

By Senator Klein

28-1174-01

1 A bill to be entitled
2 An act relating to economic development;
3 creating the "Florida Emerging and Strategic
4 Technologies Act"; creating s. 112.3133, F.S.;
5 providing legislative findings and intent
6 relating to the transfer of technology and
7 conflicts of interest for public university
8 employees; directing the State Board of
9 Education to develop guidelines for public
10 universities requiring disclosure of employees'
11 significant financial interests; prescribing
12 minimum requirements for such guidelines;
13 defining the term "significant financial
14 interests"; requiring public universities to
15 enforce and oversee implementation of such
16 guidelines; requiring a report; creating s.
17 121.155, F.S.; providing legislative findings
18 relating to the relationship between
19 availability of capital and the development of
20 high-technology businesses; expressing
21 legislative intent that Florida Retirement
22 System investments complement economic
23 development strategies; requiring staff of the
24 State Board of Administration to review certain
25 economic development information; expanding
26 annual report requirements; amending s. 159.26,
27 F.S.; 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

1 purpose underlying the act; amending s. 159.27,
2 F.S.; redefining the term "project" to include
3 information technology facilities; defining the
4 term "information technology facility";
5 amending s. 212.08, F.S.; revising the sales
6 and use tax exemption for certain machinery and
7 equipment to include machinery and equipment
8 used by health technology facilities to produce
9 health technology products, as defined, and
10 machinery and equipment used in research and
11 development or manufacturing in a health
12 technology facility; amending s. 220.02, F.S.;
13 expressing legislative intent on the order in
14 which a corporate income tax credit for certain
15 education costs should be applied; amending s.
16 220.13, F.S.; redefining the term "adjusted
17 federal income" to conform to the creation of a
18 corporate income tax credit for certain
19 information technology education costs;
20 creating s. 220.192, F.S.; authorizing a credit
21 against corporate income tax for certain
22 information technology education costs paid by
23 an employer on behalf of an employee; providing
24 eligibility and application requirements;
25 providing for administration and expiration of
26 the tax credit program; providing a definition;
27 creating s. 240.1055, F.S.; providing that the
28 mission of the state system of postsecondary
29 education includes supporting the economic
30 development goals of the state; expressing
31 legislative intent; amending s. 288.095, F.S.;

1 raising the amount of the total state share of
2 tax refunds that may be scheduled annually for
3 payment under the qualified target industry tax
4 refund program; amending s. 288.108, F.S.;
5 specifying that the information technology
6 sector is a high-impact sector for the purposes
7 of a grant program for investments by certain
8 businesses; amending s. 288.911, F.S.;
9 requiring Enterprise Florida, Inc., to develop
10 and implement a marketing campaign to promote
11 high-technology industries; providing the
12 purpose of such campaign; requiring
13 coordination with specified entities in the
14 development of such campaign; prescribing
15 components of such campaign; providing
16 legislative intent relating to the provision of
17 state assistance to a not-for-profit
18 corporation created to advocate on behalf of
19 the information technology industry; creating
20 s. 288.9522, F.S.; creating the Florida
21 Research Consortium; providing for the
22 organization, membership, purpose, powers, and
23 administration of the consortium; requiring an
24 annual report from the consortium and its
25 member universities; amending s. 445.045, F.S.;
26 reassigning responsibility for development and
27 maintenance of an information technology
28 promotion and workforce recruitment website to
29 Workforce Florida, Inc.; requiring consistency
30 and compatibility with other information
31 systems; authorizing Workforce Florida, Inc.,

1 to secure website services from outside
2 entities; requiring coordination of the
3 information technology website with other
4 marketing, promotion, and advocacy efforts;
5 directing Workforce Florida, Inc., to establish
6 a pilot grant program for youth internships in
7 high-technology fields, subject to legislative
8 appropriation; specifying the amount of a grant
9 under the program; providing for eligibility;
10 requiring an eligible business to submit an
11 internship work plan; specifying criteria for
12 evaluating an application for funding of an
13 internship; requiring Workforce Florida, Inc.,
14 to report the outcomes of the pilot program to
15 the Legislature; providing legislative findings
16 and intent relating to establishment of
17 joint-use advanced digital-media research and
18 production facilities; authorizing the Office
19 of Tourism, Trade, and Economic Development to
20 create a program supporting establishment of
21 such facilities; prescribing the purposes of
22 such facilities; specifying powers and duties
23 of the office relating to establishment of such
24 facilities; defining the term "digital media";
25 providing appropriations; providing an
26 effective date.

27
28 WHEREAS, Enterprise Florida, Inc., has sector
29 strategies devoted to Florida's health technology industry and
30 information technology industry, and
31

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 tax policy, workforce development, transfer of
13 technology from universities, and availability of capital as
14 affecting their viability and development, and

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

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

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

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. This act may be cited as the "Florida
29 Emerging and Strategic Technologies Act."

30 Section 2. Section 112.3133, Florida Statutes, is
31 created to read:

1 112.3133 Standards of conduct applicable to technology
2 transfer at public universities.--

3 (1) The Legislature finds that promoting objectivity
4 in research at public universities is important to ensure that
5 conflicts of interest do not compromise the responsibility of
6 faculty, researchers, staff, and students to the state and the
7 public educational institutions they represent. The
8 Legislature also finds, however, that the transfer of
9 technology from the university setting to the private sector
10 produces economic development benefits for the state and its
11 citizens and is a laudable public policy goal of the state.
12 Therefore, it is the intent of the Legislature that public
13 universities in the state operate under policies and
14 procedures that safeguard the public trust by providing for
15 disclosure of significant financial interests but that also
16 facilitate the transfer of technology by not unduly burdening
17 the building of relationships among university employees and
18 business entities.

