

Bill No. CS for SB 1750

Amendment No. 1 Barcode 072184

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Finance and Taxation recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. This act may be cited as the "Florida Emerging and Strategic Technologies Act."

Section 2. Section 121.155, Florida Statutes, is created to read:

121.155 Investments in support of economic development strategies; legislative findings and intent.--

(1) The Legislature finds that:

(a) The recruitment, retention, and expansion of high-technology businesses are a principal economic development strategy of the state.

(b) High-technology businesses have the potential to contribute significantly to the prosperity of the state and its residents through the creation of employment opportunities and through the generation of revenues into the economy.

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1           (c) A significant barrier to the growth of  
2 high-technology businesses in the state is caused by a lack of  
3 access to sources of capital to support the activities of such  
4 businesses.

5           (d) The Board of Administration, through the  
6 investment of funds of the System Trust Fund, has the ability  
7 to influence the availability of capital in the marketplace  
8 for businesses located in the state.

9           (e) The investment of funds of the System Trust Fund  
10 in a manner consistent with the economic development goals of  
11 the state enhances the prospects for fulfillment of such  
12 goals.

13           (2) It is the intent of the Legislature that the Board  
14 of Administration, consistent with sound investment policy and  
15 with the investment provisions set forth in ss. 215.44-215.53,  
16 maximize opportunities to invest and reinvest available funds  
17 of the System Trust Fund in a manner that is consistent with,  
18 and that supports fulfillment of, the economic development  
19 strategies of the state, including investing and reinvesting  
20 funds in support of the capital needs of emerging and  
21 strategic high-technology businesses located in the state. It  
22 is further the intent of the Legislature that the Board of  
23 Administration, in supporting fulfillment of the economic  
24 development strategies of the state, establish partnerships,  
25 where feasible, with venture capital firms designed to  
26 facilitate investment of venture capital in high-technology  
27 businesses located in this state.

28           (3) Staff of the Board of Administration shall  
29 regularly solicit information from Enterprise Florida, Inc.,  
30 on those high-technology business sectors that research  
31 indicates have significant potential to contribute to the

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1 economic development of the state and shall provide such  
2 information to the Investment Advisory Council created under  
3 s. 215.444.

4 (4) As part of the annual report required under s.  
5 215.44, the Board of Administration shall describe those  
6 investment activities during the year in furtherance of the  
7 findings and intent of this section.

8 Section 3. Section 159.26, Florida Statutes, is  
9 amended to read:

10 159.26 Legislative findings and purposes.--The  
11 Legislature finds and declares that:

12 (1) The agriculture, tourism, urban development,  
13 historic preservation, information technology, education, and  
14 health care industries, among others, are vital to the economy  
15 of the state and to the welfare of the people and need to be  
16 enhanced and expanded to improve the competitive position of  
17 the state;

18 (2) There is a need to enhance other economic activity  
19 in the state by attracting manufacturing development, business  
20 enterprise management, and other activities conducive to  
21 economic promotion in order to provide a stronger, more  
22 balanced, and stable economy in the state, while providing  
23 through pollution control and otherwise for the health and  
24 safety of the people;

25 (3) In order to improve the prosperity and welfare of  
26 the state and its inhabitants; to improve education, living  
27 conditions, and health care; to promote the preservation of  
28 historic structures; to promote the rehabilitation of  
29 enterprise zones; to promote improved transportation; to  
30 promote effective and efficient pollution control throughout  
31 the state; to promote the advancement of education and science

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1 and research in and the economic development of the state; to  
2 promote the advancement of information technology;and to  
3 increase purchasing power and opportunities for gainful  
4 employment, it is necessary and in the public interest to  
5 facilitate the financing of the projects provided for in this  
6 part and to facilitate and encourage the planning and  
7 development of these projects without regard to the boundaries  
8 between counties, municipalities, special districts, and other  
9 local governmental bodies or agencies in order to more  
10 effectively and efficiently serve the interests of the  
11 greatest number of people in the widest area practicable; and

12 (4) The purposes to be achieved by such projects and  
13 the financing of them in compliance with the criteria and  
14 requirements of this part are predominantly the public  
15 purposes stated in this section, and such purposes implement  
16 the governmental purposes under the State Constitution of  
17 providing for the health, safety, and welfare of the people,  
18 including implementing the purpose of s. 10(c), Art. VII of  
19 the State Constitution.

20 Section 4. Subsection (5) of section 159.27, Florida  
21 Statutes, is amended, and subsection (25) is added to that  
22 section to read:

23 159.27 Definitions.--The following words and terms,  
24 unless the context clearly indicates a different meaning,  
25 shall have the following meanings:

26 (5) "Project" means any capital project comprising an  
27 industrial or manufacturing plant, a research and development  
28 park, an information technology facility,an agricultural  
29 processing or storage facility, a warehousing or distribution  
30 facility, a headquarters facility, a tourism facility, a  
31 convention or trade show facility, an urban parking facility,

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1 a trade center, a health care facility, an educational  
2 facility, a correctional or detention facility, a motion  
3 picture production facility, a preservation or rehabilitation  
4 of a certified historic structure, an airport or port  
5 facility, a commercial project in an enterprise zone, a  
6 pollution-control facility, a hazardous or solid waste  
7 facility, a social service center, or a mass commuting  
8 facility, including one or more buildings and other  
9 structures, whether or not on the same site or sites; any  
10 rehabilitation, improvement, renovation, or enlargement of, or  
11 any addition to, any buildings or structures for use as a  
12 factory, a mill, a processing plant, an assembly plant, a  
13 fabricating plant, an industrial distribution center, a  
14 repair, overhaul, or service facility, a test facility, an  
15 agricultural processing or storage facility, a warehousing or  
16 distribution facility, a headquarters facility, a tourism  
17 facility, a convention or trade show facility, an urban  
18 parking facility, a trade center, a health care facility, an  
19 educational facility, a correctional or detention facility, a  
20 motion picture production facility, a preservation or  
21 rehabilitation of a certified historic structure, an airport  
22 or port facility, a commercial project in an enterprise zone,  
23 a pollution-control facility, a hazardous or solid waste  
24 facility, a social service center, or a mass commuting  
25 facility, and other facilities, including research and  
26 development facilities and information technology facilities,  
27 for manufacturing, processing, assembling, repairing,  
28 overhauling, servicing, testing, or handling of any products  
29 or commodities embraced in any industrial or manufacturing  
30 plant, in connection with the purposes of a research and  
31 development park, or other facilities for or used in

