capital participation instruments;
798 providing a legislative finding regarding use of state
799 funds received by the board through fiscal year 2005-2006;
800 providing an appropriation; providing an effective date.

801

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N) 4/12/07
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Council/Committee hearing bill: Economic Expansion &
2 Infrastructure Council
3 Representative Cannon offered the following:
4

5 **Amendment to Amendment (4) by Representative Carroll**

6 Remove lines 657-669 and insert:

7 Section 20. The nonrecurring sum of \$3 million from the
8 General Revenue Fund is appropriated to the Office of Tourism,
9 Trade, and Economic Development for the 2007-2008 fiscal year,
10 for the purpose of implementing and administering the Black
11 Business Loan Program. Of these funds, \$300,000 shall be
12 provided to the Black Business Investment Board for operations
13 and administration of the board, and \$25,000 may be used by the
14 Office of Tourism, Trade, and Economic Development for start-up
15 costs associated with administering the provisions of this bill.
16
17

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB
HB 1375 : Affordable Housing

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder			X		
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Affordable Housing
Wellington Meffert-WAIVED TIME (Lobbyist) - Proponent
FL Housing Finance Corp.
227 N. Bronough St., Ste. 5000
Tallahassee FL 32301
Phone: 850 488-4197

Affordable Housing
Gabe Sheheane-WAIVED TIME (Lobbyist) - Proponent
FL Chamber of Commerce
136 Sl. Bronough St.
Tallahassee FL 32301
Phone: 850 284-8335

Affordable Housing
Charles Pattison-WAIVED TIME - Proponent
1000 Friends of Florida
926 E. Park Ave.
Tallahassee FL 32301
Phone: 850 222-6277

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

Affordable Housing

Eric Poole (Lobbyist) - Information Only

FL Assn. of Counties

100 Monroe

Tallahassee FL 32301

Phone: 850 922-4300

Affordable Housing

Brian Pitts (General Public) - Information Only

Justice-2-Jesus

1119 Newton Ave., S

St. Petersburg FL 33705

Phone: 727 897-9291

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. 1375

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 4/12/09
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Economic Expansion and
 2 Infrastructure Council
 3 Representative(s) M. Davis offered the following:

Amendment (with directory and title amendments)

Remove everything after the enacting clause and insert:

Section 1. Paragraphs (a) and (f) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.--

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

22 to the provisions of paragraph (11) (d), as overlays on the
23 future land use map. Each future land use category must be
24 defined in terms of uses included, and must include standards to
25 be followed in the control and distribution of population
26 densities and building and structure intensities. The proposed
27 distribution, location, and extent of the various categories of
28 land use shall be shown on a land use map or map series which
29 shall be supplemented by goals, policies, and measurable
30 objectives. The future land use plan shall be based upon
31 surveys, studies, and data regarding the area, including the
32 amount of land required to accommodate anticipated growth; the
33 projected population of the area; the character of undeveloped
34 land; the availability of water supplies, public facilities, and
35 services; the need for redevelopment, including the renewal of
36 blighted areas and the elimination of nonconforming uses which
37 are inconsistent with the character of the community; the
38 compatibility of uses on lands adjacent to or closely proximate
39 to military installations; the need for affordable housing
40 adjacent to or closely proximate to employment centers; and, in
41 rural communities, the need for job creation, capital
42 investment, and economic development that will strengthen and
43 diversify the community's economy. The future land use plan may
44 designate areas for future planned development use involving
45 combinations of types of uses for which special regulations may
46 be necessary to ensure development in accord with the principles
47 and standards of the comprehensive plan and this act. The future
48 land use plan element shall include criteria to be used to
49 achieve the compatibility of adjacent or closely proximate lands
50 with military installations. If the local government elects to
51 provide transportation concurrency exceptions for trips

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

52 associated with affordable housing, the future land use plan
53 element shall include criteria used to determine how the local
54 government will determine what qualifies as affordable housing
55 adjacent to or closely proximate to employment centers. In
56 addition, for rural communities, the amount of land designated
57 for future planned industrial use shall be based upon surveys
58 and studies that reflect the need for job creation, capital
59 investment, and the necessity to strengthen and diversify the
60 local economies, and shall not be limited solely by the
61 projected population of the rural community. The future land use
62 plan of a county may also designate areas for possible future
63 municipal incorporation. The land use maps or map series shall
64 generally identify and depict historic district boundaries and
65 shall designate historically significant properties meriting
66 protection. For coastal counties, the future land use element
67 must include, without limitation, regulatory incentives and
68 criteria that encourage the preservation of recreational and
69 commercial working waterfronts as defined in s. 342.07. The
70 future land use element must clearly identify the land use
71 categories in which public schools are an allowable use. When
72 delineating the land use categories in which public schools are
73 an allowable use, a local government shall include in the
74 categories sufficient land proximate to residential development
75 to meet the projected needs for schools in coordination with
76 public school boards and may establish differing criteria for
77 schools of different type or size. Each local government shall
78 include lands contiguous to existing school sites, to the
79 maximum extent possible, within the land use categories in which
80 public schools are an allowable use. The failure by a local
81 government to comply with these school siting requirements will

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

82 result in the prohibition of the local government's ability to
83 amend the local comprehensive plan, except for plan amendments
84 described in s. 163.3187(1)(b), until the school siting
85 requirements are met. Amendments proposed by a local government
86 for purposes of identifying the land use categories in which
87 public schools are an allowable use are exempt from the
88 limitation on the frequency of plan amendments contained in s.
89 163.3187. The future land use element shall include criteria
90 that encourage the location of schools proximate to urban
91 residential areas to the extent possible and shall require that
92 the local government seek to collocate public facilities, such
93 as parks, libraries, and community centers, with schools to the
94 extent possible and to encourage the use of elementary schools
95 as focal points for neighborhoods. For schools serving
96 predominantly rural counties, defined as a county with a
97 population of 100,000 or fewer, an agricultural land use
98 category shall be eligible for the location of public school
99 facilities if the local comprehensive plan contains school
100 siting criteria and the location is consistent with such
101 criteria. Local governments required to update or amend their
102 comprehensive plan to include criteria and address compatibility
103 of adjacent or closely proximate lands with existing military
104 installations in their future land use plan element shall
105 transmit the update or amendment to the department by June 30,
106 2006.

107 (f)1. A housing element consisting of standards, plans,
108 and principles to be followed in:

109 a. The provision of housing for all current and
110 anticipated future residents of the jurisdiction.

111 b. The elimination of substandard dwelling conditions.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

112 c. The structural and aesthetic improvement of existing
113 housing.

114 d. The provision of adequate sites for future housing,
115 including housing for low-income, very low-income, and moderate-
116 income families, mobile homes, and group home facilities and
117 foster care facilities, with supporting infrastructure and
118 public facilities.

119 e. The provision of ~~for~~ relocation housing and
120 identification of historically significant and other housing for
121 purposes of conservation, rehabilitation, or replacement.

122 f. The formulation of housing implementation programs.

123 g. The creation or preservation of affordable housing to
124 minimize the need for additional local services and avoid the
125 concentration of affordable housing units only in specific areas
126 of the jurisdiction.

127 h. The provision of housing adjacent to or closely
128 proximate to employment centers that reduce trip lengths and is
129 affordable to the employees and persons served by the employment
130 center.

131
132 The goals, objectives, and policies of the housing element must
133 be based on the data and analysis prepared on housing needs,
134 including the affordable housing needs assessment. State and
135 federal housing plans prepared on behalf of the local government
136 must be consistent with the goals, objectives, and policies of
137 the housing element. Local governments are encouraged to utilize
138 job training, job creation, and economic solutions to address a
139 portion of their affordable housing concerns.

140 2. To assist local governments in housing data collection
141 and analysis and assure uniform and consistent information

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

142 regarding the state's housing needs, the state land planning
143 agency shall conduct an affordable housing needs assessment for
144 all local jurisdictions on a schedule that coordinates the
145 implementation of the needs assessment with the evaluation and
146 appraisal reports required by s. 163.3191. Each local government
147 shall utilize the data and analysis from the needs assessment as
148 one basis for the housing element of its local comprehensive
149 plan. The agency shall allow a local government the option to
150 perform its own needs assessment, if it uses the methodology
151 established by the agency by rule.