19 (2) Notwithstanding any provision of law to the
20 contrary, the State Board of Education shall develop by
21 January 1, 2002, guidelines governing conflicts of interest,
22 which guidelines permit an employee of a public university to
23 have or hold an employment, contractual, or other relationship
24 with a business entity that is doing business with the public
25 university, provided that such relationship relates to or
26 emanates from the transfer and commercialization of technology
27 developed at the university.

28 (3) The guidelines must, at a minimum:

29 (a) Specify that an employee shall submit to a
30 designated official at each university a statement of
31

1 significant financial interests of the employee. The statement
2 shall cover the employee's significant financial interests:
3 1. That would reasonably appear to be affected by
4 research or other activities in which the employee is engaged
5 at the university; and
6 2. In entities whose financial interests would
7 reasonably appear to be affected by the research or other
8 activities in which the employee is engaged at the university.
9 (b) Require that such statements be updated annually
10 or as new reportable significant financial interests are
11 obtained.
12 (c) Provide for adequate enforcement mechanisms and
13 provide for sanctions where appropriate.
14 (4) For the purposes of this section, the term
15 "significant financial interests" shall have the same meaning
16 as provided in regulations of the U.S. Department of Health
17 and Human Services governing objectivity in research for which
18 funding from the Public Health Service is sought, as contained
19 in chapter 42, subpart F, C.F.R.
20 (5) Each public university subject to regulation by
21 the State Board of Administration shall establish a process to
22 enforce and oversee the guidelines developed under this
23 section, including, at a minimum, a process for the receipt,
24 review, and recording of each employee's statements of
25 significant financial interests required to be submitted under
26 this section. Each university must designate an institutional
27 official to solicit and review such financial disclosure
28 statements from employees.
29 (6) The State Board of Education shall consult with
30 the board of directors of the Florida Research Consortium in
31 developing the guidelines required by this section.

1 (7) The State Board of Education shall report to the
2 Governor, the President of the Senate, and the Speaker of the
3 House of Representatives by February 1, 2002, on any
4 recommended statutory changes necessary to facilitate or
5 enhance the implementation or enforcement of the guidelines
6 developed under this section, as well as on any statutory
7 changes designed to improve the transfer of technology from
8 public universities.

9 Section 3. Section 121.155, Florida Statutes, is
10 created to read:

11 121.155 Investments in support of economic development
12 strategies; legislative findings and intent.--

13 (1) The Legislature finds that:

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

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

21 (c) A significant barrier to the growth of
22 high-technology businesses in the state is caused by a lack of
23 access to sources of capital to support the activities of such
24 businesses.

25 (d) The State Board of Administration, through the
26 investment of funds of the System Trust Fund, has the ability
27 to influence the availability of capital in the marketplace
28 for businesses located in the state.

29 (e) The investment of funds of the System Trust Fund
30 in a manner consistent with the economic development goals of
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1 the state enhances the prospects for fulfillment of such
2 goals.

3 (2) It is the intent of the Legislature that the State
4 Board of Administration, consistent with sound investment
5 policy and with the investment provisions set forth in ss.
6 215.44-215.53, maximize opportunities to invest and reinvest
7 available funds of the System Trust Fund in a manner that is
8 consistent with, and that supports fulfillment of, the
9 economic development strategies of the state, including
10 investing and reinvesting funds in support of the capital
11 needs of emerging and strategic high-technology businesses
12 located in the state. It is further the intent of the
13 Legislature that the State Board of Administration, in
14 supporting fulfillment of the economic development strategies
15 of the state, establish partnerships, where feasible, with
16 venture capital firms designed to facilitate investment of
17 venture capital in high-technology businesses located in this
18 state.

19 (3) Staff of the State Board of Administration shall
20 regularly solicit information from Enterprise Florida, Inc.,
21 on those high-technology business sectors that research
22 indicates have significant potential to contribute to the
23 economic development of the state and shall provide such
24 information to the Investment Advisory Council created under
25 s. 215.444.

26 (4) As part of the annual report required under s.
27 215.44, the State Board of Administration shall describe those
28 investment activities during the year in furtherance of the
29 findings and intent of this section.

30 Section 4. Section 159.26, Florida Statutes, is
31 amended to read:

1 159.26 Legislative findings and purposes.--The
2 Legislature finds and declares that:

3 (1) The agriculture, tourism, urban development,
4 historic preservation, information technology, education, and
5 health care industries, among others, are vital to the economy
6 of the state and to the welfare of the people and need to be
7 enhanced and expanded to improve the competitive position of
8 the state;

9 (2) There is a need to enhance other economic activity
10 in the state by attracting manufacturing development, business
11 enterprise management, and other activities conducive to
12 economic promotion in order to provide a stronger, more
13 balanced, and stable economy in the state, while providing
14 through pollution control and otherwise for the health and
15 safety of the people;

16 (3) In order to improve the prosperity and welfare of
17 the state and its inhabitants; to improve education, living
18 conditions, and health care; to promote the preservation of
19 historic structures; to promote the rehabilitation of
20 enterprise zones; to promote improved transportation; to
21 promote effective and efficient pollution control throughout
22 the state; to promote the advancement of education and science
23 and research in and the economic development of the state; to
24 promote the advancement of information technology; and to
25 increase purchasing power and opportunities for gainful
26 employment, it is necessary and in the public interest to
27 facilitate the financing of the projects provided for in this
28 part and to facilitate and encourage the planning and
29 development of these projects without regard to the boundaries
30 between counties, municipalities, special districts, and other
31 local governmental bodies or agencies in order to more

1 effectively and efficiently serve the interests of the
2 greatest number of people in the widest area practicable; and

3 (4) The purposes to be achieved by such projects and
4 the financing of them in compliance with the criteria and
5 requirements of this part are predominantly the public
6 purposes stated in this section, and such purposes implement
7 the governmental purposes under the State Constitution of
8 providing for the health, safety, and welfare of the people,
9 including implementing the purpose of s. 10(c), Art. VII of
10 the State Constitution.