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1 connection with an agricultural processing or storage  
2 facility, a warehousing or distribution facility, a  
3 headquarters facility, a tourism facility, a convention or  
4 trade show facility, an urban parking facility, a trade  
5 center, a health care facility, an educational facility, a  
6 correctional or detention facility, a motion picture  
7 production facility, a preservation or rehabilitation of a  
8 certified historic structure, an airport or port facility, or  
9 a commercial project in an enterprise zone or for controlling  
10 air or water pollution or for the disposal, processing,  
11 conversion, or reclamation of hazardous or solid waste, a  
12 social service center, or a mass commuting facility; and  
13 including also the sites thereof and other rights in land  
14 therefor whether improved or unimproved, machinery, equipment,  
15 site preparation and landscaping, and all appurtenances and  
16 facilities incidental thereto, such as warehouses, utilities,  
17 access roads, railroad sidings, truck docking and similar  
18 facilities, parking facilities, office or storage or training  
19 facilities, public lodging and restaurant facilities, dockage,  
20 wharfage, solar energy facilities, and other improvements  
21 necessary or convenient for any manufacturing or industrial  
22 plant, research and development park, information technology  
23 facility, agricultural processing or storage facility,  
24 warehousing or distribution facility, tourism facility,  
25 convention or trade show facility, urban parking facility,  
26 trade center, health care facility, educational facility, a  
27 correctional or detention facility, motion picture production  
28 facility, preservation or rehabilitation of a certified  
29 historic structure, airport or port facility, commercial  
30 project in an enterprise zone, pollution-control facility,  
31 hazardous or solid waste facility, social service center, or a

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1 mass commuting facility and any one or more combinations of  
2 the foregoing.

3 (25) "Information technology facility" means a  
4 building or structure, including infrastructure such as roads,  
5 power, water, network access points, and fiber optic cable  
6 leading to the structure, which is used to house businesses  
7 classified within the following codes of the North American  
8 Industry Classification System (NAICS): 334111 (electronic  
9 computer manufacturing), 334112 (computer storage device  
10 manufacturing), 334113 (computer terminal manufacturing),  
11 334119 (other computer peripheral equipment manufacturing),  
12 334613 (magnetic and optical recording media manufacturing),  
13 334418 (printed circuit assembly manufacturing), 334411  
14 (electron tube manufacturing), 334412 (bare printed circuit  
15 board manufacturing), 334413 (semiconductor and related device  
16 manufacturing), 334417 (electronic connector manufacturing),  
17 334611 (software reproducing), 541512 (computer systems design  
18 services), 51421 (data processing services), 514191 (on-line  
19 information services), 811212 (computer and office machine  
20 repair and maintenance), 44312 (computer and software  
21 stores-retail), 541519 (other computer related services),  
22 42143 (computer and computer peripheral equipment and software  
23 wholesalers), 51121 (software publishers), 541511 (custom  
24 computer programming services), and 61142 (computer training).  
25 The term also includes joint-use advanced digital media  
26 research and production facilities created pursuant to  
27 authority from the Legislature for the Office of Tourism,  
28 Trade, and Economic Development to administer a program  
29 facilitating the establishment and maintenance of such digital  
30 media facilities.

31 Section 5. Section 240.1055, Florida Statutes, is

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1 created to read:

2 240.1055 Economic development mission.--

3 (1) The Legislature finds that the state system of  
4 postsecondary education contributes to the economic well-being  
5 of the state and its people through the education and training  
6 of individuals for employment, through research and  
7 development of technologies that have commercial applications,  
8 and through the provision of assistance to businesses based in  
9 this state. The Legislature further finds that the quality and  
10 activities of the state system of postsecondary education  
11 directly affect the success of state, regional, and local  
12 efforts to develop, recruit, retain, and expand businesses,  
13 particularly high-technology businesses, that create jobs and  
14 generate revenue. Therefore, as a fundamental component of the  
15 purpose and mission articulated in s. 240.105, the mission of  
16 the state system of postsecondary education is to complement,  
17 facilitate, and support the economic development strategies  
18 and goals of the state and its communities.

19 (2) In recognition and furtherance of the economic  
20 development mission of the state system of postsecondary  
21 education, it is the policy of the state to use the patent  
22 system and the technology-licensing operations of public  
23 universities to promote the use of inventions arising from  
24 funded research; to encourage to the maximum extent possible  
25 the participation of businesses based in this state in  
26 opportunities to commercialize technology; to promote  
27 collaboration between businesses in this state and  
28 universities; and to secure for the residents of this state  
29 enhanced returns on the intellectual property developed by  
30 public universities through funded research.

31 Section 6. Section 240.710, Florida Statutes, is

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1 amended to read:

2 240.710 Digital Media Education Coordination Group.--

3 (1) The Division of Universities of the Department of  
4 Education ~~Board of Regents~~ shall create a Digital Media  
5 Education Coordination Group composed of representatives of  
6 the universities within the State University System that shall  
7 work in conjunction with the Division ~~Department of Education,~~  
8 ~~the State Board~~ of Community Colleges, the Office of Tourism,  
9 Trade, and Economic Development,and the Articulation

10 Coordinating Committee ~~on the development of a plan~~ to enhance  
11 Florida's ability to meet the current and future workforce  
12 needs of the digital media industry. The following purposes of  
13 the group shall be included in its plan development process:

14 (a) Coordination of the use of existing academic  
15 programs and research and faculty resources to promote the  
16 development of a digital media industry in this state.

17 (b) Address strategies to improve opportunities for  
18 interdisciplinary study and research within the emerging field  
19 of digital media through the development of tracts in existing  
20 degree programs, new interdisciplinary degree programs, and  
21 interdisciplinary research centers.

