

Bill No. CS for SB 2456

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Sullivan moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 12, between lines 24 and 25,		
15			
16	insert:		
17	Section 6. Section 240.2605, Florida Statutes, is		
18	amended to read:		
19	240.2605 Trust Fund for Major Gifts.--		
20	(1) There is established a Trust Fund for Major Gifts.		
21	The purpose of the trust fund is to enable the Board of		
22	Regents Foundation, each university, and New College to		
23	provide donors with an incentive in the form of matching		
24	grants for donations for the establishment of permanent		
25	endowments, which must be invested, with the proceeds of the		
26	investment used to support libraries and instruction and		
27	research programs, as defined by procedure of the Board of		
28	Regents. All funds appropriated for the challenge grants, new		
29	donors, major gifts, or eminent scholars program must be		
30	deposited into the trust fund and invested pursuant to s.		
31	18.125 until the Board of Regents allocates the funds to		

Bill No. CS for SB 2456

Amendment No. ____

1 universities to match private donations. Notwithstanding s.
2 216.301 and pursuant to s. 216.351, any undisbursed balance
3 remaining in the trust fund and interest income accruing to
4 the portion of the trust fund which is not matched and
5 distributed to universities must remain in the trust fund and
6 be used to increase the total funds available for challenge
7 grants. ~~The Board of Regents may authorize any university to~~
8 ~~encumber the state matching portion of a challenge grant from~~
9 ~~funds available under s. 240.272.~~

10 (2) The Board of Regents shall specify the process for
11 submission, documentation, and approval of requests for
12 matching funds, accountability for endowments and proceeds of
13 endowments, allocations to universities, restrictions on the
14 use of the proceeds from endowments, and criteria used in
15 determining the value of donations.

16 (3)(a) The Board of Regents shall allocate the amount
17 appropriated to the trust fund to the Board of Regents
18 Foundation, each university, and New College based on the
19 amount of the donation and the restrictions applied to the
20 donation.

21 (b) Donations for a specific purpose must be matched
22 in the following manner:

23 1. The Board of Regents Foundation and each university
24 that raises at least \$100,000 but no more than \$999,999
25 ~~\$599,999~~ from a private source must receive a matching grant
26 equal to 50 percent of the private contribution.

27 ~~2. The Board of Regents Foundation and each university~~
28 ~~that raises a contribution of at least \$600,000 but no more~~
29 ~~than \$1 million from a private source must receive a matching~~
30 ~~grant equal to 70 percent of the private contribution.~~

31 2.3. The Board of Regents Foundation and each

Bill No. CS for SB 2456

Amendment No. ____

1 university that raises a contribution in excess of \$1 million
2 but no more than ~~\$2,999,999~~ \$1.5 million from a private source
3 must receive a matching grant equal to 60 ~~75~~ percent of the
4 private contribution.

5 ~~4. The Board of Regents Foundation and each university~~
6 ~~that raises a contribution in excess of \$1.5 million but no~~
7 ~~more than \$2 million from a private source must receive a~~
8 ~~matching grant equal to 80 percent of the private~~
9 ~~contribution.~~

10 ~~3.5.~~ The Board of Regents Foundation and each
11 university that raises a contribution in excess of ~~\$3~~ \$2
12 million from a private source must receive a matching grant
13 equal to 85 ~~100~~ percent of the private contribution.

14 4. The maximum amount of matching funds which may be
15 used to match a single gift in any given year is \$3 million.
16 The maximum total amount of matching funds which may be used
17 to match any single gift is \$15 million, to be distributed in
18 equal amounts of \$3 million per year over a period of 5 years,
19 subject to the availability of funds.

20 ~~(c) The Board of Regents shall encumber state matching~~
21 ~~funds for any pledged contributions, pro rata, based on the~~
22 ~~requirements for state matching funds as specified for the~~
23 ~~particular challenge grant and the amount of the private~~
24 ~~donations actually received by the university or Board of~~
25 ~~Regents Foundation for the respective challenge grant.~~

26 (4) Matching funds may be provided for contributions
27 encumbered or pledged under the Florida Endowment Trust Fund
28 for Eminent Scholars Act prior to July 1, 1994, and for
29 donations or pledges of any amount equal to or in excess of
30 the prescribed minimums which are pledged for the purpose of
31 this section.

Bill No. CS for SB 2456

Amendment No. ____

1 (5)(a) The Board of Regents Foundation, each
 2 university foundation, and New College Foundation shall
 3 establish a challenge grant account for each challenge grant
 4 as a depository for private contributions and state matching
 5 funds to be administered on behalf of the Board of Regents,
 6 the university, or New College. State matching funds must be
 7 transferred to a university foundation or New College
 8 Foundation upon notification that the university or New
 9 College has received and deposited the amount specified in
 10 this section in a foundation challenge grant account.

