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A bill to be entitled

An act relating to economic development; creating the "Florida Emerging and Strategic Technologies Act"; creating s. 121.155, F.S.; providing legislative findings relating to the relationship between availability of capital and the development of high-technology businesses; expressing legislative intent that Florida Retirement System investments complement economic development strategies; requiring staff of the State Board of Administration to review certain economic development information; expanding annual report requirements; amending s. 159.26, F.S.; declaring, for purposes of the Florida Industrial Development Financing Act, that the information technology industry is vital to the economy of the state; providing that the advancement of information technology is a purpose underlying the act; amending s. 159.27, F.S.; redefining the term "project" to include information technology facilities; defining the term "information technology facility"; amending s. 159.705, F.S.; specifying that certain entities may operate a project located in a research and development park and financed under the Florida Industrial Development Financing Act; creating s. 240.1055, F.S.; providing that the mission of the state system of postsecondary education includes supporting the economic development goals of the state;

1 expressing legislative intent; amending s. 2 240.710, F.S.; revising duties relating to the 3 Digital Media Education Coordination Group; 4 eliminating obsolete provisions; providing for 5 the group to submit an annual report; amending 6 s. 288.095, F.S.; increasing the amount of the 7 total state share of tax refunds that may be scheduled annually for payment under the 8 9 qualified target industry tax refund program and the qualified defense contractor tax refund 10 program; amending s. 288.108, F.S.; specifying 11 12 that the information technology sector is a high-impact sector for the purposes of a grant 13 14 program for investments by certain businesses; 15 providing legislative intent relating to the provision of state assistance to a 16 17 not-for-profit corporation created to advocate 18 on behalf of the information technology 19 industry; creating s. 288.9522, F.S.; creating 20 the Florida Research Consortium; providing 21 legislative intent related to the consortium; 22 providing for the organization, membership, 23 purpose, powers, and administration of the consortium; requiring an annual report from the 24 25 consortium and its member universities; 26 requiring Enterprise Florida, Inc., to provide 27 initial staff support to the Florida Research 28 Consortium; requiring the Florida Research 29 Consortium to report on statutory and other factors affecting the transfer and 30 commercialization of technology and the 31

formation of relationships between university 1 2 employees and business entities; prescribing 3 elements of such report; requiring the 4 consortium to solicit the participation of 5 certain experts in the preparation of such 6 report; amending s. 445.045, F.S.; reassigning 7 responsibility for development and maintenance of an information technology promotion and 8 9 workforce recruitment website to Workforce Florida, Inc.; requiring consistency and 10 compatibility with other information systems; 11 12 authorizing Workforce Florida, Inc., to secure website services from outside entities; 13 requiring coordination of the information 14 15 technology website with other marketing, promotion, and advocacy efforts; authorizing 16 17 Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling 18 19 its responsibilities related to the website; 20 directing the agency to provide such services 21 to Workforce Florida, Inc.; directing Workforce 22 Florida, Inc., to establish a pilot grant 23 program for youth internships in high-technology fields, subject to legislative 24 appropriation; specifying the amount of a grant 25 26 under the program; providing for eligibility; 27 requiring an eligible business to submit an 28 internship work plan; specifying criteria for 29 evaluating an application for funding of an internship; requiring Workforce Florida, Inc., 30 31 to report the outcomes of the pilot program to

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the Legislature; authorizing Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling its responsibilities related to the pilot program; directing the agency to provide such services to Workforce Florida, Inc.; providing legislative findings and intent relating to establishment of joint-use advanced digital-media research and production facilities; authorizing the Office of Tourism, Trade, and Economic Development to create a program supporting establishment of such facilities; prescribing the purposes of such facilities; specifying powers and duties of the office relating to establishment of such facilities; defining the term "digital media"; requiring a report to the Legislature on recommended funding levels for such facilities; authorizing the Board of Regents and the State Board of Community Colleges, in implementing a single, statewide computer-assisted student advising system, to secure and enforce patents on work products, enter into various agreements, and sell or license work products; requiring the Board of Regents and the State Board of Community Colleges to submit certain agreements to the Legislature; providing for uses of any or all of the proceeds derived from such activities; providing appropriations; providing effective dates.