22 (c) Address the sharing of resources among  
23 universities in such a way as to allow a student to take  
24 courses from multiple departments or multiple educational  
25 institutions in pursuit of competency, certification, and  
26 degrees in digital information and media technology.

27 (2) Where practical, private accredited institutions  
28 of higher learning in this state should be encouraged to  
29 participate.

30 ~~(3) In addition to the elements of the plan governed~~  
31 ~~by the purposes described in subsection (1), the plan shall~~

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1 ~~include, to the maximum extent practical, the coordination of~~  
2 ~~educational resources to be provided by distance learning and~~  
3 ~~shall facilitate to the maximum extent possible articulation~~  
4 ~~and transfer of credits between community colleges and the~~  
5 ~~state universities. The plan shall address student enrollment~~  
6 ~~in affected programs with emphasis on enrollment beginning as~~  
7 ~~early as fall term, 2001.~~

8 (3)(4) The Digital Media Education Coordination Group  
9 shall submit an annual report of its activities with any  
10 recommendations for policy implementation or funding to the  
11 State Board of Education its plan to the President of the  
12 Senate and the Speaker of the House of Representatives no  
13 later than February 1 of each year January 1, 2001.

14 Section 7. Paragraph (a) of subsection (3) of section  
15 288.095, Florida Statutes, is amended to read:

16 288.095 Economic Development Trust Fund.--

17 (3)(a) The Office of Tourism, Trade, and Economic  
18 Development may approve applications for certification  
19 pursuant to ss. 288.1045(3) and 288.106. However, the total  
20 state share of tax refund payments scheduled in all active  
21 certifications for fiscal year ~~2000-2001 shall not exceed \$24~~  
22 ~~million. The state share of tax refund payments scheduled in~~  
23 ~~all active certifications for fiscal year 2001-2002 and each~~  
24 ~~subsequent year shall not exceed \$30 million. The total state~~  
25 share of tax refund payments scheduled in all active  
26 certifications for each subsequent fiscal year shall not  
27 exceed \$35 million.

28 Section 8. Paragraph (i) of subsection (6) of section  
29 288.108, Florida Statutes, is amended to read:

30 288.108 High-impact business.--

31 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT

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1 SECTORS.--

2 (i) For the purposes of this subsection, the  
3 semiconductor a high-impact sector consists of the silicon  
4 technology sector and the information technology sector are  
5 that Enterprise Florida, Inc., has found to be focused around  
6 the type of high-impact businesses for which the incentive  
7 created in this section subsection is designed. These sectors  
8 required and will create the kinds of economic sector and  
9 economy wide benefits that justify the use of state resources  
10 as economic development incentives. Further, the use of state  
11 resources to encourage investment in these sectors is  
12 necessary to encourage these investments and require  
13 substantial inducements to compete with the incentive packages  
14 offered by other states and nations. For the purposes of this  
15 subsection and s. 220.191, the term "information technology  
16 sector" shall encompass, but not be limited to, the digital  
17 media sector as defined by Enterprise Florida, Inc., and  
18 approved by the Office of Tourism, Trade, and Economic  
19 Development.

20 Section 9. Section 288.911, Florida Statutes, is  
21 amended to read:

22 (Substantial rewording of section. See  
23 s. 288.911, F.S., for present text.)

24 288.911 Marketing campaign to promote high-technology  
25 industries.--

26 (1) Enterprise Florida, Inc., shall develop and  
27 implement a multifaceted marketing campaign to promote the  
28 existence and growth of high-technology industries in the  
29 state.

30 (2) The purpose of the marketing campaign shall be to  
31 inform businesses and individuals about the status of the

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1 high-technology businesses, workforce, infrastructure, and  
2 services in the state and to promote the state globally as an  
3 ideal location for high-technology business activity, in order  
4 to encourage the retention and growth of existing businesses,  
5 workers, and students in high-technology fields and to  
6 encourage the recruitment of new businesses, workers, and  
7 students in high-technology fields.

8 (3) Enterprise Florida, Inc., shall develop the  
9 marketing campaign in coordination and consultation with:

10 (a) The Office of Tourism, Trade, and Economic  
11 Development;

12 (b) The State Technology Office;

13 (c) Workforce Florida, Inc.;

14 (d) Local and regional economic development  
15 organizations; and

16 (e) Business organizations representing  
17 high-technology industries throughout the state, including,  
18 but not limited to, the not-for-profit corporation created to  
19 advocate on behalf of the information technology industry as  
20 an outgrowth of the Information Service Technology Development  
21 Task Force created under chapter 99-354, Laws of Florida.

22 Enterprise Florida, Inc., shall solicit input from such  
23 business organizations on the themes to be emphasized and  
24 messages to be conveyed in the marketing campaign, in order to  
25 ensure that the campaign effectively targets the needs and  
26 interests of high-technology businesses, workers, and  
27 students.

28 (4) At a minimum, the marketing campaign must include  
29 creation of a brand identification for promoting the state as  
30 a location for high-technology industries and must include use  
31 of Internet websites to develop such brand identification and

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1 to provide information on the state's high-technology  
2 industries and the various programs and services available to  
3 assist such industries. Enterprise Florida, Inc., shall use  
4 the Internet-based system for information technology industry  
5 promotion and workforce recruitment required under s. 445.045  
6 as one of the forums for distribution of the marketing  
7 campaign required under this section.

8 (5) The marketing campaign must be coordinated with  
9 and consistent with the existing economic development efforts  
10 of the state, and such campaign must be funded in part with  
11 resources from the private sector.