11 Section 5. Subsection (5) of section 159.27, Florida
12 Statutes, is amended, and subsection (25) is added to that
13 section to read:

14 159.27 Definitions.--The following words and terms,
15 unless the context clearly indicates a different meaning,
16 shall have the following meanings:

17 (5) "Project" means any capital project comprising an
18 industrial or manufacturing plant, a research and development
19 park, an information technology facility, an agricultural
20 processing or storage facility, a warehousing or distribution
21 facility, a headquarters facility, a tourism facility, a
22 convention or trade show facility, an urban parking facility,
23 a trade center, a health care facility, an educational
24 facility, a correctional or detention facility, a motion
25 picture production facility, a preservation or rehabilitation
26 of a certified historic structure, an airport or port
27 facility, a commercial project in an enterprise zone, a
28 pollution-control facility, a hazardous or solid waste
29 facility, a social service center, or a mass commuting
30 facility, including one or more buildings and other
31 structures, whether or not on the same site or sites; any

1 rehabilitation, improvement, renovation, or enlargement of, or
2 any addition to, any buildings or structures for use as a
3 factory, a mill, a processing plant, an assembly plant, a
4 fabricating plant, an industrial distribution center, a
5 repair, overhaul, or service facility, a test facility, an
6 agricultural processing or storage facility, a warehousing or
7 distribution facility, a headquarters facility, a tourism
8 facility, a convention or trade show facility, an urban
9 parking facility, a trade center, a health care facility, an
10 educational facility, a correctional or detention facility, a
11 motion picture production facility, a preservation or
12 rehabilitation of a certified historic structure, an airport
13 or port facility, a commercial project in an enterprise zone,
14 a pollution-control facility, a hazardous or solid waste
15 facility, a social service center, or a mass commuting
16 facility, and other facilities, including research and
17 development facilities and information technology facilities,
18 for manufacturing, processing, assembling, repairing,
19 overhauling, servicing, testing, or handling of any products
20 or commodities embraced in any industrial or manufacturing
21 plant, in connection with the purposes of a research and
22 development park, or other facilities for or used in
23 connection with an agricultural processing or storage
24 facility, a warehousing or distribution facility, a
25 headquarters facility, a tourism facility, a convention or
26 trade show facility, an urban parking facility, a trade
27 center, a health care facility, an educational facility, a
28 correctional or detention facility, a motion picture
29 production facility, a preservation or rehabilitation of a
30 certified historic structure, an airport or port facility, or
31 a commercial project in an enterprise zone or for controlling

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

25 (25) "Information technology facility" means a
26 building or structure, including infrastructure such as roads,
27 power, water, network access points, and fiber optic cable
28 leading to the structure, which is used to house businesses
29 classified within the following standard industrial
30 classifications: SIC 3571 (electronic computers); SIC 3572
31 (computer storage devices); SIC 3575 (computer terminals); SIC

1 3577 (computer peripheral equipment); SIC 3661 (telephone and
2 telegraph apparatus); SIC 3663 (radio and television
3 broadcasting and communications equipment); SIC 3669
4 (communications equipment); SIC 3671 (electron tubes); SIC
5 3672 (printed circuit boards); SIC 3674 (semiconductors and
6 related devices); SIC 3678 (electronic connectors); SIC 3679
7 (electronic components); SIC 4812 (radiotelephone
8 communications); SIC 4813 (telephone communications); SIC 4822
9 (telegraph and other message communications); SIC 5045
10 (computers, peripherals, and software); SIC 5065 (electronic
11 parts and equipment); SIC 7371 (computer programming
12 services); SIC 7372 (prepackaged software); SIC 7373 (computer
13 integrated systems design); SIC 7374 (computer processing and
14 data preparation and processing services); SIC 7375
15 (information retrieval services); SIC 7377 (computer rental
16 and leasing); SIC 7378 (computer maintenance and repair); and
17 SIC 7379 (computer-related services).

18 Section 6. Paragraph (j) of subsection (5) of section
19 212.08, Florida Statutes, is amended to read:

20 212.08 Sales, rental, use, consumption, distribution,
21 and storage tax; specified exemptions.--The sale at retail,
22 the rental, the use, the consumption, the distribution, and
23 the storage to be used or consumed in this state of the
24 following are hereby specifically exempt from the tax imposed
25 by this chapter.

26 (5) EXEMPTIONS; ACCOUNT OF USE.--

27 (j) Machinery and equipment used in semiconductor,
28 health, defense, or space technology production and research
29 and development.--

30 1.a. Industrial machinery and equipment used in
31 semiconductor technology facilities or health technology

1 facilities certified under subparagraph 6. to manufacture,
2 process, compound, or produce semiconductor technology
3 products or health technology products for sale or for use by
4 these facilities are exempt from the tax imposed by this
5 chapter. For purposes of this paragraph, industrial machinery
6 and equipment includes molds, dies, machine tooling, other
7 appurtenances or accessories to machinery and equipment,
8 testing equipment, test beds, computers, and software, whether
9 purchased or self-fabricated, and, if self-fabricated,
10 includes materials and labor for design, fabrication, and
11 assembly.