11 (b) The foundation serving a university and New
 12 College Foundation each has the responsibility for the
 13 maintenance and investment of its challenge grant account and
 14 for the administration of the program on behalf of the
 15 university or New College, pursuant to procedures specified by
 16 the Board of Regents. Each foundation shall include in its
 17 annual report to the Board of Regents information concerning
 18 collection and investment of matching gifts and donations and
 19 investment of the account.

20 (c) A donation of at least \$600,000 and associated
 21 state matching funds may be used to designate an Eminent
 22 Scholar Endowed Chair pursuant to procedures specified by the
 23 Board of Regents.

24 (6) The donations, state matching funds, or proceeds
 25 from endowments established under this section may not be
 26 expended for the construction, renovation, or maintenance of
 27 facilities or for the support of intercollegiate athletics.

28 (7) The Board of Regents Foundation may participate in
 29 the same manner as a university foundation with regard to the
 30 provisions of this section.

31 (8) For challenge grants for which state matching

Bill No. CS for SB 2456

Amendment No. ____

1 ~~funds are requested Notwithstanding other provisions of this~~
2 ~~section, for the 1999-2000 fiscal year only, for gifts~~
3 ~~received during this period, the university presidents shall~~
4 ~~annually provide a list to the Board of Regents of donations~~
5 ~~from private donors for challenge grants, new donations, major~~
6 ~~gifts, and the eminent scholars program to be matched for the~~
7 ~~1999-2000 fiscal year to the Board of Regents. The listing~~
8 ~~shall include, but need not be limited to, contain an~~
9 ~~explanation of the donation, a statement of the specific~~
10 ~~benefits accrued to the university as a result of the~~
11 ~~donation, and how the donation is consistent with the mission~~
12 ~~of the institution, as defined by the Board of Regents in its~~
13 ~~most recent the 1998-2003 Strategic Plan. University~~
14 ~~presidents shall rank each private donation to their~~
15 ~~university, giving highest priority to private donations that~~
16 ~~provide additional library resources to universities;~~
17 ~~donations that provide student assistance through~~
18 ~~scholarships, fellowships, or assistantships; donations that~~
19 ~~provide funding for existing academic programs at~~
20 ~~universities. The Board of Regents shall submit a report to~~
21 ~~the President of the Senate, the Speaker of the House of~~
22 ~~Representatives, and the Governor by January 15 of each year.~~
23 ~~The report must include, but not be limited to, the annual~~
24 ~~listing described in this subsection as well as information~~
25 ~~regarding the expenditure of the proceeds of the endowments~~
26 ~~for the previous year.† and donations that meet the matching~~
27 ~~requirement without encumbering pledges. The Board of Regents,~~
28 ~~using the same criteria, shall develop a systemwide priority~~
29 ~~list and may set restrictions on the annual amount of matching~~
30 ~~funds provided for single donations that exceed \$5 million.~~

Section 7. Present subsections (7) through (11) of

Bill No. CS for SB 2456

Amendment No. ____

1 section 240.2601, Florida Statutes, are redesignated as
2 subsections (8) through (11), respectively, and a new
3 subsection (7) is added to that section to read:

4 240.2601 State University System Facility Enhancement
5 Challenge Grant Program.--

6 (7) For challenge grants for which state matching is
7 being requested, university presidents shall provide to the
8 Board of Regents a list of donations received from private
9 donors for the State University System Facility Enhancement
10 Challenge Grant Program. This listing shall contain an
11 explanation of the donation, a statement of the specific
12 benefits accrued to the university as a result of the
13 donation, and the projected cost to the state for the
14 operation and maintenance of the facility. The Board of
15 Regents shall review and rank each private donation, giving
16 highest priority to private donations that provide the
17 financial resources for major renovations to existing
18 facilities, particularly instructional facilities, and new
19 space requirements as identified by the space utilization
20 model. The listing shall be submitted by August 1 of each
21 year.

22
23 (Redesignate subsequent sections.)

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 2, line 1, after the semicolon,

29
30 insert:

31 amending s. 240.2605, F.S.; rescinding a

Bill No. CS for SB 2456

Amendment No. ____

1 provision that allows the Board of Regents to
2 authorize a university to encumber the state
3 matching portion of a challenge grant from
4 funds available under s. 240.272, F.S. ;
5 revising provisions that prescribe the manner
6 in which donations from the trust fund must be
7 matched; providing the maximum yearly amount
8 and the maximum total amount of matching funds
9 which may be used to match a single gift;
10 repealing an obsolete provision; amending s.
11 240.2601, F.S.; requiring a report to the Board
12 of Regents and a priority list;

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