12 Section 10. The Legislature finds that the Information  
13 Services Technology Development Task Force created under  
14 chapter 99-354, Laws of Florida, performed an integral role in  
15 analyzing and recommending policies to facilitate the  
16 beneficial development and deployment of information  
17 technology on a statewide basis. It is the intent of the  
18 Legislature that, upon the dissolution of the task force  
19 effective July 1, 2001, the state solicit continued policy  
20 guidance and direction from a not-for-profit corporation  
21 created to advocate on behalf of information technology  
22 businesses and other high-technology businesses throughout the  
23 state and which does business under the name "itflorida.com,  
24 Inc." It further is the intent of the Legislature that the  
25 State Technology Office; the Office of Tourism, Trade, and  
26 Economic Development; and Enterprise Florida, Inc., facilitate  
27 the formation and initial operation of such corporation to the  
28 maximum extent feasible and that such organizations use the  
29 corporation as a resource for information and insights about  
30 the information technology industry and other high-technology  
31 industries.

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1           Section 11. Effective upon this act becoming a law,  
2 section 288.9522, Florida Statutes, is created to read:

3           288.9522 Florida Research Consortium.--

4           (1) CREATION.--There is created the Florida Research  
5 Consortium, which shall be organized and operated as a  
6 not-for-profit corporation in compliance with chapter 617. The  
7 consortium shall serve as the principal entity for uniting  
8 businesses and research universities in the state in order to  
9 enhance economic development through the development and  
10 commercialization of science and technology and for targeting  
11 the activities of such universities toward fulfillment of the  
12 economic development goals of the state.

13           (2) BOARD OF DIRECTORS.--The Florida Research  
14 Consortium shall be governed by a board of directors comprised  
15 of the following members:

16           (a) Ten chief executive officers of businesses based  
17 in this state who are appointed by the Governor. Initially, of  
18 the 10 chief executive officers, the Governor shall appoint 5  
19 members for terms of 4 years, 3 members for terms of 3 years,  
20 and 2 members for terms of 2 years. Thereafter, the Governor  
21 shall appoint all members for terms of 4 years.

22           (b) Two chief executive officers of businesses based  
23 in this state who are appointed by the President of the Senate  
24 and who serve at the pleasure of the President.

25           (c) Two chief executive officers of businesses based  
26 in this state who are appointed by the Speaker of the House of  
27 Representatives and who serve at the pleasure of the Speaker.

28           (d) The presidents of the following research  
29 universities:

30           1. University of Florida;

31           2. Florida State University;



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1           (4) POWERS AND DUTIES.--The powers and duties of the  
2 board of directors of the Florida Research Consortium shall  
3 include, but not be limited to:

4           (a) Raising funds from nonstate sources to leverage  
5 any appropriations from the Legislature;

6           (b) Identifying three specific disciplines in science  
7 or technology which shall be the focus of the activities of  
8 the consortium, with such disciplines being narrowly defined  
9 and being viable areas of potential success for the state from  
10 an economic development and academic perspective;

11           (c) Developing and implementing strategies to recruit  
12 and retain preeminent researchers in science and  
13 technology-based disciplines to universities in the state,  
14 with such strategies including but not being limited to the  
15 endowment of faculty or research chairs at universities in the  
16 state in the disciplines identified under paragraph (b);

17           (d) Developing and implementing strategies to recruit  
18 and retain graduate and undergraduate students in science and  
19 technology-based disciplines to universities in the state;

20           (e) Assisting new and expanding science and  
21 technology-based businesses with their research, technology  
22 commercialization, capital, and workforce needs;

23           (f) Developing and implementing strategies to increase  
24 the state's share of research funds;

25           (g) Identifying statutory, regulatory, policy, or  
26 other barriers impeding the effective, efficient, and timely  
27 transfer of technology and commercialization of research from  
28 the university setting and proposing resolutions to such  
29 barriers, including reforms to university policies on issues  
30 such as conflicts of interest;

31           (h) Developing and implementing strategies to create a

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1 culture at member universities which promotes the conduct of  
2 applied research and the transfer of technology as fundamental  
3 activities of such universities;

4 (i) Developing measures to assess the performance of  
5 the technology transfer offices of the member universities in  
6 facilitating the transfer of technology to businesses in the  
7 state;

8 (j) Facilitating discussions, meetings, and other  
9 forms of communication among university researchers, faculty,  
10 administrators, and students; high technology businesses in  
11 the state; and economic-development professionals;

12 (k) Establishing and maintaining an Internet-based  
13 database for the marketing, publication, and exchange of  
14 information with the public and private sectors on basic,  
15 applied, and other research being conducted at universities in  
16 the state;

17 (l) Coordinating donations of equipment from  
18 high-technology businesses to secondary schools;

19 (m) Hiring an executive director and other staff for  
20 the Florida Research Consortium; and

21 (n) Meeting at least four times each calendar year,  
22 with the first meeting of the board of directors being held by  
23 July 1, 2001.

24 (5) ANNUAL REPORT.--

25 (a) By January 1 of each year, the Florida Research  
26 Consortium shall submit a report of its activities and  
27 accomplishments for the year to the Governor, the President of  
28 the Senate, and the Speaker of the House of Representatives.  
29 The report shall also include specific recommendations  
30 regarding actions the state could take to enhance the  
31 commercialization of research and transfer of technologies

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1 from the universities and to enhance the role of universities  
2 in accomplishing the economic development goals of the state.

3 (b) By December 1 of each year, the technology  
4 transfer office of each university that is a member of the  
5 Florida Research Consortium shall report to the board of  
6 directors on the activities of the office during the year  
7 related to facilitating the transfer of technology to  
8 businesses and on its other activities related to building  
9 relationships between university researchers, faculty,  
10 students, and administrators and businesses in the state. The  
11 report must include information on the achievement by the  
12 office of the performance measures identified under paragraph  
13 (4)(i). The board of directors shall summarize the information  
14 provided by the technology transfer offices as part of the  
15 annual report by the board under paragraph (a).

16 Section 12. (1) The Legislature finds that promoting  
17 objectivity in research at public universities is important to  
18 ensure that conflicts of interest do not compromise the  
19 responsibility of faculty, researchers, staff, and students to  
20 the state and the public educational institutions they  
21 represent. The Legislature also finds, however, that the  
22 transfer of technology from the university setting to the  
23 private sector produces economic development benefits for the  
24 state and its citizens and is a laudable public policy goal of  
25 the state. The Legislature further finds that such transfer of  
26 technology is facilitated by encouraging communication and  
27 relationships between university employees and business  
28 entities. Therefore, it is the intent of the Legislature that  
29 public universities in the state operate under policies and  
30 procedures that safeguard the public trust but that also  
31 facilitate the transfer of technology by not unduly burdening

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1 the building of relationships between university employees and  
2 business entities.