12 b. Industrial machinery and equipment used in defense
13 or space technology facilities certified under subparagraph 6.
14 to manufacture, process, compound, or produce defense
15 technology products or space technology products for sale or
16 for use by these facilities are exempt from 25 percent of the
17 tax imposed by this chapter.

18 2.a. Machinery and equipment are exempt from the tax
19 imposed by this chapter if used predominately in semiconductor
20 wafer or health technology research and development activities
21 in a semiconductor technology or health technology research
22 and development facility certified under subparagraph 6. For
23 purposes of this paragraph, machinery and equipment includes
24 molds, dies, machine tooling, other appurtenances or
25 accessories to machinery and equipment, testing equipment,
26 test beds, computers, and software, whether purchased or
27 self-fabricated, and, if self-fabricated, includes materials
28 and labor for design, fabrication, and assembly.

29 b. Machinery and equipment are exempt from 25 percent
30 of the tax imposed by this chapter if used predominately in
31 defense or space research and development activities in a

1 defense or space technology research and development facility
2 certified under subparagraph 6.

3 3. Building materials purchased for use in
4 manufacturing or expanding clean rooms in
5 semiconductor-manufacturing facilities are exempt from the tax
6 imposed by this chapter.

7 4. In addition to meeting the criteria mandated by
8 subparagraph 1., subparagraph 2., or subparagraph 3., a
9 business must be certified by the Office of Tourism, Trade,
10 and Economic Development as authorized in this paragraph in
11 order to qualify for exemption under this paragraph.

12 5. For items purchased tax exempt pursuant to this
13 paragraph, possession of a written certification from the
14 purchaser, certifying the purchaser's entitlement to exemption
15 pursuant to this paragraph, relieves the seller of the
16 responsibility of collecting the tax on the sale of such
17 items, and the department shall look solely to the purchaser
18 for recovery of tax if it determines that the purchaser was
19 not entitled to the exemption.

20 6.a. To be eligible to receive the exemption provided
21 by subparagraph 1., subparagraph 2., or subparagraph 3., a
22 qualifying business entity shall apply to Enterprise Florida,
23 Inc. The application shall be developed by the Office of
24 Tourism, Trade, and Economic Development in consultation with
25 Enterprise Florida, Inc.

26 b. Enterprise Florida, Inc., shall review each
27 submitted application and information and determine whether or
28 not the application is complete within 5 working days. Once an
29 application is complete, Enterprise Florida, Inc., shall,
30 within 10 working days, evaluate the application and recommend
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1 approval or disapproval of the application to the Office of
2 Tourism, Trade, and Economic Development.

3 c. Upon receipt of the application and recommendation
4 from Enterprise Florida, Inc., the Office of Tourism, Trade,
5 and Economic Development shall certify within 5 working days
6 those applicants who are found to meet the requirements of
7 this section and notify the applicant, Enterprise Florida,
8 Inc., and the department of the certification. If the Office
9 of Tourism, Trade, and Economic Development finds that the
10 applicant does not meet the requirements of this section, it
11 shall notify the applicant and Enterprise Florida, Inc.,
12 within 10 working days that the application for certification
13 has been denied and the reasons for denial. The Office of
14 Tourism, Trade, and Economic Development has final approval
15 authority for certification under this section.

16 7.a. A business may apply once each year for the
17 exemption.

18 b. The application must indicate, for program
19 evaluation purposes only, the average number of full-time
20 equivalent employees at the facility over the preceding
21 calendar year, the average wage and benefits paid to those
22 employees over the preceding calendar year, the total
23 investment made in real and tangible personal property over
24 the preceding calendar year, and the total value of tax-exempt
25 purchases and taxes exempted during the previous year. The
26 department shall assist the Office of Tourism, Trade, and
27 Economic Development in evaluating and verifying information
28 provided in the application for exemption.

29 c. The Office of Tourism, Trade, and Economic
30 Development may use the information reported on the
31 application for evaluation purposes only and shall prepare an

1 annual report on the exemption program and its cost and
2 impact. The annual report for the preceding fiscal year shall
3 be submitted to the Governor, the President of the Senate, and
4 the Speaker of the House of Representatives by September 30 of
5 each fiscal year. This report may be submitted in conjunction
6 with the annual report required in s. 288.095(3)(c).

7 8. A business certified to receive this exemption may
8 elect to designate one or more state universities or community
9 colleges as recipients of up to 100 percent of the amount of
10 the exemption for which they may qualify. To receive these
11 funds, the institution must agree to match the funds so earned
12 with equivalent cash, programs, services, or other in-kind
13 support on a one-to-one basis in the pursuit of research and
14 development projects as requested by the certified business.
15 The rights to any patents, royalties, or real or intellectual
16 property must be vested in the business unless otherwise
17 agreed to by the business and the university or community
18 college.

19 9. As used in this paragraph, the term:

20 a. "Predominately" means at least 50 percent of the
21 time in qualifying research and development.

22 b. "Research and development" means basic and applied
23 research in the science or engineering, as well as the design,
24 development, and testing of prototypes or processes of new or
25 improved products. Research and development does not include
26 market research, routine consumer product testing, sales
27 research, research in the social sciences or psychology,
28 nontechnological activities, or technical services.

29 c. "Semiconductor technology products" means raw
30 semiconductor wafers or semiconductor thin films that are
31 transformed into semiconductor memory or logic wafers,

1 including wafers containing mixed memory and logic circuits;
2 related assembly and test operations; active-matrix flat panel
3 displays; semiconductor chips; semiconductor lasers;
4 optoelectronic elements; and related semiconductor technology
5 products as determined by the Office of Tourism, Trade, and
6 Economic Development.

7 d. "Clean rooms" means manufacturing facilities
8 enclosed in a manner that meets the clean manufacturing
9 requirements necessary for high-technology
10 semiconductor-manufacturing environments.