152 3. The housing element shall contain goals and policies to
153 guide the local government in facilitating private and public
154 provision of affordable housing to serve the residents and
155 workforce with consideration given to recommendations by the
156 affordable housing advisory committee pursuant to s. 420.9076,
157 if applicable.

158 Section 2. Subsection (5) of section 163.31771, Florida
159 Statutes, is amended to read:

160 163.31771 Accessory dwelling units.--

161 (5) Each accessory dwelling unit allowed by an ordinance
162 adopted under this section shall apply toward satisfying the
163 affordable housing component of the housing element in the local
164 government's comprehensive plan under s. 163.3177(6)(f). The
165 local government may elect to not apply transportation
166 concurrency and impact fee requirements on accessory units that
167 are subject to a recorded land use restriction agreement
168 restricting the unit's use to affordable housing.

169 Section 3. Subsection (5) of section 163.3180, Florida
170 Statutes, is amended to read:

171 163.3180 Concurrency.--

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

172 (5) (a) The Legislature finds that under limited
173 circumstances dealing with transportation facilities,
174 countervailing planning and public policy goals may come into
175 conflict with the requirement that adequate public facilities
176 and services be available concurrent with the impacts of such
177 development. The Legislature further finds that often the
178 unintended result of the concurrency requirement for
179 transportation facilities is the discouragement of urban infill
180 development and redevelopment. Such unintended results directly
181 conflict with the goals and policies of the state comprehensive
182 plan and the intent of this part. Therefore, exceptions from the
183 concurrency requirement for transportation facilities may be
184 granted as provided by this subsection.

185 (b) A local government may grant an exception from the
186 concurrency requirement for transportation facilities if the
187 proposed development is otherwise consistent with the adopted
188 local government comprehensive plan and is a project that
189 promotes public transportation, provides affordable housing in
190 close proximity to employment centers, or is located within an
191 area designated in the comprehensive plan for:

- 192 1. Urban infill development,
193 2. Urban redevelopment,
194 3. Downtown revitalization, or
195 4. Urban infill and redevelopment under s. 163.2517.

196 (c) The Legislature also finds that developments located
197 within urban infill, urban redevelopment, existing urban
198 service, or downtown revitalization areas or areas designated as
199 urban infill and redevelopment areas under s. 163.2517 which
200 pose only special part-time demands on the transportation system
201 should be excepted from the concurrency requirement for

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

202 transportation facilities. A special part-time demand is one
203 that does not have more than 200 scheduled events during any
204 calendar year and does not affect the 100 highest traffic volume
205 hours.

206 (d) The Legislature finds that where residential units are
207 placed in close proximity to places of employment to reduce the
208 burden on transportation facilities, and where the units are
209 developed in a manner to be affordable to the workforce of that
210 employment center, local governments should consider the
211 systemwide benefits to the transportation system and may exempt
212 trips associated with the residential units from concurrency if
213 locating additional residential units in specific areas will
214 reduce long trip length burdens on the larger transportation
215 system.

216 (e)-(d) A local government shall establish guidelines in
217 the comprehensive plan for granting the exceptions authorized in
218 paragraphs (b), and (c), and (d) and subsections (7) and (15)
219 which must be consistent with and support a comprehensive
220 strategy adopted in the plan to promote the purpose of the
221 exceptions.

222 (f)-(e) The local government shall adopt into the plan and
223 implement strategies to support and fund mobility within the
224 designated exception area, including alternative modes of
225 transportation. The plan amendment shall also demonstrate how
226 strategies will support the purpose of the exception and how
227 mobility within the designated exception area will be provided.
228 In addition, the strategies must address urban design;
229 appropriate land use mixes, including intensity and density; and
230 network connectivity plans needed to promote urban infill,
231 redevelopment, or downtown revitalization. The comprehensive

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

232 plan amendment designating the concurrency exception area shall
233 be accompanied by data and analysis justifying the size of the
234 area.

235 ~~(f)~~ (g) Prior to the designation of a concurrency exception
236 area, the Department of Transportation shall be consulted by the
237 local government to assess the impact that the proposed
238 exception area is expected to have on the adopted level-of-
239 service standards established for Strategic Intermodal System
240 facilities, as defined in s. 339.64, and roadway facilities
241 funded in accordance with s. 339.2819. Further, the local
242 government shall, in cooperation with the Department of
243 Transportation, develop a plan to mitigate any impacts to the
244 Strategic Intermodal System, including, if appropriate, the
245 development of a long-term concurrency management system
246 pursuant to subsection (9) and s. 163.3177(3)(d). The exceptions
247 may be available only within the specific geographic area of the
248 jurisdiction designated in the plan. Pursuant to s. 163.3184,
249 any affected person may challenge a plan amendment establishing
250 these guidelines and the areas within which an exception could
251 be granted.

252 ~~(g)~~ (h) Transportation concurrency exception areas existing
253 prior to July 1, 2005, shall meet, at a minimum, the provisions
254 of this section by July 1, 2006, or at the time of the
255 comprehensive plan update pursuant to the evaluation and
256 appraisal report, whichever occurs last.

257 Section 4. Subsection (19) is added to section 163.3184,
258 Florida Statutes, to read:

259 163.3184 Process for adoption of comprehensive plan or
260 plan amendment.—

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

261 (19) Any local government that identifies in its
262 comprehensive plan the types of housing development and
263 conditions for which is will consider plan amendments that are
264 consistent with the local housing incentive strategies
265 identified in s. 420.9076 and authorized by the local
266 government, may expedite consideration of such plan amendments.
267 At least 30 days prior to adopting a plan amendment pursuant to
268 this subsection, the local government shall notify the state
269 land planning agency of its intent to adopt such an amendment,
270 and the notice shall include the local government's evaluation
271 related to site suitability and availability of facilities and
272 services. A plan amendment considered under this subsection
273 shall require only a single public hearing before the local
274 governmental body, which shall be a plan amendment adoption
275 hearing as described in subsection (7). The public notice of the
276 hearing required under s. 163.3184(15)(b)2. shall include a
277 statement that the local government intends to utilize the
278 expedited adoption process authorized by this subsection. The
279 state land planning agency shall issue its notice of intent
280 required under subsection (8) within 30 days after determining
281 that the amendment package is complete. Any further proceedings
282 shall be governed by (9) through (16).

283 Section 5. Paragraph (p) is added to subsection (1) of
284 section 163.3187, Florida Statutes, to read:

285 163.3187 Amendment of adopted comprehensive plan.--

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

289 (p) Any local government comprehensive plan amendment that
290 is consistent with the local housing incentive strategies

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

291 identified in s. 420.9076 and authorized by the local
292 government.

293 Section 6. Section 193.018, Florida Statutes, is created
294 to read:

295 193.018 Affordable Housing Property Tax Relief
296 Initiative.--

297 (1) For the purpose of assessing just valuation of
298 affordable housing properties that have a land use restriction
299 recorded with the local clerk of the court that requires
300 affordability, as provided in this subsection, for a period of
301 at least 20 years the actual rental income from rent-restricted
302 units in each property shall be recognized by the property
303 appraiser for assessment purposes, and a rental income approach
304 pursuant to s. 193.011(7) shall be used for assessment of the
305 following affordable housing properties:

306 (a) Properties that are funded and rent restricted by the
307 United States Department of Housing and Urban Development under
308 s. 8 of the United States Housing Act of 1937 that are used to
309 provide affordable housing serving eligible persons as defined
310 by s. 159.603(7) and elderly persons, extremely-low-income
311 persons, and very-low-income persons as defined by s.
312 420.0004(7), (8), and (15) and that has undergone financial
313 restructuring as provided in s. 501, Title V, Subtitle A of the
314 Multifamily Assisted Housing Reform and Affordability Act of
315 1997;

316 (b) Multifamily, farmworker, or elderly rental properties
317 that are funded and rent restricted by the Florida Housing
318 Finance Corporation under ss. 420.5087 and 420.5089 and
319 420.5095, and the State Housing Initiatives Partnership Program
320 under ss. 420.9072 and 420.9075, s. 42 of the Internal Revenue

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

321 Code, 26 U.S.C. s. 42; the HOME Investment Partnership Program
322 under the Cranston-Gonzalez National Affordable Housing Act, 42
323 U.S.C. ss. 12741 et seq.; or the Federal Home Loan Banks'
324 Affordable Housing Program established pursuant to the Financial
325 Institutions Reform, Recovery and Enforcement Act of 1989, Pub.
326 L. No. 101-73; or

327 (c) Multifamily residential rental properties of 10 or
328 more units that are certified as being deed restricted by the
329 local public housing agency as having 100 percent of its units
330 providing affordable housing to extremely-low-income persons,
331 low-income persons, moderate-income persons, and very-low-income
332 persons, as defined by s. 420.0004(8), (10), (11), and (15).