3 (2) The Florida Research Consortium shall report to  
4 the Governor, the President of the Senate, and the Speaker of  
5 the House of Representatives by January 1, 2002, on the impact  
6 of existing statutes, regulations, policies, and procedures,  
7 as well as other factors the consortium identifies, on the  
8 transfer and commercialization of technology from the  
9 university setting to the private sector and on the ability of  
10 university faculty, researchers, other staff, and students to  
11 establish relationships with business entities emanating from  
12 research conducted at the universities. The report shall  
13 include specific recommendations for actions by the  
14 Legislature, universities, and state agencies to enhance and  
15 promote the transfer and commercialization of technology to  
16 produce economic development benefits for the state and its  
17 residents. At a minimum, this report must:

18 (a) Examine the code of ethics for public officers and  
19 employees under part III of chapter 112, Florida Statutes, to  
20 identify any specific provisions that impede the transfer and  
21 commercialization of technology and recommend any changes to  
22 the code that the consortium deems necessary to address such  
23 impediments.

24 (b) Assess the strengths and weaknesses of technology  
25 transfer and commercialization policies and practices of the  
26 member universities of the consortium and identify any  
27 exemplars.

28 (c) Review technology transfer and commercialization  
29 policies and practices in other states to identify models for  
30 potential adoption in this state.

31 (d) Examine federal statutes and regulations governing

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1 conflicts of interest and disclosure of significant financial  
2 interests by researchers who apply for or receive federal  
3 research funds and recommend whether comparable statutory or  
4 regulatory provisions should be adopted in this state.

5 (e) Analyze the provisions of the federal Bayh-Dole  
6 Act and related legislation and recommend whether any  
7 comparable provisions should be adopted in this state.

8 (f) Assess the advantages and disadvantages of  
9 adopting policies and practices related to the transfer and  
10 commercialization of technology on a statewide basis versus at  
11 the individual university level.

12 (3) The consortium shall solicit the participation in  
13 the preparation of this report of individuals who have  
14 expertise related to the transfer and commercialization of  
15 technology but who are not members of the consortium.

16 (4) This section shall take effect upon this act  
17 becoming a law.

18 Section 13. Section 445.045, Florida Statutes, is  
19 amended to read:

20 445.045 Development of an Internet-based system for  
21 information technology industry promotion and workforce  
22 recruitment.--

23 (1) Workforce Florida, Inc.,~~The Department of Labor~~  
24 ~~and Employment Security~~ shall be responsible for facilitate  
25 ~~efforts to ensure~~ the development and maintenance of a website  
26 that promotes and markets the information technology industry  
27 in this state. The website shall be designed to inform the  
28 public concerning the scope of the information technology  
29 industry in the state and shall also be designed to address  
30 the workforce needs of the industry. The website shall  
31 include, through links or actual content, information

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1 concerning information technology businesses in this state,  
2 including links to such businesses; information concerning  
3 employment available at these businesses; and the means by  
4 which a jobseeker may post a resume on the website.

5 (2) Workforce Florida, Inc.,~~The Department of Labor~~  
6 ~~and Employment Security~~ shall coordinate with the State  
7 Technology Office and the Agency for Workforce Innovation  
8 ~~Workforce Development Board of Enterprise Florida, Inc.,~~ to  
9 ensure links, where feasible and appropriate, to existing job  
10 information websites maintained by the state and state  
11 agencies and to ensure that information technology positions  
12 offered by the state and state agencies are posted on the  
13 information technology website.

14 (3) Workforce Florida, Inc., shall ensure that the  
15 website developed and maintained under this section is  
16 consistent, compatible, and coordinated with the workforce  
17 information systems required under s. 445.011, including, but  
18 not limited to, the automated job-matching information system  
19 for employers, job seekers, and other users.

20 (4)(a) Workforce Florida, Inc., shall coordinate  
21 development and maintenance of the website under this section  
22 with the state's Chief Information Officer in the State  
23 Technology Office to ensure compatibility with the state's  
24 information system strategy and enterprise architecture.

25 (b) Workforce Florida, Inc., may enter into an  
26 agreement with the State Technology Office, the Agency for  
27 Workforce Innovation, or any other public agency with the  
28 requisite information technology expertise for the provision  
29 of design, operating, or other technological services  
30 necessary to develop and maintain the website.

31 (c) Workforce Florida, Inc., may procure services

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1 necessary to implement the provisions of this section,  
2 provided, however, that it employs competitive processes,  
3 including requests for proposals, competitive negotiation, and  
4 other competitive processes to ensure that the procurement  
5 results in the most cost-effective investment of state funds.

6 (5) In furtherance of the requirements under this  
7 section that the website promote and market the information  
8 technology industry by communicating information on the scope  
9 of the industry in this state, Workforce Florida, Inc., shall  
10 coordinate its efforts with the high-technology industry  
11 marketing efforts of Enterprise Florida, Inc., under s.  
12 288.911. Through links or actual content, the website  
13 developed under this section shall serve as a forum for  
14 distributing the marketing campaign developed by Enterprise  
15 Florida, Inc., under s. 288.911. In addition, Workforce  
16 Florida, Inc., shall solicit input from the not-for-profit  
17 corporation created to advocate on behalf of the information  
18 technology industry as an outgrowth of the Information Service  
19 Technology Development Task Force created under chapter  
20 99-354, Laws of Florida.

21 Section 14. Pilot grant program for youth  
22 internships.--

23 (1) Subject to legislative appropriation, Workforce  
24 Florida, Inc., shall establish a pilot matching grant program  
25 that is designed to encourage high-technology businesses to  
26 employ, train, and mentor financially needy youth through  
27 internships completed under the direct supervision of the  
28 eligible business. Under this program, Workforce Florida,  
29 Inc., may award grants to an eligible business for the benefit  
30 of a named eligible youth. Part of the purpose of the program  
31 shall be to help financially needy youth acquire and develop

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1 information technology skills in order to help close the  
2 "digital divide."