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

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

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

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

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

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

 $\label{eq:WHEREAS} \mbox{ WHEREAS, high-technology industries improve the quality} \mbox{ of life for all Floridians, and}$

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

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

Section 1. This act may be cited as the "Florida 1 2 Emerging and Strategic Technologies Act." 3 Section 2. Section 121.155, Florida Statutes, is 4 created to read: 5 121.155 Investments in support of economic development 6 strategies; legislative findings and intent. --7 (1) The Legislature finds that: 8 (a) The recruitment, retention, and expansion of 9 high-technology businesses are a principal economic development strategy of the state. 10 (b) High-technology businesses have the potential to 11 12 contribute significantly to the prosperity of the state and 13 its residents through the creation of employment opportunities 14 and through the generation of revenues into the economy. 15 (c) A significant barrier to the growth of 16 high-technology businesses in the state is caused by a lack of 17 access to sources of capital to support the activities of such 18 businesses. 19 (d) The State Board of Administration, through the 20 investment of funds of the System Trust Fund, has the ability 21 to influence the availability of capital in the marketplace for businesses located in the state. 22 23 (e) The investment of funds of the System Trust Fund in a manner consistent with the economic development goals of 24 the state enhances the prospects for fulfillment of such 25 26 goals. 27 (2) It is the intent of the Legislature that the State Board of Administration, consistent with sound investment 28 29 policy and with the investment provisions set forth in ss. 215.44-215.53, maximize opportunities to invest and reinvest 30 31 available funds of the System Trust Fund in a manner that is

consistent with, and that supports fulfillment of, the
economic development strategies of the state, including
investing and reinvesting funds in support of the capital
needs of emerging and strategic high-technology businesses
located in the state. It is further the intent of the
Legislature that the State Board of Administration, in
supporting fulfillment of the economic development strategies
of the state, establish partnerships, where feasible, with
venture capital firms designed to facilitate investment of
venture capital in high-technology businesses located in this
state.

- (3) Staff of the State Board of Administration shall regularly solicit information from Enterprise Florida, Inc., on those high-technology business sectors that research indicates have significant potential to contribute to the economic development of the state and shall provide such information to the Investment Advisory Council created under s. 215.444.
- (4) As part of the annual report required under s.

 215.44, the State Board of Administration shall describe those investment activities during the year in furtherance of the findings and intent of this section.

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

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

(1) The agriculture, tourism, urban development, historic preservation, <u>information technology</u>, education, and health care industries, among others, are vital to the economy of the state and to the welfare of the people and need to be

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enhanced and expanded to improve the competitive position of the state;

- (2) There is a need to enhance other economic activity in the state by attracting manufacturing development, business enterprise management, and other activities conducive to economic promotion in order to provide a stronger, more balanced, and stable economy in the state, while providing through pollution control and otherwise for the health and safety of the people;
- (3) In order to improve the prosperity and welfare of the state and its inhabitants; to improve education, living conditions, and health care; to promote the preservation of historic structures; to promote the rehabilitation of enterprise zones; to promote improved transportation; to promote effective and efficient pollution control throughout the state; to promote the advancement of education and science and research in and the economic development of the state; to promote the advancement of information technology; and to increase purchasing power and opportunities for gainful employment, it is necessary and in the public interest to facilitate the financing of the projects provided for in this part and to facilitate and encourage the planning and development of these projects without regard to the boundaries between counties, municipalities, special districts, and other local governmental bodies or agencies in order to more effectively and efficiently serve the interests of the greatest number of people in the widest area practicable; and
- (4) The purposes to be achieved by such projects and the financing of them in compliance with the criteria and requirements of this part are predominantly the public purposes stated in this section, and such purposes implement

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the governmental purposes under the State Constitution of providing for the health, safety, and welfare of the people, including implementing the purpose of s. 10(c), Art. VII of the State Constitution.