333 (2) Properties used for affordable housing which have
334 received a low-income housing tax credit from the Florida
335 Housing Finance Corporation, as authorized by s. 420.5099, shall
336 be assessed with the rental income approach under s. 193.011(7)
337 and, consistent with s. 420.5099(5) and (6), pursuant to this
338 section, the following assumptions shall apply:

339 (a) The tax credits granted and the financing generated by
340 the tax credits may not be considered as income to the property.

341 (b) The actual rental income from rent-restricted units in
342 each property shall be recognized by the property appraiser as
343 the real rents for assessing just value.

344 (c) Any costs paid for by tax credits and costs paid for
345 by additional financing proceeds received under chapter 420 may
346 not be included in the valuation of the property.

347 (3) If an extended low-income housing agreement is filed
348 in the official public records of the county in which an
349 affordable housing property serving extremely-low-income
350 persons, low-income persons, moderate-income persons, and very-

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

351 low-income persons, as defined in s. 420.0004(8), (10), (11),
352 and (15), is located, the agreement and any recorded amendment
353 or supplement thereto shall be considered a land use regulation
354 and a limitation on the highest and best use of the property
355 during the term of the agreement, amendment, or supplement.

356 Section 7. Section 193.0185, Florida Statutes, is created
357 to read:

358 193.0185 Assessment of improvements on lands used by a
359 community land trust to provide affordable housing.--As used in
360 this section, the term "community land trust" means a nonprofit
361 entity that is qualified as charitable under s. 501(c)(3) of the
362 Internal Revenue Code and has as one of its purposes the
363 acquisition of land to be held in perpetuity for the primary
364 purpose of providing affordable homeownership through the
365 conveyance of structural improvements located on such land,
366 subject to a ground lease having a term of 99 years, while
367 retaining a preemptive option to purchase any structural
368 improvements on the land at a price determined by a formula that
369 is designed to ensure that the improvements remain affordable to
370 persons who meet the income limits in s. 420.0004(8), (10),
371 (11), or (15). In assessing property for ad valorem taxation
372 under s. 193.011, an improvement used for affordable housing on
373 land owned by a community land trust and subject to such a
374 ground lease shall be assessed under the following criteria:

375 (1) The amount a willing purchaser would pay a willing
376 seller shall be limited to the amount determined by the formula
377 in the ground lease.

378 (2) If the ground lease and all amendments and supplements
379 thereto, or a memorandum documenting how such lease and
380 amendments or supplements restrict the price at which the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

381 improvements may be sold, is recorded and filed in the official
382 public records of the county in which the leased land is
383 located, the lease and any amendments or supplements shall be
384 deemed a land use regulation during the term of the lease as
385 amended or supplemented.

386 Section 8. Section 196.1978, Florida Statutes, is amended
387 to read:

388 196.1978 Affordable housing property exemption.--Property
389 used to provide affordable housing serving eligible persons as
390 defined by s. 159.603(7) and persons meeting income limits
391 specified in s. 420.0004(8), (10), (11), and (15), which
392 property is owned entirely by a nonprofit entity that is a
393 corporation not for profit pursuant to chapter 617 or a Florida
394 limited partnership, the sole general partner of which is a
395 corporation not for profit pursuant to chapter 617, that which
396 is qualified as charitable under s. 501(c)(3) of the Internal
397 Revenue Code and which complies with Rev. Proc. 96-32, 1996-1
398 C.B. 717, shall be considered property owned by an exempt entity
399 and used for a charitable purpose, and those portions of the
400 affordable housing property which provide housing to individuals
401 with incomes as defined in s. 420.0004(10) and (15) shall be
402 exempt from ad valorem taxation to the extent authorized in s.
403 196.196. All property identified in this section shall comply
404 with the criteria for determination of exempt status to be
405 applied by property appraisers on an annual basis as defined in
406 s. 196.195. The Legislature intends that any property owned by a
407 limited liability company or limited partnership which is
408 disregarded as an entity for federal income tax purposes
409 pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) shall be
410 treated as owned by its sole member.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

411 Section 9. Subsubsection (i) of subsection (19) of section
412 380.06, Florida Statutes, is amended to read:

413 380.06 Developments of regional impact.--

414 (19) SUBSTANTIAL DEVIATIONS.--

415 (i) An increase in the number of residential dwelling
416 units shall not constitute a substantial deviation and shall not
417 be subject to development-of-regional-impact review for
418 additional impacts, provided that all the residential dwelling
419 units are dedicated to affordable workforce housing and the
420 total number of new residential units does not exceed 200
421 percent of the substantial deviation threshold. The affordable
422 workforce housing shall be subject to a recorded land use
423 restriction that shall be for a period of not less than 20 years
424 and that includes resale provisions to ensure long-term
425 affordability for income-eligible homeowners and renters. For
426 purposes of this paragraph, the term "affordable workforce
427 housing" means housing that is affordable to a person who earns
428 less than 120 percent of the area median income, or less than
429 140 percent of the area median income if located in a county in
430 which the median purchase price for a single-family existing
431 home exceeds the statewide median purchase price of a single-
432 family existing home. For purposes of this paragraph, the term
433 "statewide median purchase price of a single-family existing
434 home" means the statewide purchase price as determined in the
435 Florida Sales Report, Single-Family Existing Homes, released
436 each January by the Florida Association of Realtors and the
437 University of Florida Real Estate Research Center. The
438 affordable workforce housing units developed in accordance with
439 these provisions, which are in close proximity to employment
440 centers, as determined by the local government in accordance

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

441 with ss. 163.3177(6)(a), shall be exempt from transportation
442 concurrency regulations of s. 163.3180 and will not reduce any
443 transportation trip generation entitlements of the approved
444 development-of-regional-impact development order.

445 Section 10. Subsection (2) of section 420.504, Florida
446 Statutes, is amended to read:

447 420.504 Public corporation; creation, membership, terms,
448 expenses.--

449 (2) The corporation is constituted as a public
450 instrumentality, and the exercise by the corporation of the
451 power conferred by this act is considered to be the performance
452 of an essential public function. The corporation ~~is shall~~
453 ~~constitute~~ an agency for the purposes of s. 120.52. The
454 corporation is a state agency for purposes of s. 159.807(4)(a).
455 The corporation is subject to chapter 119, subject to exceptions
456 applicable to the corporation, and to the provisions of chapter
457 286; however, the corporation shall be entitled to provide
458 notice of internal review committee meetings for competitive
459 proposals or procurement to applicants by mail, ~~or~~ facsimile, or
460 publication on an Internet website, rather than by means of
461 publication. The corporation is not governed by chapter 607 or
462 chapter 617, but by the provisions of this part. If for any
463 reason the establishment of the corporation is deemed in
464 violation of law, such provision is severable and the remainder
465 of this act remains in full force and effect.

466 (3) The corporation is a separate budget entity and is not
467 subject to control, supervision, or direction by the Department
468 of Community Affairs in any manner, including, but not limited
469 to, personnel, purchasing, transactions involving real or
470 personal property, and budgetary matters. The corporation shall

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

471 consist of a board of directors composed of the Secretary of
472 Community Affairs, or the Secretary's designee, as an ex officio
473 and voting member and eight members appointed by the Governor
474 subject to confirmation by the Senate from the following:

475 Section 11. Section 420.506, Florida Statutes, is amended
476 to read:

477 420.506 Executive director; agents and employees.-- The
478 appointment and removal of an executive director shall be by the
479 Secretary of Community Affairs, with the advice and consent of
480 the corporation's board of directors. The executive director
481 shall employ legal and technical experts and such other agents
482 and employees, permanent and temporary, as the corporation may
483 require, and shall communicate with and provide information to
484 the Legislature with respect to the corporation's activities.
485 The board is authorized, notwithstanding the provisions of s.
486 216.262, to develop and implement rules regarding the employment
487 of employees of the corporation and service providers, including
488 legal counsel. ~~The corporation is authorized to enter into a~~
489 ~~lease agreement with the Department of Management Services or~~
490 ~~the Department of Community Affairs for the lease of state~~
491 ~~employees from such entities, wherein an employee shall retain~~
492 ~~his or her status as a state employee but shall work under the~~
493 ~~direct supervision of the corporation, and shall retain the~~
494 ~~right to participate in the Florida Retirement System.~~ The board
495 of directors of the corporation is entitled to establish travel
496 procedures and guidelines for employees of the corporation. The
497 executive director's office and the corporation's files and
498 records must be located in Leon County.