3 (2) Grant funds awarded under this program shall be  
4 used to supplement the stipend of the eligible youth and must  
5 be matched by contributions from the eligible business. The  
6 maximum grant amount that may be awarded on behalf of a single  
7 eligible youth at one time is \$2,000. Workforce Florida, Inc.,  
8 may establish limitations on the total number of internship  
9 grants that may be awarded to a single eligible business or  
10 that may be awarded on behalf of a single eligible youth.

11 (3) An eligible business under this program includes  
12 any sole proprietorship, firm, partnership, or corporation in  
13 this state that is in the information technology sector,  
14 health technology sector, or other high-technology sector that  
15 the board of directors of Workforce Florida, Inc., in  
16 consultation with Enterprise Florida, Inc., determines is  
17 strategically important to the economic development goals of  
18 the state.

19 (4) An eligible youth under this program includes a  
20 student between the ages of 15 and 18 who is currently  
21 enrolled at a high school in Florida and who has not been  
22 previously employed within the preceding 12 months by the  
23 eligible business, or a successor business, applying for  
24 matching funds under this program. The youth must be a member  
25 of a family that includes a parent with one or more minor  
26 children or a caretaker with one or more minor children and  
27 that is at risk of welfare dependency because the family's  
28 income does not exceed 200 percent of the federal poverty  
29 level.

30 (5)(a) As part of an application for funding under  
31 this program, an eligible business must submit an internship

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- 1 work plan that describes:
- 2       1. The work to be performed by the eligible youth;
- 3       2. The anticipated number of hours per week the
- 4 eligible youth will work;
- 5       3. The total hourly stipend to be paid to eligible
- 6 youth, with a description of the portion of the stipend
- 7 proposed to be paid by the eligible business and the portion
- 8 of the stipend proposed to be paid by the state;
- 9       4. The anticipated term of the internship;
- 10       5. The training and supervision to be provided by the
- 11 eligible business, particularly in terms of skill development
- 12 of the youth related to computers and other information
- 13 technologies;
- 14       6. The impact of the grant funds on the ability of the
- 15 eligible business to employ the eligible youth through the
- 16 internship; and
- 17       7. The prospects for unsubsidized employment of the
- 18 youth after the internship period concludes.
- 19       (b) An application for funding must also identify the
- 20 eligible youth to be hired under the internship and include
- 21 information to demonstrate that the eligible youth satisfies
- 22 the requirements of subsection (4).
- 23       (6) Workforce Florida, Inc., shall establish
- 24 guidelines governing the administration of this program which
- 25 facilitate access to the program by businesses and shall
- 26 establish criteria to be used in evaluating an application for
- 27 funding and the internship plan accompanying the application
- 28 as required under subsection (5). Such criteria must include,
- 29 but need not be limited to:
- 30       (a) The nature of the work to be performed by the
- 31 eligible youth;

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1           (b) The potential experience and skills to be acquired  
2 by the eligible youth, particularly related to computers and  
3 other information technologies, as identified by Workforce  
4 Florida, Inc., which may help address the digital divide;

5           (c) Whether the eligible business is classified in one  
6 of the business sectors identified by Enterprise Florida,  
7 Inc., as being strategically important to the economic  
8 development efforts of the state or is classified in a  
9 business sector identified as being strategically important to  
10 the particular regional or local area in which the business is  
11 located;

12           (d) The supervision, training, and counseling to be  
13 provided to the eligible youth as part of the internship;

14           (e) The demonstrated need of the eligible business and  
15 the amount of matching funds to be provided by the eligible  
16 business; and

17           (f) The extent to which the internship has potential  
18 to result in permanent employment with the eligible business  
19 at the completion of the internship or anytime thereafter.

20           (7) Before allocating funds for any grant application  
21 under this program, Workforce Florida, Inc., shall execute a  
22 simplified grant agreement with the eligible business. Such  
23 agreement must include provisions for Workforce Florida, Inc.,  
24 to have access to information about the performance of  
25 eligible youth upon completion of the internship.

26           (8) Workforce Florida, Inc., shall ensure that any  
27 forms or reports associated with this program which a business  
28 or individual is required to complete are as concise and  
29 simple to complete as practicable.

30           (9) Before the 2003 legislative session, Workforce  
31 Florida, Inc., shall prepare a report describing the outcomes

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1 of the pilot program authorized under this section. The report  
2 must include a recommendation as to whether the Legislature  
3 should continue to fund the program and on any changes  
4 necessary to enhance the program. The report must be submitted  
5 to the Governor, the President of the Senate, and the Speaker  
6 of the House of Representatives by January 31, 2003.

7 Section 15. Joint-Use Advanced Digital-Media Research  
8 and Production Facilities.--

9 (1) The Legislature finds that developments in digital  
10 media are having, and will continue to have, a profound effect  
11 on the state, its people, and its businesses in areas  
12 including, but not limited to, information technology,  
13 simulation technology, and film and entertainment production  
14 and distribution. The digital-media industry represents a  
15 strategic economic development opportunity for the state to  
16 become a global leader in this emerging and dynamic field. The  
17 ability of the state to succeed in developing the  
18 digital-media sector, however, depends upon having a workforce  
19 with skills necessary to meet the demands of the industry. The  
20 Legislature further finds that the convergence of media and  
21 the collaboration of businesses and multi-disciplinary  
22 academic research programs will enable this state to compete  
23 more successfully with other digital-media innovation centers  
24 around the country and around the world. Therefore, it is the  
25 intent of the Legislature to support the establishment and  
26 maintenance of joint-use advanced digital-media research and  
27 production facilities in the state to provide regional focal  
28 points for collaboration between research and education  
29 programs and digital-media industries.

