

Chapter 93-187

Committee Substitute for Senate Bill No. 2382

AN ACT relating to economic development; creating s. 288.046, F.S.; providing legislative intent; creating s. 288.047, F.S.; creating the Quick-Response Training Program to be administered by the Department of Commerce in conjunction with the Department of Education; providing responsibilities; creating a Quick-Response Advisory Committee to assist in the administration of the program; providing for membership; providing for appointment; providing for duties; providing for allocation of funds; providing for written agreements; providing authority to accept certain grants and donations; providing for the procurement and maintenance of equipment; providing certain public records exemptions and for future review and repeal thereof; providing legislative intent; providing definitions; creating the Enterprise Florida Innovation Partnership; providing for purpose and membership; providing for organization; providing for powers and authority; providing for authorized programs; providing for the development of measurable goals and objectives; providing for the Florida Innovation Alliance; providing for the Florida Technology Investment Fund; providing for technology commercialization programs; providing for audits and confidentiality; providing for indemnification; repealing s. 229.8053, F.S.; relating to the Florida High Technology and Industry Council; providing for the incorporation of the Florida High Technology and Industry Council as a not-for-profit corporation; amending s. 240.539, F.S.; providing that the Board of Regents may invest moneys for advanced technology research to the Enterprise Florida Innovation Partnership; deleting language relating to the Florida High Technology and Industry Council; providing review and repeal; renumbering and amending s. 229.6056, F.S.; changing authority over education outreach activities in Latin America and the Caribbean Basin; amending s. 288.063, F.S., relating to contracts for transportation projects of the Division of Economic Development of the Department of Commerce; deleting some obsolete dates; providing for the transfer of funds upon the commencement of the construction of the transportation project; providing for certain rules; providing an additional requirement in selecting projects; providing for monitoring of construction of the transportation project; amending s. 288.701, F.S.; revising and adding to the duties of the Division of Economic Development of the Department of Commerce; amending s. 288.703, F.S.; revising the definition of the term "ombudsman" for purposes of the duties of the Division of Economic Development; repealing s. 29, ch. 92-136, Laws of Florida, relating to the Sunshine State Skills Program; repealing s. 31, ch. 92-136, Laws of Florida, relating to the industry services training program; repealing s. 288.1161, F.S., relating to Sports Advisory Council; amending s. 288.03,

F.S.; providing for the creating of the Florida State Rural Development Council; amending s. 20.17, F.S.; abolishing the Sports Advisory Council within the Department of Commerce; revising the membership of the direct-support organization that assists the department in promoting and developing the sports industry; providing for severability of provisions; creating the Florida Development Finance Corporation Act of 1993; providing findings and definitions; creating the corporation and providing for directors; providing powers of the corporation; authorizing issuance of revenue bonds and providing requirements related thereto; providing for guaranty of bond issues and specifying requirements related thereto; providing an exemption from public records requirements; providing for review and repeal of such exemption; requiring establishment of a guaranty fund and providing for funding thereof; providing for bonds as legal investments; providing for an annual report of the Florida Development Finance Corporation; creating the Enterprise Florida Capital Partnership; providing for a board of directors; providing for organization of the partnership; providing powers and duties of the partnership; providing authorized programs; providing for an annual report of the Enterprise Florida Capital Partnership; providing for audits; providing an exemption from public records requirements; providing for review and repeal of such exemption; providing for indemnification; amending ss. 339.08, 339.135, 206.46, and 215.47, F.S.; allowing the investment of earnings collected upon the investment of the State Transportation Trust Fund; creating s. 288.770, F.S.; creating the "Florida Export Finance Corporation Act"; creating s. 288.771, F.S.; providing legislative intent; creating s. 288.772, F.S.; providing definitions; creating s. 288.773, F.S.; creating the Florida Export Finance Corporation; providing powers and duties of the corporation; creating s. 288.774, F.S.; authorizing the corporation to charge fees; providing a limitation on loans by the corporation; authorizing the corporation to adopt rules; creating s. 288.775, F.S.; establishing the Florida Export Finance Corporation Account; providing purposes of the account; providing for investment of moneys in the account; providing for payment of claims against the account; providing that the state is not liable for claims on the account; creating s. 288.776, F.S.; providing an exemption from s. 119.07(1), F.S.; providing for review and repeal; providing for a board of directors of the corporation; providing for appointment of members; providing duties of the board; creating s. 288.777, F.S.; providing for appointment of a president of the corporation; providing duties and powers of the president; creating s. 288.7771, F.S.; requiring an annual report; creating s. 288.7772, F.S.; requiring the development of measurable goals and objectives of the corporation; requiring an evaluation and report by the Auditor General; creating s. 288.778, F.S.; requiring the Department of Banking and Finance to review the corporation's activities periodically; amending s. 288.765, F.S.; revising the duties of the export finance officer in the Department of Commerce; amending ss. 288.811 and 288.819, F.S.;