11 e. "Defense technology products" means products that
12 have a military application, including, but not limited to,
13 weapons, weapons systems, guidance systems, surveillance
14 systems, communications or information systems, munitions,
15 aircraft, vessels, or boats, or components thereof, which are
16 intended for military use and manufactured in performance of a
17 contract with the United States Department of Defense or the
18 military branch of a recognized foreign government or a
19 subcontract thereunder which relates to matters of national
20 defense.

21 f. "Space technology products" means products that are
22 specifically designed or manufactured for application in space
23 activities, including, but not limited to, space launch
24 vehicles, missiles, satellites or research payloads, avionics,
25 and associated control systems and processing systems. The
26 term does not include products that are designed or
27 manufactured for general commercial aviation or other uses
28 even though those products may also serve an incidental use in
29 space applications.

30 g. "Health technology products" means
31 biopharmaceutical or biological drugs; surgical, medical, and

1 dental instruments, supplies, and devices; ophthalmic goods;
2 laboratory apparatus; laboratory analytical instruments;
3 optical instruments and lenses; and related health technology
4 products as determined by the Office of Tourism, Trade, and
5 Economic Development, in consultation with Enterprise Florida,
6 Inc.

7 Section 7. Subsection (8) of section 220.02, Florida
8 Statutes, is amended to read:

9 220.02 Legislative intent.--

10 (8) It is the intent of the Legislature that credits
11 against either the corporate income tax or the franchise tax
12 be applied in the following order: those enumerated in s.
13 631.828, those enumerated in s. 220.191, those enumerated in
14 s. 220.181, those enumerated in s. 220.183, those enumerated
15 in s. 220.182, those enumerated in s. 220.1895, those
16 enumerated in s. 221.02, those enumerated in s. 220.184, those
17 enumerated in s. 220.186, those enumerated in s. 220.1845,
18 those enumerated in s. 220.19, ~~and~~ those enumerated in s.
19 220.185, and those enumerated in s. 220.192.

20 Section 8. Paragraph (a) of subsection (1) of section
21 220.13, Florida Statutes, is amended to read:

22 220.13 "Adjusted federal income" defined.--

23 (1) The term "adjusted federal income" means an amount
24 equal to the taxpayer's taxable income as defined in
25 subsection (2), or such taxable income of more than one
26 taxpayer as provided in s. 220.131, for the taxable year,
27 adjusted as follows:

28 (a) Additions.--There shall be added to such taxable
29 income:

30 1. The amount of any tax upon or measured by income,
31 excluding taxes based on gross receipts or revenues, paid or

1 accrued as a liability to the District of Columbia or any
2 state of the United States which is deductible from gross
3 income in the computation of taxable income for the taxable
4 year.

5 2. The amount of interest which is excluded from
6 taxable income under s. 103(a) of the Internal Revenue Code or
7 any other federal law, less the associated expenses disallowed
8 in the computation of taxable income under s. 265 of the
9 Internal Revenue Code or any other law, excluding 60 percent
10 of any amounts included in alternative minimum taxable income,
11 as defined in s. 55(b)(2) of the Internal Revenue Code, if the
12 taxpayer pays tax under s. 220.11(3).

13 3. In the case of a regulated investment company or
14 real estate investment trust, an amount equal to the excess of
15 the net long-term capital gain for the taxable year over the
16 amount of the capital gain dividends attributable to the
17 taxable year.

18 4. That portion of the wages or salaries paid or
19 incurred for the taxable year which is equal to the amount of
20 the credit allowable for the taxable year under s. 220.181.
21 The provisions of this subparagraph shall expire and be void
22 on June 30, 2005.

23 5. That portion of the ad valorem school taxes paid or
24 incurred for the taxable year which is equal to the amount of
25 the credit allowable for the taxable year under s. 220.182.
26 The provisions of this subparagraph shall expire and be void
27 on June 30, 2005.

28 6. The amount of emergency excise tax paid or accrued
29 as a liability to this state under chapter 221 which tax is
30 deductible from gross income in the computation of taxable
31 income for the taxable year.

1 7. That portion of assessments to fund a guaranty
2 association incurred for the taxable year which is equal to
3 the amount of the credit allowable for the taxable year.

4 8. In the case of a nonprofit corporation which holds
5 a pari-mutuel permit and which is exempt from federal income
6 tax as a farmers' cooperative, an amount equal to the excess
7 of the gross income attributable to the pari-mutuel operations
8 over the attributable expenses for the taxable year.

9 9. The amount taken as a credit for the taxable year
10 under s. 220.1895.

11 10. Up to 9 ~~nine~~ percent of the eligible basis of any
12 designated project which is equal to the credit allowable for
13 the taxable year under s. 220.185.

14 11. The amount taken as a credit for the taxable year
15 under s. 220.192.

16 Section 9. Section 220.192, Florida Statutes, is
17 created to read:

18 220.192 Targeted workforce development tax credits.--

19 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.--

20 (a) A credit of 100 percent of the matriculation and
21 other fees paid by a corporation on behalf of a current or
22 prospective employee enrolling in a college credit degree or
23 certificate program in information technology is allowed
24 against any tax due for a taxable year under this chapter. The
25 college credit degree or certificate program must be in a
26 regionally or nationally accredited institution of higher
27 education.

28 (b) In no instance shall the matriculation and other
29 fees claimed for credit exceed 150 percent of the
30 matriculation costs for the state community colleges.

31

1 (c) A corporation may not receive more than \$50,000 in
2 annual tax credits for all approved matriculation and other
3 fee payments made in any one year.