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

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

"Project" means any capital project comprising an industrial or manufacturing plant, a research and development park, an information technology facility, an agricultural processing or storage facility, a warehousing or distribution facility, a headquarters facility, a tourism facility, a convention or trade show facility, an urban parking facility, a trade center, a health care facility, an educational facility, a correctional or detention facility, a motion picture production facility, a preservation or rehabilitation of a certified historic structure, an airport or port facility, a commercial project in an enterprise zone, a pollution-control facility, a hazardous or solid waste facility, a social service center, or a mass commuting facility, including one or more buildings and other structures, whether or not on the same site or sites; any rehabilitation, improvement, renovation, or enlargement of, or any addition to, any buildings or structures for use as a factory, a mill, a processing plant, an assembly plant, a fabricating plant, an industrial distribution center, a repair, overhaul, or service facility, a test facility, an agricultural processing or storage facility, a warehousing or

distribution facility, a headquarters facility, a tourism facility, a convention or trade show facility, an urban 2 parking facility, a trade center, a health care facility, an 3 educational facility, a correctional or detention facility, a 4 5 motion picture production facility, a preservation or rehabilitation of a certified historic structure, an airport 6 7 or port facility, a commercial project in an enterprise zone, a pollution-control facility, a hazardous or solid waste 8 9 facility, a social service center, or a mass commuting 10 facility, and other facilities, including research and development facilities and information technology facilities, 11 12 for manufacturing, processing, assembling, repairing, 13 overhauling, servicing, testing, or handling of any products 14 or commodities embraced in any industrial or manufacturing 15 plant, in connection with the purposes of a research and development park, or other facilities for or used in 16 17 connection with an agricultural processing or storage facility, a warehousing or distribution facility, a 18 19 headquarters facility, a tourism facility, a convention or trade show facility, an urban parking facility, a trade 20 center, a health care facility, an educational facility, a 21 22 correctional or detention facility, a motion picture production facility, a preservation or rehabilitation of a 23 certified historic structure, an airport or port facility, or 24 a commercial project in an enterprise zone or for controlling 25 air or water pollution or for the disposal, processing, 26 conversion, or reclamation of hazardous or solid waste, a 27 social service center, or a mass commuting facility; and 28 including also the sites thereof and other rights in land 29 therefor whether improved or unimproved, machinery, equipment, 30 site preparation and landscaping, and all appurtenances and 31

facilities incidental thereto, such as warehouses, utilities, access roads, railroad sidings, truck docking and similar 2 facilities, parking facilities, office or storage or training 3 4 facilities, public lodging and restaurant facilities, dockage, 5 wharfage, solar energy facilities, and other improvements necessary or convenient for any manufacturing or industrial 6 7 plant, research and development park, information technology facility, agricultural processing or storage facility, 8 9 warehousing or distribution facility, tourism facility, convention or trade show facility, urban parking facility, 10 trade center, health care facility, educational facility, a 11 12 correctional or detention facility, motion picture production facility, preservation or rehabilitation of a certified 13 14 historic structure, airport or port facility, commercial 15 project in an enterprise zone, pollution-control facility, 16 hazardous or solid waste facility, social service center, or a 17 mass commuting facility and any one or more combinations of 18 the foregoing. 19 (25) "Information technology facility" means a building or structure, including infrastructure such as roads, 20 power, water, network access points, and fiber optic cable 21 leading to the structure, which is used to house businesses 22 23 classified within the following codes of the North American 24 Industry Classification System (NAICS): 334111 (electronic computer manufacturing), 334112 (computer storage device 25 26 manufacturing), 334113 (computer terminal manufacturing), 27 334119 (other computer peripheral equipment manufacturing), 334613 (magnetic and optical recording media manufacturing), 28 29 334418 (printed circuit assembly manufacturing), 334411 (electron tube manufacturing), 334412 (bare printed circuit 30 board manufacturing), 334413 (semiconductor and related device 31