changing the name of the Florida International Banking Advisory Council to the Florida International Banking and Finance Council; repealing ss. 288.741, 288.742, 288.743, 288.744, 288.745, 288.746, 288.747, 288.748, 288.749, 288.750, 288.751, 288.752, 288.753, 288.754, 288.755, 288.756, 288.757, 288.758, 288.759, and 288.760, F.S., relating to export finance; providing an appropriation; amending s. 120.54, F.S.; requiring an agency to prepare an economic impact statement if a proposed rule adoption, amendment, or repeal would result in significant adverse effects on international trade; transferring, renumbering, and amending s. 229.6053, F.S.; replacing the Florida Commission on International Education with the Florida Council on International Affairs within the Florida International Affairs Commission; providing for membership, terms, meetings, and travel and per diem expenses; requiring a study of existing foreign language programs; requiring a report regarding the creation of a foreign language institute; deleting provisions for accepting gifts, grants, donations, expenses, or other valued goods or services; deleting provisions for providing an annual business and financial transaction report; amending s. 229.6056, F.S.; requiring that the Florida International Affairs Commission evaluate certain educational outreach activities in Latin America and the Caribbean basin; transferring, renumbering, and amending s. 240.137, F.S.; creating Florida linkage institutes within the Florida International Affairs Commission, rather than within the Department of Education; revising the purposes of those institutes; requiring that institutes ensure minority student participation; revising the membership of the advisory committees of the institutes; revising and creating such institutes; providing for agreements by institutes regarding tuition and fees of students participating in exchange programs; requiring that appropriations for linkage institutes be made by a single lump-sum line item to the Florida International Affairs Commission; deleting a requirement that state-funded grants to individual institutes be approved by the commission; amending s. 288.803, F.S., relating to the Florida International Affairs Commission; adding a representative of the Small and Minority Business Advisory Council to the commission; deleting requirements that have been met; amending s. 288.804, F.S.; revising the duties of the Florida International Affairs Commission; requiring certain studies and reports; specifying the rulemaking procedure to be followed; amending s. 288.805, F.S.; deleting requirements for formulating a strategic plan for international economic development in the state; amending s. 288.811, F.S., relating to the Florida International Trade and Investment Council; providing requirements for one member; deleting certain requirements that have been met; requiring an analysis and a report; amending s. 288.815, F.S.; authorizing that the Office of the Executive Director of the Florida International Affairs Commission create a data base of international programs at the International Trade Data Resource and Research Center; requiring that office to publish a promotional brochure; amending s. 288.817, F.S.; deleting a requirement

that the Office of the Executive Director of the Florida International Affairs Commission administer the operation of and provide funding to the International Language Institute Advisory Council; requiring that the Office of the Executive Director of the Florida International Affairs Commission select international education programs for achievement of national prominence; requiring a report on international education in the state; requiring agencies that have international programs to establish in their legislative budget requests a separate fiscal category for that program; repealing s. 229.605, F.S., which provides for the creation and duties of the Office of International Education of the Department of Education; repealing s. 229.6051, F.S., which provides for additional duties of the Office of International Education; repealing s. 288.818, F.S., which provide for the creation, membership, and duties of the International Language Institute Advisory Council; providing for future review and repeal of sections 25 through 34 of the act; providing effective dates.

<< Note: FL ST § 288.046 >>

Preamble (Laws 1993, c.93-187):

WHEREAS, Florida, hard hit by the national recession and losses in key industries has found its unemployment rate exceeding the nation's since 1983, and

WHEREAS, Florida's once-vibrant job growth has slowed and even declined in recent years, while our population has continued to grow, and

WHEREAS, Florida must attract and assist employers that offer quality jobs for its citizens if we hope to reverse these trends, and

WHEREAS, businesses have found it increasingly difficult to obtain adequate capital, technological, and other types of assistance necessary to remain competitive, and

WHEREAS, the availability of capital, training, and other types of business assistance can provide an invaluable stimulus to economic development in this state, and

WHEREAS, Florida's economic future and development is tied to long-term strategic planning and the implementation of plans, procedures and programs that foster the growth of high technology and other value-added industries and jobs in the state, and NOW, THEREFORE,

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

Section 63. Paragraph (b) of subsection (2) of section 120.54, Florida Statutes, 1992 Supplement, is amended to read:

120.54. Rulemaking; adoption procedures

(2)

(b) Prior to the adoption, amendment, or repeal of any rule not described in subsection (9), an agency may provide information on its proposed action by preparing an economic impact statement, and must prepare an economic impact statement if:

1. The agency determines that the proposed action would result in a substantial increase in costs or prices paid by consumers, individual industries, or state or local government agencies, or would result in significant adverse effects on competition, employment, investment, productivity, ~~<<-or-->>~~ innovation, ~~<<-or-->>~~ <<+or international trade,+>> and alternative approaches to the regulatory objective exist and are not precluded by law; or

2. Within 14 days after the date of publication of the notice provided pursuant to paragraph (1)(c) or, if no notice of rule development is provided, within 21 days after the notice required by paragraphs (1)(a) and (b), a written request for preparation of an economic impact statement is filed with the appropriate agency by the Governor, a body corporate and politic, at least 100 people signing a request, or an organization representing at least 100 persons, or any domestic nonprofit corporation or association.

An agency's determination regarding preparation of an economic impact statement pursuant to subparagraph (2)(b)1. shall not be subject to challenge. If an economic impact statement is prepared pursuant to paragraph (2)(b), at least 14 days prior to any public hearing on a proposed rule held pursuant to subsection (3), the agency shall make a draft copy of the economic impact statement available to any person who requests a copy of the statement.