30 (2) Subject to legislative appropriation, the Office  
31 of Tourism, Trade, and Economic Development is authorized to

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1 create and administer a program to facilitate the  
2 establishment and maintenance of joint-use advanced  
3 digital-media research and production facilities at strategic  
4 locations around the state. The office shall administer all  
5 facets of this program in cooperation and consultation with  
6 the Office of the Film Commissioner; Enterprise Florida, Inc.;  
7 Workforce Florida, Inc.; the Digital Media Education  
8 Coordination Group of the State University System; and a  
9 not-for-profit corporation that represents information  
10 technology businesses throughout the state.

11 (3) The purposes of a joint-use advanced digital-media  
12 research and production facility shall include:

13 (a) Creating opportunities for industry, academia, and  
14 government to benefit from student and researcher involvement  
15 in applied research and development projects and other  
16 projects related to digital media.

17 (b) Promoting paths to future employment for students  
18 participating in the activities of the facility.

19 (c) Contributing to the development of a skilled  
20 workforce to support the needs of the digital-media industry.

21 (d) Facilitating the transfer of research results to  
22 commercial and government applications.

23 (e) Integrating the efforts and activities of the  
24 diverse, high-technology industries in the state that are  
25 critical to the economic future of the state.

26 (f) Assisting producers, suppliers, and distributors  
27 to make the transition from well-established passive media  
28 infrastructure to a highly interactive and immersive media  
29 infrastructure.

30 (g) Performing other functions or activities designed  
31 to contribute to the success of the state in becoming a leader

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1 in the digital-media industry, as approved by the Office of  
2 Tourism, Trade, and Economic Development.

3 (4) In carrying out its responsibilities under this  
4 section, the Office of Tourism, Trade, and Economic  
5 Development:

6 (a) Shall develop a strategic plan for how joint-use  
7 advanced digital-media research and production facilities will  
8 be governed and for how such facilities will be funded in the  
9 long term. The office may contract for the preparation of the  
10 strategic plan required by this paragraph.

11 (b) May contract for the establishment of joint-use  
12 advanced digital-media research and production facilities. In  
13 identifying, approving, and executing such contracts, the  
14 office shall attempt to maximize the use and integration of  
15 existing facilities and programs in the state that are  
16 suitable for application as joint-use advanced digital-media  
17 facilities. Funds awarded under such contracts may be used to  
18 lease or refurbish existing facilities to create  
19 state-of-the-art digital-media design, production, and  
20 research laboratories that shall be shared by public and  
21 private educational institutions and industry partners.

22 (c) Shall ensure that funds appropriated for the  
23 program authorized in this section are expended in a manner  
24 consistent with the priority needs for developing the  
25 digital-media industry in this state, as identified by the  
26 organizations listed in subsection (2).

27 (d) Shall require any entity or organization receiving  
28 state funding under this section to match such funding with  
29 non-state sources.

30 (e) Shall require any joint-use advanced digital-media  
31 research and production facility receiving state funds to

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1 submit for approval by the office a detailed plan for the  
2 operation of such facility. Such operating plan must, at a  
3 minimum, include provisions for the establishment of a tenant  
4 association, with representation by each tenant using the  
5 facility, and for the collection of annual dues from tenants  
6 to support the operation and maintenance of the facility.

7 (f) Shall require any joint-use advanced digital-media  
8 research and production facility receiving state funding to  
9 submit an annual report to the office by a date established by  
10 the office. Upon receipt of such annual reports, the office  
11 shall provide copies to the Governor, the President of the  
12 Senate, and the Speaker of the House of Representatives.

13 (g) Shall establish guidelines and criteria governing  
14 the application for and receipt of funds under this section.

15 (h) May, as part of the annual report on the business  
16 climate of the state required under section 14.2015, Florida  
17 Statutes, recommend to the Legislature policies designed to  
18 enhance the effectiveness of the program for joint-use  
19 advanced digital-media research and production facilities or  
20 policies designed to otherwise promote the development of the  
21 digital-media industry in the state.

22 (5) For the purposes of this section, the term  
23 "digital media" is defined as a discipline based on the  
24 creative convergence of art, science, and technology for human  
25 expression, communication, and social interaction. The Office  
26 of Tourism, Trade, and Economic Development, in cooperation  
27 and consultation with the organizations identified in  
28 subsection (2), shall identify specific types of businesses or  
29 types of business activity to be included within the term  
30 "digital media."

31 Section 16. (1) In implementing the single, statewide

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1 computer-assisted student advising system required under  
2 section 240.2099, Florida Statutes, the Board of Regents and  
3 the State Board of Community Colleges may:

4 (a) Perform all things necessary to secure letters of  
5 patent, copyrights, and trademarks on any work products and  
6 enforce their rights with respect thereto.

7 (b) Enter into binding agreements with organizations,  
8 corporations, or government entities to license, lease,  
9 assign, or otherwise give written consent to any person, firm,  
10 corporation, or agency for the use of the single, statewide,  
11 computer-assisted student advising system and collect  
12 royalties or any other consideration that the boards find  
13 proper.

14 (c) Sell or license any such work products and execute  
15 all instruments necessary to consummate the sale or license.

16 (2) The Board of Regents and the State Board of  
17 Community Colleges shall submit to the President of the Senate  
18 and the Speaker of the House of Representatives any agreement  
19 relating to this section. The President and Speaker may review  
20 the terms of the agreement and respond with comments for 30  
21 days after receipt of an agreement; after that time, the  
22 agreement is binding.

23 (3) All or a portion of the proceeds derived from  
24 activities authorized under this section may be expended for  
25 developing the next generation of on-line student services,  
26 maintaining and operating the system, and acquiring statewide  
27 licenses for related software. Proceeds in excess of that  
28 necessary to support such expenditures may be deposited in the  
29 State Treasury to support need-based student aid or to support  
30 information technology infrastructure.

31 Section 17. There is appropriated from the General

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1 Revenue Fund to the Office of Tourism, Trade, and Economic  
2 Development the sum of \$3 million in fiscal year 2001-2002 for  
3 a program to facilitate the establishment and maintenance of  
4 joint-use advanced digital-media research and production  
5 facilities at strategic locations around the state as provided  
6 in this act.