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manufacturing), 334417 (electronic connector manufacturing), 1 2 334611 (software reproducing), 541512 (computer systems design 3 services), 51421 (data processing services), 514191 (on-line 4 information services), 811212 (computer and office machine 5 repair and maintenance), 44312 (computer and software 6 stores-retail), 541519 (other computer related services), 7 42143 (computer and computer peripheral equipment and software 8 wholesalers), 51121 (software publishers), 541511 (custom 9 computer programming services), and 61142 (computer training). 10 The term also includes joint-use advanced digital media research and production facilities created pursuant to 11 12 authority from the Legislature for the Office of Tourism, 13 Trade, and Economic Development to administer a program 14 facilitating the establishment and maintenance of such digital 15 media facilities. Section 5. Subsection (10) of section 159.705, Florida 16 17 Statutes, is amended to read: 18 159.705 Powers of the authority.--The authority is 19 authorized and empowered: 20

(10) Other provisions of law to the contrary notwithstanding, to acquire by lease, without consideration, purchase, or option any lands owned, administered, managed, controlled, supervised, or otherwise protected by the state or any of its agencies, departments, boards, or commissions for the purpose of establishing a research and development park, subject to being first designated a research and development authority under the provisions of ss. 159.701-159.7095. The authority may cooperate with state and local political subdivisions and with private profit and nonprofit entities to implement the public purposes set out in s. 159.701. Such cooperation may include agreements for the use of the

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30 31 resources of state and local political subdivisions, agencies, or entities on a fee-for-service basis or on a cost-recovery basis. A project that is located in a research and development park and is financed under the provisions of the Florida Industrial Development Financing Act may be operated by a research and development authority, a state university, a Florida community college, or a governmental agency, provided that the purpose and operation of such project is consistent with the purposes and policies enumerated in ss. 159.701-159.7095.

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Section 6. Section 240.1055, Florida Statutes, is created to read:

240.1055 Economic development mission.--

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

(2) In recognition and furtherance of the economic development mission of the state system of postsecondary

education, it is the policy of the state to use the patent system and the technology-licensing operations of public universities to promote the use of inventions arising from funded research; to encourage to the maximum extent possible the participation of businesses based in this state in opportunities to commercialize technology; to promote collaboration between businesses in this state and universities; and to secure for the residents of this state enhanced returns on the intellectual property developed by public universities through funded research.

Section 7. Section 240.710, Florida Statutes, is amended to read:

240.710 Digital Media Education Coordination Group.--

- Education, or the division's successor entity, Board of Regents shall create a Digital Media Education Coordination Group composed of representatives of the universities within the State University System that shall work in conjunction with the Division Department of Education, the State Board of Community Colleges, the Office of Tourism, Trade, and Economic Development, and the Articulation Coordinating Committee on the development of a plan to enhance Florida's ability to meet the current and future workforce needs of the digital media industry. The following purposes of the group shall be included in its plan development process:
- (a) Coordination of the use of existing academic programs and research and faculty resources to promote the development of a digital media industry in this state.
- (b) Address strategies to improve opportunities for interdisciplinary study and research within the emerging field of digital media through the development of tracts in existing

degree programs, new interdisciplinary degree programs, and interdisciplinary research centers.

- (c) Address the sharing of resources among universities in such a way as to allow a student to take courses from multiple departments or multiple educational institutions in pursuit of competency, certification, and degrees in digital information and media technology.
- (2) Where practical, private accredited institutions of higher learning in this state should be encouraged to participate.
- by the purposes described in subsection (1), the plan shall include, to the maximum extent practical, the coordination of educational resources to be provided by distance learning and shall facilitate to the maximum extent possible articulation and transfer of credits between community colleges and the state universities. The plan shall address student enrollment in affected programs with emphasis on enrollment beginning as early as fall term, 2001.
- (3)(4) The Digital Media Education Coordination Group shall submit an annual report of its activities with any recommendations for policy implementation or funding to the State Board of Education its plan to the President of the Senate and the Speaker of the House of Representatives no later than February 1 of each year January 1, 2001.
- Section 8. Paragraph (a) of subsection (3) of section 288.095, Florida Statutes, are amended to read:
 - 288.095 Economic Development Trust Fund. --
- (3)(a) The Office of Tourism, Trade, and Economic Development may approve applications for certification pursuant to ss. 288.1045(3) and 288.106. However, the total

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state share of tax refund payments scheduled in all active certifications for fiscal year 2000-2001 shall not exceed \$24 million. The state share of tax refund payments scheduled in all active certifications for fiscal year 2001-2002 may and each subsequent year shall not exceed \$30 million. The total for each subsequent fiscal year may not exceed \$35 million.