499 Section 12. Section 420.5061, Florida Statutes, is amended
500 to read:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

501 420.5061 Transfer of agency assets and
502 liabilities. ~~Effective January 1, 1998, all assets and~~
503 ~~liabilities and rights and obligations, including any~~
504 ~~outstanding contractual obligations, of the agency shall be~~
505 ~~transferred to~~ The corporation is the as legal successor in all
506 respects to the agency, ~~and~~ the corporation is shall thereupon
507 become obligated to the same extent as the agency under any
508 existing agreements existing on December 31, 1997, and is be
509 entitled to any rights and remedies previously afforded the
510 agency by law or contract, including specifically the rights of
511 the agency under chapter 201 and part VI of chapter 159. The
512 ~~corporation is a state agency for purposes of s. 159.807(4)(a).~~
513 Effective January 1, 1998, all references under Florida law to
514 the agency are deemed to mean the corporation. ~~The corporation~~
515 ~~shall transfer to the General Revenue Fund an amount which~~
516 ~~otherwise would have been deducted as a service charge pursuant~~
517 ~~to s. 215.20(1) if the Florida Housing Finance Corporation Fund~~
518 ~~established by s. 420.508(5), the State Apartment Incentive Loan~~
519 ~~Fund established by s. 420.5087(7), the Florida Homeownership~~
520 ~~Assistance Fund established by s. 420.5088(4), the HOME~~
521 ~~Investment Partnership Fund established by s. 420.5089(1), and~~
522 ~~the Housing Predevelopment Loan Fund established by s.~~
523 ~~420.525(1) were each trust funds.~~ For purposes of s. 112.313,
524 the corporation is deemed to be a continuation of the agency,
525 and the provisions thereof are deemed to apply as if the same
526 entity remained in place. Any employees of the agency and agency
527 board members covered by s. 112.313(9)(a)6. shall continue to be
528 entitled to the exemption in that subparagraph, notwithstanding
529 being hired by the corporation or appointed as board members of
530 the corporation. ~~Effective January 1, 1998, all state property~~

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

531 ~~in use by the agency shall be transferred to and become the~~
532 ~~property of the corporation.~~

533 Section 13. Subsection (30) of section 420.507 is hereby
534 amended, and subsection (46) is added to section 420.507,
535 Florida Statutes, to read:

536 420.507 Powers of the corporation.--The corporation shall
537 have all the powers necessary or convenient to carry out and
538 effectuate the purposes and provisions of this part, including
539 the following powers which are in addition to all other powers
540 granted by other provisions of this part:

541 (30) To prepare and submit ~~to the secretary of the~~
542 ~~department~~ a budget request for purposes of the corporation,
543 which request shall, notwithstanding the provisions of chapter
544 216 and in accordance with s. 216.351, contain a request for
545 operational expenditures and ~~separate requests for other~~
546 authorized corporation programs. The request shall not be
547 required to contain information on the number of employees,
548 salaries, or any classification thereof, and the approved
549 operating budget therefor need not comply with s. 216.181(8)-
550 (10). ~~The secretary is authorized to include within the~~
551 ~~department's budget request the corporation's budget request in~~
552 ~~the form as authorized by this section.~~

553 (46) To require, as a condition of financing a multifamily
554 rental project, that an agreement be recorded in the official
555 records of the county where the real property is located, which
556 requires that the project be used for housing defined as
557 affordable in s. 420.0004(3) by persons defined in 420.0004(8),
558 (10), (11), and (15). Such an agreement is a state land use
559 regulation that limits the highest and best use of the property
560 within the meaning of s. 193.011(2).

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

561 Section 14. Section 420.5094, Florida Statutes, is created
562 to read:

563 420.5094 The Florida Housing Preservation Bridge Loan
564 Program--.

565 (1) The Legislature finds and declares that preserving
566 affordable multifamily rental and mobile home park housing for
567 low income families is essential to Florida's economy and the
568 well being of all of its citizens; that the State of Florida
569 lacks sufficient resources to preserve substantial numbers of
570 multifamily rental properties and mobile home parks that
571 currently provide affordable housing to thousands of Floridians;
572 and that there are state and national community development
573 financial institutions with established experience in securing
574 and deploying public, private, and philanthropic capital to
575 preserve affordable housing; therefore, the Legislature finds a
576 need to use state funds to leverage public, private, and
577 philanthropic capital to preserve affordable rental housing and
578 mobile home parks.

579 (2) There is created the Florida Housing Preservation
580 Bridge Loan Program for the purpose of establishing a revolving
581 bridge loan program to preserve mobile home parks and affordable
582 multifamily rental housing for low-income persons and families.

583 (3) For purposes of this section, the following definitions
584 apply:

585 (a) "Bridge loan" means short term financing of up to 3
586 years for acquisition, rehabilitation, or predevelopment costs
587 necessary to stabilize or position a property for permanent
588 financing.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

589 (b) "Eligible project" means an expiring use property,
590 mobile home park, or other nonregulated affordable multifamily
591 property.

592 (c) "Expiring use property" means a property that has
593 income restrictions on its use to benefit low-income persons and
594 families, which restrictions will terminate within two years of
595 the application for funding.

596 (4) To be eligible to receive funds under this program, an
597 entity shall:

598 (a) Be certified by the U.S. Department of the Treasury as
599 a community development financial institution;

600 (b) Be a qualified 501(c)3 organization under the Internal
601 Revenue Code;

602 (c) Possess a demonstrated record and ability to
603 effectively deploy financing for community development purposes;

604 (d) Demonstrate knowledge and experience in lending to
605 acquire, develop, and rehabilitate affordable housing;

606 (e) Demonstrate knowledge and experience in raising
607 matching capital from private, public and philanthropic sources;

608 (f) Have statewide lending operations;

609 (g) Demonstrate experience and capacity to provide
610 directly or through contracts with other entities, technical
611 assistance to developers;

612 (h) Document established and proven underwriting policies,
613 risk management ratings, portfolio management and servicing
614 systems;

615 (i) Have an independent financial audit for prior years;
616 and

617 (j) Meet requirements established by rule.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

618 (5) A community development financial institution that
619 receives state funds under this program shall create a revolving
620 affordable housing preservation bridge loan fund to make loans
621 to eligible projects. Multifamily rental properties which are
622 affordable to low-income persons and families without rental
623 restrictions but which will institute rental restrictions as a
624 condition of this funding, may be funded after expiring use
625 properties and mobile home park projects are funded.

626 (6) The corporation shall establish a funding process and
627 selection criteria by rule or by issuing a request for proposals
628 to select entities for funding.

629 (a) The corporation may reject any and all applicants;

630 (b) The corporation may establish a review committee by
631 rule and shall make recommendations to the board regarding
632 program participation selection. The board shall determine the
633 final ranking for participation based on the scores received in
634 the ranking, further review of the applications, and the
635 recommendations of the review committee. The board shall approve
636 or reject applicants and shall determine the tentative funding
637 amount available to each applicant. The final funding amount
638 shall be determined by rule.

639 (7) Prior to providing any assistance, the corporation and
640 the participant shall execute an agreement that requires the
641 participant to comply with all other terms and conditions of
642 assistance.

643 (8) In the event of fraud, mismanagement, or noncompliance
644 with the applicable statutes, rules, or terms and conditions of
645 the agreement on the part of the participant, the corporation
646 may:

647 (a) Require changes in the agreement;

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

648 (b) Reduce or terminate funding;

649 (c) Require repayment of any funding that has been
650 distributed;

651 (d) Revoke the participation in the program; or

652 (e) Take such other actions as the corporation deems
653 appropriate.