7       Section 18. There is appropriated from the General  
8 Revenue Fund to the Office of Tourism, Trade, and Economic  
9 Development the sum of \$1.5 million in fiscal year 2001-2002  
10 for use by Enterprise Florida, Inc., in creating and  
11 implementing the marketing campaign for high-technology  
12 industry promotion as required under section 288.911, Florida  
13 Statutes.

14       Section 19. The unexpended balance of funds from  
15 section 38 of chapter 2000-164, Laws of Florida, authorized to  
16 reimburse eligible companies for sales tax payments made on  
17 equipment specifically associated with the creation of a  
18 network access point, is reappropriated for Fiscal Year  
19 2001-2002 to the Department of Revenue for reimbursement of  
20 such sales tax payments as provided in section 212.08(5),  
21 Florida Statutes.

22       Section 20. There is appropriated from the General  
23 Revenue Fund to the Office of Tourism, Trade, and Economic  
24 Development the sum of \$100,000 in fiscal year 2001-2002 for  
25 use by the Florida Research Consortium created under section  
26 288.9522, Florida Statutes, for the purposes specified in such  
27 section.

28       Section 21. There is appropriated from the Employment  
29 Security Administration Trust Fund to the Agency for Workforce  
30 Innovation the sum of \$200,000 in fiscal year 2001-2002 for  
31 use by Workforce Florida, Inc., in implementing the pilot

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1 matching grant program for youth internships as provided in  
2 this act. The source of these funds is the Temporary  
3 Assistance for Needy Families block grant.

4 Section 22. Except as otherwise provided, this act  
5 shall take effect July 1, 2001.

6  
7

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

9 And the title is amended as follows:

10 Delete everything before the enacting clause

11

12 and insert:

13

A bill to be entitled

14

An act relating to economic development;

15

creating the "Florida Emerging and Strategic

16

Technologies Act"; creating s. 121.155, F.S.;

17

providing legislative findings relating to the

18

relationship between availability of capital

19

and the development of high-technology

20

businesses; expressing legislative intent that

21

Florida Retirement System investments

22

complement economic development strategies;

23

requiring staff of the Board of Administration

24

to review certain economic development

25

information; expanding annual report

26

requirements; amending s. 159.26, F.S.;

27

declaring, for purposes of the Florida

28

Industrial Development Financing Act, that the

29

information technology industry is vital to the

30

economy of the state; providing that the

31

advancement of information technology is a



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1 the information technology industry; creating  
2 s. 288.9522, F.S.; creating the Florida  
3 Research Consortium; providing for the  
4 organization, membership, purpose, powers, and  
5 administration of the consortium; requiring an  
6 annual report from the consortium and its  
7 member universities; requiring the Florida  
8 Research Consortium to report on statutory and  
9 other factors affecting the transfer and  
10 commercialization of technology and the  
11 formation of relationships between university  
12 employees and business entities; prescribing  
13 elements of such report; requiring the  
14 consortium to solicit the participation of  
15 certain experts in the preparation of such  
16 report; amending s. 445.045, F.S.; reassigning  
17 responsibility for development and maintenance  
18 of an information technology promotion and  
19 workforce recruitment website to Workforce  
20 Florida, Inc.; requiring consistency and  
21 compatibility with other information systems;  
22 authorizing Workforce Florida, Inc., to secure  
23 website services from outside entities;  
24 requiring coordination of the information  
25 technology website with other marketing,  
26 promotion, and advocacy efforts; directing  
27 Workforce Florida, Inc., to establish a pilot  
28 grant program for youth internships in  
29 high-technology fields, subject to legislative  
30 appropriation; specifying the amount of a grant  
31 under the program; providing for eligibility;

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1 requiring an eligible business to submit an  
2 internship work plan; specifying criteria for  
3 evaluating an application for funding of an  
4 internship; requiring Workforce Florida, Inc.,  
5 to report the outcomes of the pilot program to  
6 the Legislature; providing legislative findings  
7 and intent relating to establishment of  
8 joint-use advanced digital-media research and  
9 production facilities; authorizing the Office  
10 of Tourism, Trade, and Economic Development to  
11 create a program supporting establishment of  
12 such facilities; prescribing the purposes of  
13 such facilities; specifying powers and duties  
14 of the office relating to establishment of such  
15 facilities; defining the term "digital media";  
16 authorizing the Board of Regents and the State  
17 Board of Community Colleges, in implementing a  
18 single, statewide computer-assisted student  
19 advising system, to secure and enforce patents  
20 on work products, enter into various  
21 agreements, and sell or license work products;  
22 requiring the Board of Regents and the State  
23 Board of Community Colleges to submit certain  
24 agreements to the Legislature; providing for  
25 uses of any or all of the proceeds derived from  
26 such activities; providing appropriations;  
27 providing effective dates.

28  
29 WHEREAS, Enterprise Florida, Inc., has sector  
30 strategies devoted to Florida's health technology industry and  
31 information technology industry, and

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1 WHEREAS, the health technology industry and information  
2 technology industry represent valued and growing sectors of  
3 Florida's economy, and

4 WHEREAS, these industries employ Floridians at high  
5 average wages, and

6 WHEREAS, these industries are dominated by small  
7 employers and entrepreneurs who look to the state, its  
8 communities, economic development organizations, and community  
9 colleges and universities to provide an environment that will  
10 nurture their development, and

11 WHEREAS, these industries have identified issues  
12 relating to workforce development, transfer of technology from  
13 universities, availability of capital, and economic  
14 development marketing and programs as affecting their  
15 viability and development, and

16 WHEREAS, the issues affecting the viability and  
17 development of these industries are also critical to other  
18 emerging and strategic high-technology industries that are  
19 critically important to the economic development of the state  
20 in the New Economy, and

21 WHEREAS, high-technology industries improve the quality  
22 of life for all Floridians, and

23 WHEREAS, the Florida Legislature recognizes the  
24 importance of high-technology industries to our state, NOW,  
25 THEREFORE,

26  
27  
28  
29  
30  
31