4 (d) The total amount of tax credit which may be
5 granted for all payments approved under this section is \$5
6 million in any fiscal year.

7 (e) An application for granting of the tax credit
8 under this section must be approved by the Office of Student
9 Financial Assistance.

10 (f) If the credit granted under this section is not
11 fully used in any one year because of insufficient tax
12 liability on the part of the corporation, the unused amount
13 may be carried forward for a period not to exceed 5 years. The
14 carryover credit may be used in a subsequent year when the tax
15 imposed by this chapter for that year exceeds the credit for
16 that year under this section after applying the other credits
17 and unused credit carryovers in the order provided in s.
18 220.02(8).

19 (g) A taxpayer that files a consolidated return as a
20 member of an affiliated group under s. 220.131(1) may be
21 allowed the credit on a consolidated return basis.

22 (2) ELIGIBILITY REQUIREMENTS.--

23 (a) Workforce Florida, Inc., in consultation with
24 Enterprise Florida, Inc., shall determine the information
25 technology programs in which enrollment is eligible for the
26 credit under this section.

27 (b) Workforce Florida, Inc., shall update annually, as
28 a component of the Workforce Estimating Conference, the list
29 of information technology programs that provide a basis for
30 credit under this section.

31

1 (c) The tax credits will be allowed only for those
2 college courses satisfactorily completed by the current or
3 prospective employee and shall apply only to courses taken
4 after July 1, 2001.

5 (3) APPLICATION REQUIREMENTS.--Any corporation that
6 wishes to participate in this program must submit to the
7 Office of Student Financial Assistance an application for tax
8 credit which sets forth the name of the applicant, the
9 information technology programs in which the current or
10 prospective employees are to be enrolled, the names and social
11 security numbers of the current or prospective employees for
12 whom proposed matriculation and other fees will be paid, the
13 payment proposal, and other supporting information as is
14 prescribed by rule. This application must state the number of
15 current and prospective employees to be enrolled in each
16 program and the anticipated total matriculation and other
17 fees.

18 (4) ADMINISTRATION.--

19 (a) The Office of Student Financial Assistance may
20 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
21 the provisions of this section, including rules for the
22 approval or disapproval of applications by corporations and
23 rules to provide for cooperative arrangements between
24 for-profit and not-for-profit corporations.

25 (b) The decision of the Office of Student Financial
26 Assistance shall be in writing, and, if approved, shall state
27 the maximum credit allowable to the corporation. A copy of the
28 decision shall be transmitted to the executive director of the
29 Department of Revenue, who shall apply such credit to the tax
30 liability of the corporation.

31

1 (c) Receipts from the educational institution
2 reflecting payment of matriculation and other fees in approved
3 information technology programs must be submitted with all
4 applications for the granting of the tax credit.

5 (d) The Department of Revenue may adopt rules pursuant
6 to ss. 120.536(1) and 120.54 to implement the provisions of
7 this section.

8 (e) Any corporation that claims this credit for
9 matriculation and other fees paid on behalf of a current or
10 prospective employee who fails to complete, or fails to
11 satisfactorily complete, an information technology other
12 program is liable for repayment of the credit.

13 (5) EXPIRATION.--The provisions of this section,
14 except paragraph (1)(f), expire June 30, 2008.

15 Section 10. Section 240.1055, Florida Statutes, is
16 created to read:

17 240.1055 Economic development mission.--

18 (1) The Legislature finds that the state system of
19 postsecondary education contributes to the economic well-being
20 of the state and its people through the education and training
21 of individuals for employment, through research and
22 development of technologies that have commercial applications,
23 and through the provision of assistance to businesses based in
24 this state. The Legislature further finds that the quality and
25 activities of the state system of postsecondary education
26 directly affect the success of state, regional, and local
27 efforts to develop, recruit, retain, and expand businesses,
28 particularly high-technology businesses, that create jobs and
29 generate revenue. Therefore, as a fundamental component of the
30 purpose and mission articulated in s. 240.105, the mission of
31 the state system of postsecondary education is to complement,

1 facilitate, and support the economic development strategies
2 and goals of the state and its communities.

3 (2) In recognition and furtherance of the economic
4 development mission of the state system of postsecondary
5 education, it is the policy of the state to use the patent
6 system and the technology-licensing operations of public
7 universities to promote the use of inventions arising from
8 funded research; to encourage to the maximum extent possible
9 the participation of businesses based in this state in
10 opportunities to commercialize technology; to promote
11 collaboration between businesses in this state and
12 universities; and to secure for the residents of this state
13 enhanced returns on the intellectual property developed by
14 public universities through funded research.

15 Section 11. Paragraph (a) of subsection (3) of section
16 288.095, Florida Statutes, is amended to read:

17 288.095 Economic Development Trust Fund.--

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

29 Section 12. Paragraph (i) of subsection (6) of section
30 288.108, Florida Statutes, is amended to read:

31 288.108 High-impact business.--

1 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT
2 SECTORS.--

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

20 Section 13. 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

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 accept direction 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

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 14. 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.

