

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		

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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

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1 university that raises a contribution equal to or in excess of
 2 \$1 million but no more than ~~\$2,999,999~~ \$1.5 million from a
 3 private source must receive a matching grant equal to 60 ~~75~~
 4 percent of the 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 equal to or in excess of
 12 ~~\$3~~ \$2 million from a private source must receive a matching
 13 grant 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) Notwithstanding subparagraphs (b)1.-3., if a
 21 university seeking matching funds under this section and a
 22 community college seeking matching funds under s. 240.36
 23 jointly endow a two-plus-two scholarship, the university shall
 24 receive matching funds on the same basis as the community
 25 college under s. 240.36(3). To be eligible for matching funds
 26 under this paragraph, the notification of receipt and deposit
 27 of private contributions for such purpose must be submitted
 28 jointly by a community college and a state university in
 29 increments of \$50,000, consisting of \$30,000 to the university
 30 from a single donor and \$20,000 to the community college, with
 31 a maximum of 50 scholarships per year being eligible for a

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1 match. Five scholarships per year shall be reserved for each
2 state university until March 1, at which time any unmatched
3 funds shall be made available to universities and community
4 colleges under procedures established by the Board of Regents
5 and the State Board of Community Colleges.

6 ~~(c) The Board of Regents shall encumber state matching~~
7 ~~funds for any pledged contributions, pro rata, based on the~~
8 ~~requirements for state matching funds as specified for the~~
9 ~~particular challenge grant and the amount of the private~~
10 ~~donations actually received by the university or Board of~~
11 ~~Regents Foundation for the respective challenge grant.~~

12 (4) Matching funds may be provided for contributions
13 encumbered or pledged under the Florida Endowment Trust Fund
14 for Eminent Scholars Act prior to July 1, 1994, and for
15 donations or pledges of any amount equal to or in excess of
16 the prescribed minimums which are pledged for the purpose of
17 this section.

18 (5)(a) The Board of Regents Foundation, each
19 university foundation, and New College Foundation shall
20 establish a challenge grant account for each challenge grant
21 as a depository for private contributions and state matching
22 funds to be administered on behalf of the Board of Regents,
23 the university, or New College. State matching funds must be
24 transferred to a university foundation or New College
25 Foundation upon notification that the university or New
26 College has received and deposited the amount specified in
27 this section in a foundation challenge grant account.

28 (b) The foundation serving a university and New
29 College Foundation each has the responsibility for the
30 maintenance and investment of its challenge grant account and
31 for the administration of the program on behalf of the

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1 university or New College, pursuant to procedures specified by
2 the Board of Regents. Each foundation shall include in its
3 annual report to the Board of Regents information concerning
4 collection and investment of matching gifts and donations and
5 investment of the account.

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

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

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

17 (8) For challenge grants for which state matching
18 funds are requested ~~Notwithstanding other provisions of this~~
19 ~~section, for the 1999-2000 fiscal year only, for gifts~~
20 ~~received during this period, the university presidents shall~~
21 annually provide a list to the Board of Regents of donations
22 from private donors for challenge grants, ~~new donations, major~~
23 ~~gifts, and the eminent scholars program to be matched for the~~
24 ~~1999-2000 fiscal year to the Board of Regents.~~ The listing
25 shall include, but need not be limited to, ~~contain~~ an
26 explanation of the donation, a statement of the specific
27 benefits accrued to the university as a result of the
28 donation, and how the donation is consistent with the mission
29 of the institution, as defined by the Board of Regents in its
30 most recent ~~the 1998-2003~~ Strategic Plan. The Board of Regents
31 shall submit a report to the President of the Senate, the

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1 Speaker of the House of Representatives, and the Governor by
2 January 15 of each year. The report, developed in consultation
3 with the Legislature, must include, but not be limited to, the
4 annual listing described in this subsection as well as
5 information regarding the expenditure of the proceeds of the
6 endowments for the previous year.~~University presidents shall~~
7 ~~rank each private donation to their university, giving highest~~
8 ~~priority to private donations that provide additional library~~
9 ~~resources to universities; donations that provide student~~
10 ~~assistance through scholarships, fellowships, or~~
11 ~~assistantships; donations that provide funding for existing~~
12 ~~academic programs at universities; and donations that meet the~~
13 ~~matching requirement without encumbering pledges. The Board of~~
14 ~~Regents, using the same criteria, shall develop a systemwide~~
15 ~~priority list and may set restrictions on the annual amount of~~
16 ~~matching funds provided for single donations that exceed \$5~~
17 ~~million.~~

18 Section 7. Present subsections (7) through (11) of
19 section 240.2601, Florida Statutes, are redesignated as
20 subsections (8) through (11), respectively, and a new
21 subsection (7) is added to that section to read:

22 240.2601 State University System Facility Enhancement
23 Challenge Grant Program.--

24 (7) For challenge grants for which state matching is
25 being requested, university presidents shall provide to the
26 Board of Regents a list of donations received from private
27 donors for the State University System Facility Enhancement
28 Challenge Grant Program. This listing shall contain an
29 explanation of the donation, a statement of the specific
30 benefits accrued to the university as a result of the
31 donation, and the projected cost to the state for the

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1 operation and maintenance of the facility. The Board of
 2 Regents shall review and rank each private donation, giving
 3 highest priority to private donations that provide the
 4 financial resources for major renovations to existing
 5 facilities, particularly instructional facilities, and new
 6 space requirements as identified by the space utilization
 7 model. The listing shall be submitted by August 1 of each
 8 year.

9 Section 8. Donations received before July 1, 2000,
 10 shall be matched at the percentage level in effect on the date
 11 the gift was received. Any gift agreements signed and received
 12 by July 1, 1999, which were approved for payment over a period
 13 of up to 5 years are eligible for the level of match in effect
 14 when the agreement was received and initial payment was made.

15
16 (Redesignate subsequent sections.)

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

20 And the title is amended as follows:

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

22

23 insert:

24 amending s. 240.2605, F.S.; rescinding a
 25 provision that allows the Board of Regents to
 26 authorize a university to encumber the state
 27 matching portion of a challenge grant from
 28 funds available under s. 240.272, F.S.;

29 revising provisions that prescribe the manner
 30 in which donations from the trust fund must be
 31 matched; providing the maximum yearly amount

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1 and the maximum total amount of matching funds
2 which may be used to match a single gift;
3 repealing an obsolete provision; amending s.
4 240.2601, F.S.; requiring a report to the Board
5 of Regents and a priority list; providing for
6 donations received prior to a specified date;
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