654 (9) A participant shall submit such financial and activity
655 reports and data at such times, in such forms, as required by
656 the corporation to ensure compliance and to evaluate the
657 participant's performance in this program.

658 (10) The corporation may adopt rules pursuant to ss.
659 120.536(1) and 120.54 to implement the provisions of this
660 section.

661 (11) The corporation may use a maximum of two percent of
662 the annual program appropriation for administration and
663 compliance monitoring.

664 Section 15. Section 420.5095, Florida Statutes, is amended
665 to read:

666 420.5095 Community Workforce Housing Innovation Pilot
667 Program.--

668 (1) The Legislature finds and declares that recent rapid
669 increases in the median purchase price of a home and the cost of
670 rental housing have far outstripped the increases in median
671 income in the state, preventing essential services personnel
672 from living in the communities where they serve and thereby
673 creating the need for innovative solutions for the provision of
674 housing opportunities for essential services personnel.

675 (2) The Community Workforce Housing Innovation Pilot
676 Program is created to provide affordable rental and home
677 ownership community workforce housing for essential services

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

678 personnel affected by the high cost of housing, using regulatory
679 incentives and state and local funds to promote local public-
680 private partnerships and leverage government and private
681 resources.

682 (3) For purposes of this section, the following
683 definitions apply:

684 (a) "Workforce housing" means housing affordable to
685 natural persons or families whose total annual household income
686 does not exceed 140 percent of the area median income, adjusted
687 for household size, or 150 percent of area median income,
688 adjusted for household size, in areas of critical state concern
689 designated under s. 380.05, for which the Legislature has
690 declared its intent to provide affordable housing, and areas
691 that were designated as areas of critical state concern for at
692 least 20 consecutive years prior to removal of the designation.

693 (b) "Essential services personnel" means persons in need
694 of affordable housing who are employed in occupations or
695 professions in which they are considered essential services
696 personnel, as defined by each county and eligible municipality
697 within its respective local housing assistance plan pursuant to
698 s. 420.9075(3)(a).

699 (c) "Public-private partnership" means any form of
700 business entity that includes substantial involvement of at
701 least one county, one municipality, or one public sector entity,
702 such as a school district or other unit of local government in
703 which the project is to be located, and at least one private
704 sector for-profit or not-for-profit business or charitable
705 entity, and may be any form of business entity, including a
706 joint venture or contractual agreement.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

707 (4) The Florida Housing Finance Corporation is authorized
708 to provide Community Workforce Housing Innovation Pilot Program
709 loans to an applicant for new construction or rehabilitation of
710 workforce housing in eligible areas. The corporation shall
711 establish a funding process and selection criteria by rule or
712 request for proposals. This funding is intended to be used with
713 other public and private sector resources.

714 (5) (a) The corporation shall provide by rule for the
715 establishment of a review committee composed of corporation
716 staff and, in addition, may include three private citizens
717 representing the areas of housing or real estate development,
718 banking, community planning, or other areas related to the
719 development or financing of workforce affordable housing. The
720 review and selection process shall include a process for curing
721 minor errors in the applications. The corporation shall
722 establish by rule a scoring system for evaluation and
723 competitive ranking of applications submitted in this program,
724 including, but not limited to, the following criteria:

725 1. Private and public sector entities' involvement as
726 partners in the project.

727 2. The sponsor's agreement to reserve at least fifty
728 percent of the units in the project for essential services
729 personnel.

730 3. Projects requiring the most effective use of the
731 community workforce housing loan.

732 4. Contributions to the project.

733 5. Local government comprehensive planning, zoning,
734 permitting, and other regulatory and financial incentives that
735 promote workforce housing or commitment to be innovative with

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

736 existing regulatory incentive structures to promote workforce
737 housing.

738 6. Proximity to employment centers and transportation
739 facilities.

740 7. Project feasibility.

741 8. Economic viability of the project.

742 9. Commitment of first mortgage financing.

743 10. The sponsor's prior affordable housing development and
744 management experience.

745 11. The sponsor's ability to proceed with construction.

746 (b) The corporation may reject any and all applications.

747 (c) The corporation may approve and reject applications
748 for the purpose of achieving geographic and demographic
749 targeting.

750 (d) The review committee established pursuant to this
751 subsection shall make recommendations to the board of directors
752 of the corporation regarding program participation under the
753 Community Workforce Housing Innovation Pilot Program.

754 (e) The corporation board shall make the final ranking and
755 the decisions regarding which applicants shall become program
756 participants based on the scores received in the competitive
757 ranking, further review of applications, and the recommendations
758 of the review committee. The corporation board shall approve or
759 reject applications for loans and shall determine the tentative
760 loan amount available to each applicant selected for
761 participation in the program. The maximum loan amount shall be
762 determined pursuant to rule adopted by the corporation.

763 (6)-(5) The corporation shall provide incentives for local
764 governments in eligible areas to use local affordable housing
765 funds, such as those from the State Housing Initiatives

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

766 Partnership Program, to assist in meeting the affordable housing
767 needs of persons eligible under this program. For workforce
768 housing projects funded under this program, local governments
769 are authorized to utilize State Housing Initiatives Partnership
770 Program funds for persons or families with incomes up to 140
771 percent of the area median income and, in areas of critical
772 state concern designated under s. 380.05, for which the
773 Legislature has declared its intent to provide affordable
774 housing, and in areas that were designated as areas of critical
775 state concern for at least 20 consecutive years prior to removal
776 of the designation, 150 percent of the area median income.

777 (7)(6) Funding shall be targeted to innovative projects in
778 areas where:

779 (a) The disparity between the area median income and the
780 median sales price for a single-family home is greatest;~~;~~ and
781 ~~for projects in areas where~~

782 (b) The population growth as a percentage rate of increase
783 is greatest; and

784 (c) There is a demonstrated need for workforce housing for
785 essential services personnel and ~~. The corporation may also fund~~
786 ~~projects in areas where~~ innovative regulatory and financial
787 incentives are made available or committed by the local
788 government or private sector.

789
790 The corporation shall fund at least one eligible project in as
791 many counties ~~as possible~~ and regions of the state as is
792 practicable, consistent with program goals.

793 (8)(7) Projects shall receive priority consideration for
794 funding where:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

795 (a) The local jurisdiction has adopted, or is committed to
796 adopting or providing, ~~adopts~~ appropriate regulatory incentives,
797 local contributions or financial strategies, or other funding
798 sources to promote the development and ongoing financial
799 viability of such projects. Local incentives include such
800 actions as expediting review of development orders and permits,
801 supporting development near transportation hubs and major
802 employment centers, and adopting land development regulations
803 designed to allow flexibility in densities, use of accessory
804 units, mixed-use developments, and flexible lot configurations.
805 Financial strategies include such actions as promoting employer-
806 assisted housing programs, providing tax increment financing,
807 and providing land.

808 (b) Projects are innovative and include new construction
809 or rehabilitation, mixed-income housing, or commercial and
810 housing mixed-use elements and those that promote homeownership.
811 The program funding shall not exceed the costs attributable to
812 the portion of the project that is set aside to provide housing
813 for the targeted population.

814 (c) Projects that set aside at least 80 percent of units
815 for workforce housing and at least 50 percent for essential
816 services personnel and for projects that require the least
817 amount of program funding compared to the overall housing costs
818 for the project.

819 (d) Projects that utilize innovative design and techniques
820 in order to reduce the future costs to the homeowner related to
821 maintenance, utilities, or insurance.

822 ~~(9)-(8)~~ Notwithstanding ~~the provisions of~~ s. 163.3184(3)-
823 (6), any local government comprehensive plan amendment to
824 implement a Community Workforce Housing Innovation Pilot Program

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

825 project found consistent with the provisions of this section
826 shall be expedited as provided in this subsection. At least 30
827 days prior to adopting a plan amendment pursuant to this
828 subsection, the local government shall notify the state land
829 planning agency of its intent to adopt such an amendment, and
830 the notice shall include its evaluation related to site
831 suitability and availability of facilities and services. The
832 public notice of the hearing required by s. 163.3184(15) ~~(b) 2. (e)~~
833 shall include a statement that the local government intends to
834 utilize the expedited adoption process authorized by this
835 subsection. Such amendments shall require only a single public
836 hearing before the governing board, which shall be an adoption
837 hearing as described in s. 163.3184(7), and the state land
838 planning agency shall issue its notice of intent pursuant to s.
839 163.3184(8) within 30 days after determining that the amendment
840 package is complete. Any further proceedings shall be governed
841 by ss. 163.3184(9)-(16). Amendments proposed under this section
842 are not subject to the restriction of s. 163.3187(1) limiting
843 the adoption of a comprehensive plan amendment to no more than
844 two times during any calendar year.

