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LEGISLATIVE ACTION

Senate	.	House
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Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 251 and 252
insert:

Section 2. Subsection (4) of section 366.92, Florida
Statutes, is amended to read:

366.92 Florida renewable energy policy.—

(4) ~~In order to demonstrate the feasibility and viability
of clean energy systems,~~ The commission shall provide for full
cost recovery under the environmental cost-recovery clause of
all reasonable and prudent costs incurred by a provider for a
renewable energy project up to a total of 100 megawatts located
adjacent to the Babcock Ranch Preserve. ~~renewable energy~~



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14 ~~projects that are zero greenhouse gas emitting at the point of~~
15 ~~generation, up to a total of 110 megawatts statewide, and for~~
16 ~~which the provider has secured necessary land, zoning permits,~~
17 ~~and transmission rights within the state. Such costs shall be~~
18 ~~deemed reasonable and prudent for purposes of cost recovery so~~
19 ~~long as the provider has used reasonable and customary industry~~
20 ~~practices in the design, procurement, and construction of the~~
21 ~~project in a cost-effective manner appropriate to the location~~
22 ~~of the facility. The provider shall report to the commission as~~
23 ~~part of the cost recovery proceedings the construction costs,~~
24 ~~in-service costs, operating and maintenance costs, hourly energy~~
25 ~~production of the renewable energy project, and any other~~
26 ~~information deemed relevant by the commission. Any provider~~
27 ~~constructing a clean energy facility pursuant to this section~~
28 ~~shall file for cost recovery no later than July 1, 2009.~~

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

32 And the title is amended as follows:

33 Delete lines 2 - 36

34 and insert:

35 An act relating to energy; creating s. 163.08, F.S.;

36 providing legislative purposes and findings and intent;

37 providing definitions; authorizing a local government to levy

38 non-ad valorem assessments to fund certain improvements;

39 authorizing a property owner to apply for funding and enter into

40 a financing agreement with a local government to finance certain

41 improvements; authorizing a local government to collect moneys

42 for such purposes through non-ad valorem assessments; providing



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43 collection requirements; authorizing local governments to
44 partner with other local governments to provide and finance
45 certain improvements; authorizing a qualifying improvement
46 program to be administered by a for-profit entity or not-for-
47 profit organization under certain circumstances; authorizing a
48 local government to incur debt payable from revenues received
49 from the improved property; providing a financing restriction
50 for local governments; requiring a financial agreement to be
51 recorded in a county's public records within 5 days after
52 execution of the agreement; specifying responsibilities for
53 local governments before entering into financing agreements;
54 requiring qualifying improvements to be affixed to a building or
55 facility on the property and be performed by a properly
56 certified or registered contractor; excluding certain projects
57 from financing agreement coverage; limiting the amount of the
58 non-ad valorem assessment to a percentage of the just value of
59 the property; providing exceptions; specifying information
60 provision requirements for property owners before entering into
61 financing agreements; prohibiting acceleration of a mortgage
62 under certain circumstances; providing assessment disclosure
63 requirements; specifying unenforceability of certain agreement
64 provisions; providing construction preserving a local
65 government's home rule authority; amending s. 366.92, F.S.;
66 providing for cost recovery for renewable energy; providing an
67 effective date.