Florida Senate - 2007

By Senator Baker

20-1586-07

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1	A bill to be entitled
2	An act relating to development and use of
3	biofuel; providing a purpose and definitions;
4	directing the Commissioner of Agriculture to
5	provide financial incentives to encourage
6	farmers to grow certain feedstock for the
7	production of biofuels, encourage persons to
8	produce and sell certain biofuels, and
9	encourage local governments and others to
10	consume certain biofuels; requiring a
11	competitive process in selecting projects to
12	receive the incentives; providing criteria to
13	determine project eligibility and prioritize
14	funding of eligible projects; requiring persons
15	whose project is funded to provide written
16	reports; authorizing rulemaking by the
17	commissioner; providing an effective date.
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19	Be It Enacted by the Legislature of the State of Florida:
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21	Section 1. <u>Public-private partnership for the</u>
22	development and use of biofuel
23	(1) The purpose of this section is to create a
24	public-private partnership to demonstrate that the
25	establishment and growth of an industry in this state which
26	develops and fosters the widespread use of renewable biofuels
27	in a sustainable manner will benefit the state's environment
28	and economy by:
29	(a) Increasing the economic output of farms.
30	(b) Maintaining or enhancing agricultural employment.
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1 (c) Reducing dependence on energy resources produced 2 outside this state. 3 (d) Providing a market for crops grown in this state. 4 (e) Improving air quality by the use of cleaner renewable resources. 5 б (f) Continuing and enhancing this state's leadership 7 in renewable energy. 8 (q) Increasing the state's tax base. 9 (h) Developing examples for others to emulate. 10 (2) As used in this section, the term: (a) "Biofuel" means a fuel made from plant materials. 11 12 (b) "Commissioner" means the Commissioner of 13 Agriculture. (c) "Incentives" means funding through various means, 14 15 including grants, loans, or loan guarantees. 16 (d) "Local government" means a county, a municipality, 17 or a municipal utility. 18 (3) Using funding that is available from state or federal sources, the commissioner shall provide incentives to 19 <u>encourage</u>: 20 21 (a) Farmers in this state to grow crops, such as 2.2 soybeans or rapeseed, which can be used to produce biofuel; 23 (b) Persons to produce and sell biofuel in this state; 2.4 and 25 (c) Local governments and others to consume biofuel that is produced in this state or produced from crops that are 26 27 grown in this state. 2.8 (4) Recipients of the incentives must be selected through a competitive-procurement process. To be eligible to 29 30 receive incentives, a project must: 31

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1	(a) Assist in achieving the purposes stated in
2	subsection (1).
3	(b) Have a sponsor whose technical and financial
4	experience and credentials are appropriate for successfully
5	undertaking and completing the project.
б	(c) Be proposed for completion within 2 years, or such
7	other period as the commissioner specifies by rule. A
8	longer-term project may be divided into shorter phases that
9	are evaluated as separate projects.
10	(d) Specify deliverables and have a work plan and
11	budget that are feasible and complete.
12	(e) Not have had financing for the project secured or
13	otherwise approved on or before July 1, 2007.
14	(5) In selecting eligible projects, the commissioner
15	shall give priority to projects that:
16	(a) Leverage significant commercial, institutional,
17	financial, or technical resources.
18	(b) Have demonstration value that will accelerate the
19	commercial use of biofuel.
20	(c) Coordinate initiatives within the State University
21	System involving the development, demonstration, and use of
22	biofuel.
23	(d) Build technical and financial capability for
24	developing or using biofuel within a region.
25	<u>(e) Foster sustainable development in rural areas of</u>
26	this state.
27	(f) Achieve other goals that are consistent with the
28	purposes stated in subsection (1).
29	(6) Each recipient of an incentive under this section
30	shall provide the commissioner with an annual written report
31	that specifies the activities conducted, the project

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1	participants, the benefits resulting in comparison to the
2	initial project goals and objectives, and the events that
3	significantly affected the outcome, including a full
4	accounting of the project which specifies the expenditure of
5	funds received under this section.
б	(7) The commissioner may adopt rules under ss.
7	120.536(1) and 120.54 to administer this section.
8	Section 2. This act shall take effect July 1, 2007.
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11	SENATE SUMMARY
12	Provides for a public-private partnership to develop and foster the widespread use of biofuel. Provides a purpose
13 and definitions. Directs the Commissioner of Agricul	and definitions. Directs the Commissioner of Agriculture to provide financial incentives to encourage farmers to
14	grow certain feedstock for the production of biofuels, encourage persons to produce and sell certain biofuels,
15	and encourage local governments and others to consume certain biofuels. Requires a competitive process for
16 selecting projects to receive the incentives. Provide criteria to determine project eligibility and priorit funding of eligible projects. Requires reports by per	selecting projects to receive the incentives. Provides
	funding of eligible projects. Requires reports by persons whose project is funded. Authorizes rulemaking by the
18	commissioner.
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