845 (10) The processing of approvals of development orders or
846 development permits, as defined in s. 163.3164(7) and (8), for
847 affordable housing projects shall be expedited.

848 ~~(11)-(9)~~ The corporation shall award loans with interest
849 rates set at 1 to 3 percent, which may be made forgivable when
850 long-term affordability is provided and when at least 80 percent
851 of the units are set aside for workforce housing and at least 50
852 percent of the units are set aside for essential services
853 personnel.

854 ~~(12)-(10)~~ All eligible applications shall:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

855 (a) For home ownership, limit the sales price of a
856 detached unit, townhome, or condominium unit to not more than 90
857 ~~80~~ percent of the median sales price for that type of unit in
858 that county, or the statewide median sales price for that type
859 of unit, whichever is higher, and require that all eligible
860 purchasers of home ownership units occupy the homes as their
861 primary residence.

862 (b) For rental units, restrict rents for all workforce
863 housing serving those with incomes at or below 120 percent of
864 area median income at the appropriate income level using the
865 restricted rents for the federal low-income housing tax credit
866 program and, for workforce housing units serving those with
867 incomes above 120 percent of area median income, restrict rents
868 to those established by the corporation, not to exceed 30
869 percent of the maximum household income adjusted to unit size.

870 (c) Demonstrate that the applicant is a public-private
871 partnership in an agreement, contract, partnership agreement,
872 memorandum of understanding, or other written instrument signed
873 by all the project partners.

874 (d) Have grants, donations of land, or contributions from
875 the public-private partnership or other sources collectively
876 totaling at least 10 ±5 percent of the total development cost or
877 \$2 million, whichever is less. Such grants, donations of land,
878 or contributions must be evidenced by a letter of commitment, an
879 agreement, contract, deed, memorandum of understanding, or other
880 written instrument ~~only~~ at the time of application. Grants,
881 donations of land, or contributions in excess of 10 ±5 percent
882 of the development cost shall increase the application score.

883 (e) Demonstrate how the applicant will use the regulatory
884 incentives and financial strategies outlined in paragraphs (8)

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

885 and (13) ~~(7)(a)~~ from the local jurisdiction in which the
886 proposed project is to be located. The corporation may consult
887 with the Department of Community Affairs in evaluating the use
888 of regulatory incentives by applicants.

889 (f) Demonstrate that the applicant possesses title to or
890 site control of land and evidences availability of required
891 infrastructure.

892 ~~(g) Demonstrate the applicant's affordable housing
893 development and management experience.~~

894 ~~(h) Provide any research or facts available supporting the
895 demand and need for rental or home ownership workforce housing
896 for eligible persons in the market in which the project is
897 proposed.~~

898 (13) Local governments are authorized to make available to
899 approved Community Workforce Housing Innovation Pilot Program
900 projects workforce housing incentives to promote the financial
901 viability, successful development, and ongoing maintenance of
902 these housing developments, including, but not limited to:

903 (a) Impact fees may be reduced, may be waived entirely, or
904 may be deferred by the local government, or an applicant may be
905 provided with an alternative method of fee payment.

906 (b) Increased density levels or higher density per acre
907 may be allowed.

908 (c) The infrastructure capacity in the local comprehensive
909 plan for affordable housing may be reserved for these
910 communities.

911 (d) Additional affordable residential units in residential
912 zoning districts may be allowed.

913 (e) Open space and setback requirements for affordable
914 housing may be reduced by 50 percent.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

915 (f) Zero-lot-line configurations may be allowed.

916 (g) Trips associated with affordable housing in close
917 proximity of employment centers may be exempt from
918 transportation concurrency pursuant to s. 163.3180(5)(d).

919 (h) Local transportation infrastructure funding may be
920 prioritized by local metropolitan planning organizations.

921 (i) Local State Housing Initiatives Partnership program
922 funds may be used to support construction of workforce housing
923 projects and down payment assistance for residents with incomes
924 that do not exceed 140 percent of the area median income
925 residing in such projects.

926 (j) Tax increment financing may be made available to
927 workforce housing projects to assist in maintaining long term
928 affordability of the units.

929 ~~(14)-(11)~~ Projects may include manufactured housing
930 constructed after June 1994 and installed in accordance with
931 mobile home installation standards of the Department of Highway
932 Safety and Motor Vehicles.

933 ~~(15)-(12)~~ The corporation may adopt rules pursuant to ss.
934 120.536(1) and 120.54 to implement the provisions of this
935 section.

936 ~~(16)-(13)~~ The corporation may use a maximum of 2 percent of
937 the annual program appropriation for administration and
938 compliance monitoring.

939 ~~(17)-(14)~~ The corporation shall review the success of the
940 Community Workforce Housing Innovation Pilot Program to
941 ascertain whether the projects financed by the program are
942 useful in meeting the housing needs of eligible areas. The
943 corporation shall submit its report and any recommendations
944 regarding the program to the Governor, the Speaker of the House

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

945 of Representatives, and the President of the Senate not later
946 than 2 months after the end of the corporation's fiscal year.

947 Section 16. Subsection (7) of section 420.526, Florida
948 Statutes, is amended to read:

949 420.526 Predevelopment Loan Program; loans and grants
950 authorized; activities eligible for support.--

951 (7) No predevelopment loan made under this section shall
952 exceed the lesser of:

953 (a) The development and acquisition costs for the project,
954 as determined by rule of the corporation; or

955 (b) Seven hundred fifty ~~Five hundred~~ thousand dollars.

956 Section 17. Subsections (1) and (2) of section 420.606,
957 Florida Statutes, are amended to read:

958 420.606 Training and technical assistance program.--

959 (1) LEGISLATIVE FINDINGS.--In addition to the legislative
960 findings set forth in s. 420.6015, the Legislature finds and
961 declares that:

962 (a) Housing in economically declining or distressed areas
963 is frequently substandard and is often unaffordable to very-low-
964 income persons and low-income persons.

965 (b) Recent rapid increases in the median purchase price of
966 homes and the cost of rental housing have far outstripped the
967 increases in median income in the state, preventing essential
968 services personnel from living in the communities where they
969 serve and thereby creating the need for innovative solutions for
970 the provision of housing opportunities for essential services
971 personnel.

972 (c) ~~(b)~~ Community-based organizations often have limited
973 experience in development of quality housing for very-low-income

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

974 persons and low-income persons in economically declining or
975 distressed areas, ~~and~~

976 (d) The private market should be encouraged to provide
977 affordable rental and home ownership housing for essential
978 services personnel affected by the high cost of housing.
979 Technical assistance should address development costs through
980 promoting local public-private partnerships that leverage
981 government and private resources.

982 (e)-(e) The staffs and board members of community-based
983 organizations need additional training in housing development as
984 well as technical support to assist them in gaining the
985 experience they need to better serve their communities.

986 (f)-(d) The staffs of state and regional agencies and local
987 governments, whether directly involved in the production of
988 affordable housing or acting in a supportive role, can better
989 serve the goals of state and local governments if their
990 expertise in housing development is expanded.

991 (2) PURPOSE.--The purpose of this section is to provide
992 community-based organizations and staff of state and local
993 governments with the necessary training and technical assistance
994 to meet the needs of very-low-income persons, low-income
995 persons, and moderate-income persons for standard, affordable
996 housing and for workforce housing in those areas where housing
997 costs have severely limited housing affordability.

998 Section 18. Subsections (2), (4), and (5) of section
999 420.9076, Florida Statutes, are amended, and subsection (8) is
1000 added to that section, to read:

1001 420.9076 Adoption of affordable housing incentive
1002 strategies; committees.--

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1003 (2) The governing board of a county or municipality shall
1004 appoint the members of the affordable housing advisory committee
1005 by resolution. Pursuant to the terms of any interlocal
1006 agreement, a county and municipality may create and jointly
1007 appoint an advisory committee to prepare a joint plan. The
1008 ordinance adopted pursuant to s. 420.9072 which creates the
1009 advisory committee or the resolution appointing the advisory
1010 committee members must provide for eleven ~~nine~~ committee members
1011 and their terms. The committee must include:

1012 (a) One citizen who is actively engaged in the residential
1013 home building industry in connection with affordable housing.