1 Section 15. Section 288.9522, Florida Statutes, is
2 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;

1 3. University of Central Florida;
2 4. University of South Florida;
3 5. Florida Atlantic University;
4 6. Florida International University;
5 7. Florida Agricultural and Mechanical University; and
6 8. University of Miami.
7 (e) The president of Enterprise Florida, Inc.
8 (f) The president of Workforce Florida, Inc.
9 (g) One representative each from two not-for-profit
10 research institutes located in the state which are not public
11 or private universities, who are appointed by the Governor for
12 terms of 4 years.
13 (h) The Governor or the Governor's designee, who shall
14 serve as an ex-officio, nonvoting member.
15 (i) The Commissioner of Education or the
16 commissioner's designee, who shall serve as an ex-officio,
17 non-voting member.
18
19 The voting members of the board of directors shall biennially
20 elect one of the voting members of the board to serve as the
21 chairman of the board. All members appointed under paragraphs
22 (a), (b), (c), and (g) are subject to Senate confirmation.
23 (3) PURPOSE.--The purpose of the Florida Research
24 Consortium is to support economic development in the state by
25 linking the research capabilities of member universities with
26 the needs and activities of private businesses in the state
27 and by fostering the development and growth of scientific and
28 technology-based industry and commerce in this state.
29 (4) POWERS AND DUTIES.--The powers and duties of the
30 board of directors of the Florida Research Consortium shall
31 include, but not be limited to:

1 (a) Raising funds from nonstate sources to leverage
2 any appropriations from the Legislature;

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

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

14 (d) Developing and implementing strategies to recruit
15 and retain graduate and undergraduate students in science and
16 technology-based disciplines to universities in the state;

17 (e) Assisting new and expanding science and
18 technology-based businesses with their research, technology
19 commercialization, capital, and workforce needs;

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

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

28 (h) Developing and implementing strategies to create a
29 culture at member universities which promotes the conduct of
30 applied research and the transfer of technology as fundamental
31 activities of such universities;

1 (i) Developing measures to assess the performance of
2 the technology transfer offices of the member universities in
3 facilitating the transfer of technology to businesses in the
4 state;

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

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

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

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

18 (n) Meeting at least four times each calendar year.

19 (5) ANNUAL REPORT.--

20 (a) By January 1 of each year, the Florida Research
21 Consortium shall submit a report of its activities and
22 accomplishments for the year to the Governor, the President of
23 the Senate, and the Speaker of the House of Representatives.
24 The report shall also include specific recommendations
25 regarding actions the state could take to enhance the
26 commercialization of research and transfer of technologies
27 from the universities and to enhance the role of universities
28 in accomplishing the economic development goals of the state.

29 (b) By December 1 of each year, the technology
30 transfer office of each university that is a member of the
31 Florida Research Consortium shall report to the board of

1 directors on the activities of the office during the year
2 related to facilitating the transfer of technology to
3 businesses and on its other activities related to building
4 relationships between university researchers, faculty,
5 students, and administrators and businesses in the state. The
6 report must include information on the achievement by the
7 office of the performance measures identified under paragraph
8 (4)(i). The board of directors shall summarize the information
9 provided by the technology transfer offices as part of the
10 annual report by the board under paragraph (a).

11 Section 16. Section 445.045, Florida Statutes, is
12 amended to read:

13 445.045 Development of an Internet-based system for
14 information technology industry promotion and workforce
15 recruitment.--

16 (1) Workforce Florida, Inc.,~~The Department of Labor~~
17 ~~and Employment Security~~ shall be responsible for facilitate
18 ~~efforts to ensure~~ the development and maintenance of a website
19 that promotes and markets the information technology industry
20 in this state. The website shall be designed to inform the
21 public concerning the scope of the information technology
22 industry in the state and shall also be designed to address
23 the workforce needs of the industry. The website shall
24 include, through links or actual content, information
25 concerning information technology businesses in this state,
26 including links to such businesses; information concerning
27 employment available at these businesses; and the means by
28 which a jobseeker may post a resume on the website.

29 (2) Workforce Florida, Inc.,~~The Department of Labor~~
30 ~~and Employment Security~~ shall coordinate with the State
31 Technology Office and the Agency for Workforce Innovation

1 ~~Workforce Development Board of Enterprise Florida, Inc., to~~
2 ensure links, where feasible and appropriate, to existing job
3 information websites maintained by the state and state
4 agencies and to ensure that information technology positions
5 offered by the state and state agencies are posted on the
6 information technology website.

7 (3) Workforce Florida, Inc., shall ensure that the
8 website developed and maintained under this section is
9 consistent, compatible, and coordinated with the workforce
10 information systems required under s. 445.011, including, but
11 not limited to, the automated job-matching information system
12 for employers, job seekers, and other users.

13 (4)(a) Workforce Florida, Inc., shall coordinate
14 development and maintenance of the website under this section
15 with the state's Chief Information Officer in the State
16 Technology Office to ensure compatibility with the state's
17 information system strategy and enterprise architecture.

18 (b) Workforce Florida, Inc., may enter into an
19 agreement with the State Technology Office, the Agency for
20 Workforce Innovation, or any other public agency with the
21 requisite information technology expertise for the provision
22 of design, operating, or other technological services
23 necessary to develop and maintain the website.

24 (c) Workforce Florida, Inc., may procure services
25 necessary to implement the provisions of this section,
26 provided, however, that it employs competitive processes,
27 including requests for proposals, competitive negotiation, and
28 other competitive processes to ensure that the procurement
29 results in the most cost-effective investment of state funds.

30 (5) In furtherance of the requirements under this
31 section that the website promote and market the information

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

14 Section 17. Pilot grant program for youth
15 internships.--

16 (1) Subject to legislative appropriation, Workforce
17 Florida, Inc., shall establish a pilot matching grant program
18 that is designed to encourage high-technology businesses to
19 employ, train, and mentor financially needy youth through
20 internships completed under the direct supervision of the
21 eligible business. Under this program, Workforce Florida,
22 Inc., may award grants to an eligible business for the benefit
23 of a named eligible youth. Part of the purpose of the program
24 shall be to help financially needy youth acquire and develop
25 information technology skills in order to help close the
26 "digital divide."