1014 (b) One citizen who is actively engaged in the banking or
1015 mortgage banking industry in connection with affordable housing.

1016 (c) One citizen who is a representative of those areas of
1017 labor actively engaged in home building in connection with
1018 affordable housing.

1019 (d) One citizen who is actively engaged as an advocate for
1020 low-income persons in connection with affordable housing.

1021 (e) One citizen who is actively engaged as a for-profit
1022 provider of affordable housing.

1023 (f) One citizen who is actively engaged as a not-for-
1024 profit provider of affordable housing.

1025 (g) One citizen who is actively engaged as a real estate
1026 professional in connection with affordable housing.

1027 (h) One citizen who actively serves on the local planning
1028 agency pursuant to s. 163.3174.

1029 (i) One citizen who resides within the jurisdiction of the
1030 local governing body making the appointments.

1031 (j) One citizen who represents employers within the
1032 jurisdiction.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1033 (k) One citizen who represents essential services
1034 personnel, as defined in the local housing assistance plan.

1035
1036 If a county or eligible municipality whether due to its small
1037 size, the presence of a conflict of interest by prospective
1038 appointees, or other reasonable factor, is unable to appoint a
1039 citizen actively engaged in these activities in connection with
1040 affordable housing, a citizen engaged in the activity without
1041 regard to affordable housing may be appointed. Local governments
1042 that receive the minimum allocation under the State Housing
1043 Initiatives Partnership Program may elect to appoint an
1044 affordable housing advisory committee with fewer than eleven
1045 representatives if they are unable to find representatives that
1046 meet the criteria of paragraphs (a)-(k).

1047 (4) Biennially, the advisory committee shall review the
1048 established policies and procedures, ordinances, land
1049 development regulations, and adopted local government
1050 comprehensive plan of the appointing local government and shall
1051 recommend specific actions or initiatives to encourage or
1052 facilitate affordable housing while protecting the ability of
1053 the property to appreciate in value. Such recommendations may
1054 include the modification or repeal of existing policies,
1055 procedures, ordinances, regulations, or plan provisions; the
1056 creation of exceptions applicable to affordable housing; or the
1057 adoption of new policies, procedures, regulations, ordinances,
1058 or plan provisions. At a minimum, each advisory committee shall
1059 submit a report to the local governing body that includes ~~make~~
1060 recommendations on, and every two years thereafter evaluates the
1061 implementation of, affordable housing incentives in the
1062 following areas:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1063 (a) The processing of approvals of development orders or
1064 permits, as defined in s. 163.3164(7) and (8), for affordable
1065 housing projects is expedited to a greater degree than other
1066 projects.

1067 (b) The modification of impact-fee requirements, including
1068 reduction or waiver of fees and alternative methods of fee
1069 payment for affordable housing.

1070 (c) The allowance of flexibility in densities increased
1071 density levels for affordable housing.

1072 (d) The reservation of infrastructure capacity for housing
1073 for very-low-income persons, ~~and low-income persons~~ and moderate
1074 income persons.

1075 (e) The allowance of affordable accessory residential
1076 units in residential zoning districts.

1077 (f) The reduction of parking and setback requirements for
1078 affordable housing.

1079 (g) The allowance of flexible lot configurations,
1080 including zero-lot-line configurations for affordable housing.

1081 (h) The modification of street requirements for affordable
1082 housing.

1083 (i) The establishment of a process by which a local
1084 government considers, before adoption, policies, procedures,
1085 ordinances, regulations, or plan provisions that increase the
1086 cost of housing.

1087 (j) The preparation of a printed inventory of locally
1088 owned public lands suitable for affordable housing.

1089 (k) The support of development near transportation hubs
1090 and major employment centers and mixed-use developments.
1091

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1092 The advisory committee recommendations may ~~must~~ also include
1093 other affordable housing incentives identified by the advisory
1094 committee. Local governments that receive the minimum allocation
1095 under the State Housing Initiatives Partnership Program shall
1096 perform the initial review, but may elect to not perform the
1097 biennial review.

1098 (5) The approval by the advisory committee of its local
1099 housing incentive strategies recommendations and its review of
1100 local government implementation of previously recommended
1101 strategies must be made by affirmative vote of a majority of the
1102 membership of the advisory committee taken at a public hearing.
1103 Notice of the time, date, and place of the public hearing of the
1104 advisory committee to adopt final local housing incentive
1105 strategies recommendations must be published in a newspaper of
1106 general paid circulation in the county. Such notice must contain
1107 a short and concise summary of the local housing incentives
1108 strategies recommendations to be considered by the advisory
1109 committee. The notice must state the public place where a copy
1110 of the tentative advisory committee recommendations can be
1111 obtained by interested persons.

1112 (6) Within 90 days after the date of receipt of the local
1113 housing incentive strategies recommendations from the advisory
1114 committee, the governing body of the appointing local government
1115 shall adopt an amendment to its local housing assistance plan to
1116 incorporate the local housing incentive strategies it will
1117 implement within its jurisdiction. The amendment must include,
1118 at a minimum, the local housing incentive strategies required in
1119 s. 420.9071(16). The local government must consider the
1120 strategies specified in paragraphs (4) (a) -~~(j)~~ (k) as recommended
1121 by the advisory committee.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1122 (8) The advisory committee may perform other
1123 responsibilities at the request of the local government,
1124 including:

1125 (a) The provision of mentoring services to affordable
1126 housing partners, including developers, banking institutions,
1127 employers, and others to identify available incentives, assist
1128 with applications for funding requests, and develop partnerships
1129 between various parties.

1130 (b) The creation of best practices for development of
1131 affordable housing in the community.

1132 Section 18. Subsection (47) of section 1001.64, Florida
1133 Statutes, is created to read:

1134 1001.64 Community college boards of trustees; powers and
1135 duties.—

1136 (47) Each board of trustees may use portions of property
1137 sites purchased within the guidelines of the State Requirements
1138 for Educational Facilities, land deemed not usable for
1139 educational purposes because of location or other factors, or
1140 land declared surplus by the board to provide sites for
1141 affordable housing for community college faculty or other
1142 college personnel independently or in conjunction with local
1143 governments and planning authorities. Each board of trustees
1144 may enter into lease-purchase arrangements with private or not-
1145 for-profit entities or corporations to accomplish this
1146 objective.

1147 Section 19. This act shall take effect July 1, 2007.

1148
1149 ===== D I R E C T O R Y A M E N D M E N T =====

1150 Remove line(s) and insert:

1151
1152

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1153 ===== T I T L E A M E N D M E N T =====
1154 Remove line(s) 3-83 and insert:
1155 163.3177, F.S.; revising elements of local government
1156 comprehensive plans relating to future land use and housing;
1157 amending s. 163.31771, F.S.; providing options for accessory
1158 dwelling units; amending s. 163.3180, F.S.; authorizing local
1159 governments to grant an exception from the concurrency
1160 requirement for transportation facilities; authorizing local
1161 governments to exempt certain trips from the concurrency
1162 requirement; amending s. 163.3184, F.S.; authorizing certain
1163 local government comprehensive plan amendments to be expedited;
1164 providing requirements for amendment notices; requiring public
1165 hearing; amending s. 163.3187, F.S.; authorizing certain local
1166 government comprehensive plan amendments to be adopted more than
1167 twice a year; creating s. 193.018, F.S.; creating the Affordable
1168 Housing Property Tax Relief Initiative; providing criteria to be
1169 used in assessing just valuation of certain affordable housing
1170 properties serving extremely-low-income persons, low-income
1171 persons, moderate-income persons, and very-low-income persons;
1172 providing assessment guidelines; authorizing certain agreements
1173 to be considered a land use regulation and a limitation on the
1174 highest and best use of the property; creating s. 193.0185,
1175 F.S.; providing assessment criteria for improvements used for
1176 permanently affordable housing subject to a 99-year ground
1177 lease; amending s. 196.1978, F.S.; revising an affordable
1178 housing property exemption to require that the owner be a
1179 corporation not for profit or a limited partnership the sole
1180 general partner of which is such a corporation; expanding scope
1181 of exemption; amending s. 380.06, F.S.; providing exemptions
1182 from transportation concurrency regulations for certain

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1183 affordable workforce housing units; providing that certain
1184 additional trips do not reduce development of regional impact
1185 development order entitlements; amending s. 420.504, F.S.;
1186 providing that the corporation is a state agency for purposes of
1187 the state allocation pool; authorizing the corporation to
1188 provide notice of internal review committee meetings by
1189 publication on an Internet website; providing that the
1190 corporation is not governed by certain provisions relating to
1191 corporations not for profit; providing that a designee may
1192 represent the Secretary of the Department of Community Affairs
1193 on the board of directors; amending s. 420.506, F.S.; deleting a
1194 provision relating to lease of certain state employees; amending
1195 s. 420.5061, F.S.; deleting obsolete provisions; removing a
1196 provision requiring all assets and liabilities and rights and
1197 obligations of the Florida Housing Finance Agency to be
1198 transferred to the corporation; providing that the corporation
1199 is the legal successor to the agency; removing a provision
1200 requiring the corporation to make transfers to certain trust
1201 funds; removing a provision requiring all state property in use
1202 by the agency to be transferred to and become the property of
1203 the corporation; amending s. 420.507, F.S.; deleting submittal
1204 of the corporation budget to the secretary; providing the
1205 corporation the power to require that an agreement be recorded
1206 in the official records of the county where the real property is
1207 located; creating s. 420.5094, F.S.; creating the Florida
1208 Housing preservation Bridge Loan Program; establishing
1209 legislative findings; providing definitions; providing
1210 eligibility criteria; providing for agreements; requiring
1211 reports; authorizing rule making; authorizing use of funds for
1212 administration and monitoring; amending s. 420.5095, F.S.;

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

1213 requiring the corporation to establish a review committee for
1214 the program; providing for membership; requiring the corporation
1215 to establish a scoring system for evaluation and competitive
1216 ranking of applications; providing powers and duties of the
1217 committee; requiring the corporation board to make the final
1218 ranking and program participant decision; revising which
1219 projects may receive priority consideration for funding;
1220 requiring the processing of certain approvals of development
1221 orders or development permits to be expedited; providing
1222 applicant requirements; authorizing certain incentives to be
1223 offered by local governments for program participants; amending
1224 s. 420.526, F.S.; increasing the maximum loan amount authorized
1225 under the Predevelopment Loan Program; amending s. 420.606,
1226 F.S.; revising legislative findings and purpose of the training
1227 and technical assistance program; amending s. 420.9076, F.S.;
1228 increasing affordable housing advisory committee membership;
1229 providing membership criteria; authorizing the use of fewer
1230 members under certain circumstances; revising and providing
1231 duties of the advisory committee; amending s. 1001.64, F.S.;
1232 providing for certain properties owned by community colleges to
1233 be used for affordable housing for teachers, other college
1234 personnel, and other essential services personnel; providing an
1235 effective date.

1236

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COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION X (Y/N) 4/12/07
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Economic Expansion and
2 Infrastructure Council
3 Representative(s) Nehr offered the following:
4

5 **Amendment to Amendment (2) by Representative M. Davis (with**
6 **directory and title amendments)**

7 Remove line(s) 131 and insert:

8 i. By July 1, 2008, counties in which the gap between the
9 buying power of a family of four and the median county home sale
10 price exceeds \$150,000 as determined by the Florida Housing
11 Finance Corporation, and that are not designated as an area of
12 critical state concern, shall adopt a financially feasible plan
13 for ensuring adequate affordable workforce housing, as defined
14 in s. 380.0651(3)(j). At a minimum, the plan shall identify and
15 provide adequate sites for such housing. For purposes of this
16 sub-subparagraph, the term "workforce housing" means housing
17 that is affordable to natural persons or families whose total
18 household income does not exceed 140 percent of the area median
19 income, adjusted for household size.

20 j. Failure by a local government to comply with the
21 requirement in s. 163.3177(6)(f)1.h. will result in the local
22 government being ineligible to receive any state housing

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 to Amendment 2 (for drafter's use only)

23 assistance grants until the requirement of s. 163.3177(6)1.h. is
24 met.

25

26 ===== D I R E C T O R Y A M E N D M E N T =====

27 Remove line(s) and insert:

28

29

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

31 Remove line(s) 1157 and insert:

32 requiring certain counties to adopt a financially feasible plan

33 for ensuring adequate workforce housing by a specified date;

34 providing a definition; providing a penalty; amending s.

35 163.31771. F.S.; providing options for accessory

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council

4/12/2007 8:00:00AM

Location: 404 HOB

HB 1543 : Child Care Services

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Edward Bullard	X				
Larry Cretul	X				
Joyce Cusack	X				
Don Davis			X		
Mike Davis	X				
Keith Fitzgerald	X				
Richard Glorioso	X				
Doug Holder			X		
Dick Kravitz	X				
Peter Nehr	X				
Pat Patterson	X				
Betty Reed	X				
Dean Cannon (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Child Care Services

Janet Mabry (Lobbyist) - Proponent

FL Assn. of Child Care
 2866 Bay Heather Circle
 Gulf Breeze FL 32563
 Phone: 850 932-1502

Child Care Services

Cindy Lerner-WAIVED TIME (General Public) - Proponent

Community Based Care Alliance & Guardian Ad Litem Program
 5901 Moss Ranch Rd.
 Miami FL 33156
 Phone: 305 992-3433

Child Care Services

Diana Ragbeer-WAIVED TIME (Lobbyist) - Proponent

The Children's Trust
 3200 SW 3rd Ave.
 Miami FL
 Phone: 305 571-5718

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

Child Care Services

Evan Goldman-WAIVED TIME (Lobbyist) - Proponent

Children's Sources Council of Broward

6301 NW 5th Way

Ft. Lauderdale FL 33309

Phone: 954 377-1000

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.02 (for drafter's use only)

Bill No. 1543

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N) 4/12/07
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Council/Committee hearing bill: Economic Expansion &
2 Infrastructure Council
3 Representative(s) Cusack offered the following:
4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (8) is added to section 402.301,
8 Florida Statutes, to read:

9 402.301 Child care facilities; legislative intent and
10 declaration of purpose and policy.--It is the legislative intent
11 to protect the health, safety, and well-being of the children of
12 the state and to promote their emotional and intellectual
13 development and care. Toward that end:

14 (8) It is the intent of the Legislature that a public
15 child care center designated as a Gold Seal Quality Care
16 facility under s. 402.281 allow children who have not attained
17 the age of eligibility for kindergarten and who are under the
18 jurisdiction of a circuit court of this state due to a
19 documented case of child abuse, abandonment, or neglect to
20 receive first priority for placement. To the extent that this
21 subsection creates a conflict with a priority placement pursuant
22 to s. 411.01(6), a child who is at least 3 years of age but who

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.02 (for drafter's use only)

23 has not yet attained the age of eligibility for kindergarten
24 shall have first priority for placement.

25 Section 2. This act shall take effect July 1, 2007.

26
27 ===== T I T L E A M E N D M E N T =====

28 Remove the entire title and insert:

29 A bill to be entitled

30 An act relating to public child care; amending s. 402.301,
31 F.S.; providing legislative intent that children meeting
32 certain requirements be given first priority for placement
33 in the Gold Seal Quality Care Program; providing an
34 effective date.
35

COUNCIL MEETING REPORT
Economic Expansion & Infrastructure Council
4/12/2007 8:00:00AM

Location: 404 HOB

Summary:

Economic Expansion & Infrastructure Council

Thursday April 12, 2007 08:00 am

HB 559	Favorable with Council Substitute	Yeas: 10	Nays: 4
HB 615	Favorable with Council Substitute	Yeas: 12	Nays: 0
HB 903	Not Considered		
HB 935	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 975	Favorable with Council Substitute	Yeas: 13	Nays: 1
HB 1143	Favorable with Council Substitute	Yeas: 13	Nays: 0
HB 1225	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 1283	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 1375	Favorable with Council Substitute	Yeas: 13	Nays: 0
HB 1543	Favorable with Council Substitute	Yeas: 13	Nays: 0

Committee meeting was reported out: Thursday, April 12, 2007 12:11:24PM