27 (2) Grant funds awarded under this program shall be
28 used to supplement the stipend of the eligible youth and must
29 be matched by contributions from the eligible business. The
30 maximum grant amount that may be awarded on behalf of a single
31 eligible youth at one time is \$2,000. Workforce Florida, Inc.,

1 may establish limitations on the total number of internship
2 grants that may be awarded to a single eligible business or
3 that may be awarded on behalf of a single eligible youth.

4 (3) An eligible business under this program includes
5 any sole proprietorship, firm, partnership, or corporation in
6 this state that is in the information technology sector,
7 health technology sector, or other high-technology sector that
8 the board of directors of Workforce Florida, Inc., in
9 consultation with Enterprise Florida, Inc., determines is
10 strategically important to the economic development goals of
11 the state.

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

23 (5)(a) As part of an application for funding under
24 this program, an eligible business must submit an internship
25 work plan that describes:

- 26 1. The work to be performed by the eligible youth;
27 2. The anticipated number of hours per week the
28 eligible youth will work;
29 3. The total hourly stipend to be paid to eligible
30 youth, with a description of the portion of the stipend
31

1 proposed to be paid by the eligible business and the portion
2 of the stipend proposed to be paid by the state;

3 4. The anticipated term of the internship;

4 5. The training and supervision to be provided by the
5 eligible business, particularly in terms of skill development
6 of the youth related to computers and other information
7 technologies;

8 6. The impact of the grant funds on the ability of the
9 eligible business to employ the eligible youth through the
10 internship; and

11 7. The prospects for unsubsidized employment of the
12 youth after the internship period concludes.

13 (b) An application for funding must also identify the
14 eligible youth to be hired under the internship and include
15 information to demonstrate that the eligible youth satisfies
16 the requirements of subsection (4).

17 (6) Workforce Florida, Inc., shall establish
18 guidelines governing the administration of this program which
19 facilitate access to the program by businesses and shall
20 establish criteria to be used in evaluating an application for
21 funding and the internship plan accompanying the application
22 as required under subsection (5). Such criteria must include,
23 but need not be limited to:

24 (a) The nature of the work to be performed by the
25 eligible youth;

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

30 (c) Whether the eligible business is classified in one
31 of the business sectors identified by Enterprise Florida,

1 Inc., as being strategically important to the economic
2 development efforts of the state or is classified in a
3 business sector identified as being strategically important to
4 the particular regional or local area in which the business is
5 located;

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

8 (e) The demonstrated need of the eligible business and
9 the amount of matching funds to be provided by the eligible
10 business; and

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

14 (7) Before allocating funds for any grant application
15 under this program, Workforce Florida, Inc., shall execute a
16 simplified grant agreement with the eligible business. Such
17 agreement must include provisions for Workforce Florida, Inc.,
18 to have access to information about the performance of
19 eligible youth upon completion of the internship.

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

24 (9) Before the 2003 legislative session, Workforce
25 Florida, Inc., shall prepare a report describing the outcomes
26 of the pilot program authorized under this section. The report
27 must include a recommendation as to whether the Legislature
28 should continue to fund the program and on any changes
29 necessary to enhance the program. The report must be submitted
30 to the Governor, the President of the Senate, and the Speaker
31 of the House of Representatives by January 31, 2003.

1 Section 18. Joint-Use Advanced Digital-Media Research
2 and Production Facilities.--

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

24 (2) Subject to legislative appropriation, the Office
25 of Tourism, Trade, and Economic Development is authorized to
26 create and administer a program to facilitate the
27 establishment and maintenance of joint-use advanced
28 digital-media research and production facilities at strategic
29 locations around the state. The office shall administer all
30 facets of this program in cooperation and consultation with
31 the Office of the Film Commissioner; Enterprise Florida, Inc.;

1 Workforce Florida, Inc.; the Digital Media Education
2 Coordination Group of the State University System; and a
3 not-for-profit corporation that represents information
4 technology businesses throughout the state.

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

7 (a) Creating opportunities for industry, academia, and
8 government to benefit from student and researcher involvement
9 in applied research and development projects and other
10 projects related to digital media.

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

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

15 (d) Facilitating the transfer of research results to
16 commercial and government applications.

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

20 (f) Assisting producers, suppliers, and distributors
21 to make the transition from well-established passive media
22 infrastructure to a highly interactive and immersive media
23 infrastructure.

24 (g) Performing other functions or activities designed
25 to contribute to the success of the state in becoming a leader
26 in the digital-media industry, as approved by the Office of
27 Tourism, Trade, and Economic Development.

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

31

1 (a) Shall develop a strategic plan for how joint-use
2 advanced digital-media research and production facilities will
3 be governed and for how such facilities will be funded in the
4 long term. The office may contract for the preparation of the
5 strategic plan required by this paragraph.

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

17 (c) Shall ensure that funds appropriated for the
18 program authorized in this section are expended in a manner
19 consistent with the priority needs for developing the
20 digital-media industry in this state, as identified by the
21 organizations listed in subsection (2).

22 (d) Shall require any entity or organization receiving
23 state funding under this section to match such funding with
24 non-state sources.

25 (e) Shall require any joint-use advanced digital-media
26 research and production facility receiving state funds to
27 submit for approval by the office a detailed plan for the
28 operation of such facility. Such operating plan must, at a
29 minimum, include provisions for the establishment of a tenant
30 association, with representation by each tenant using the

31

1 facility, and for the collection of annual dues from tenants
2 to support the operation and maintenance of the facility.

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

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

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

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

27 Section 19. There is appropriated from the General
28 Revenue Fund to the Office of Tourism, Trade, and Economic
29 Development the sum of \$3 million in fiscal year 2001-2002 for
30 a program to facilitate the establishment and maintenance of
31 joint-use advanced digital-media research and production