Section 9. Paragraph (i) of subsection (6) of section 288.108, Florida Statutes, is amended to read:

288.108 High-impact business.--

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

Section 10. <u>The Legislature finds that the Information</u> Services Technology Development Task Force created under

chapter 99-354, Laws of Florida, performed an integral role in 1 2 analyzing and recommending policies to facilitate the 3 beneficial development and deployment of information 4 technology on a statewide basis. It is the intent of the 5 Legislature that, upon the dissolution of the task force 6 effective July 1, 2001, the state solicit continued policy 7 guidance and direction from a not-for-profit corporation 8 created to advocate on behalf of information technology 9 businesses and other high-technology businesses throughout the state and which does business under the name "itflorida.com, 10 Inc." It further is the intent of the Legislature that the 11 12 State Technology Office; the Office of Tourism, Trade, and Economic Development; and Enterprise Florida, Inc., facilitate 13 14 the formation and initial operation of such corporation to the 15 maximum extent feasible and that such organizations use the corporation as a resource for information and insights about 16 17 the information technology industry and other high-technology 18 industries. 19 Section 11. Effective upon this act becoming a law, section 288.9522, Florida Statutes, is created to read: 20 21 288.9522 Florida Research Consortium.--(1) CREATION; INTENT.--22 23 (a) There is created the Florida Research Consortium, which shall be organized and operated as a not-for-profit 24 25 corporation in compliance with chapter 617. The consortium 26 shall serve as an entity for uniting businesses and universities in the state in order to enhance economic 27 development through the development and commercialization of 28 29 science and technology and for targeting the activities of such universities toward fulfillment of the economic 30 31 development goals of the state.

(b) It is the intent of the Legislature that the Florida Research Consortium complement, and not supplant, any elements of the governance structure for the state system of post-secondary education. It further is the intent of the Legislature that the consortium operate as a private corporation and not as an agency of state government. It also is the intent of the Legislature that the state provide a framework for and facilitate the creation and initial operation of the consortium, but that ultimately the consortium function as a dynamic, independent entity that identifies and implements activities to fulfill strategies developed by its board of directors.

- (2) BOARD OF DIRECTORS.--The Florida Research

 Consortium shall be governed by a board of directors comprised of the following members:
- (a) Ten chief executive officers of businesses based in this state who are appointed by the Governor. Initially, of the 10 chief executive officers, the Governor shall appoint 5 members for terms of 4 years, 3 members for terms of 3 years, and 2 members for terms of 2 years. Thereafter, the Governor shall appoint all members for terms of 4 years.
- (b) Two chief executive officers of businesses based in this state who are appointed by the President of the Senate and who serve at the pleasure of the President.
- (c) Two chief executive officers of businesses based in this state who are appointed by the Speaker of the House of Representatives and who serve at the pleasure of the Speaker.
 - (d) The presidents of the following universities:
 - 1. University of Florida;
 - 2. Florida State University;
 - 3. University of Central Florida;

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

- (a) Raising funds from nonstate sources to leverage any appropriations from the Legislature;
- (b) Identifying three specific disciplines in science or technology which shall be the focus of the activities of the consortium, with such disciplines being narrowly defined and being viable areas of potential success for the state from an economic development and academic perspective;
- (c) Developing and implementing strategies to recruit and retain preeminent researchers in science and technology-based disciplines to universities in the state, with such strategies including but not being limited to the endowment of faculty or research chairs at universities in the state in the disciplines identified under paragraph (b);
- (d) Developing and implementing strategies to recruit and retain graduate and undergraduate students in science and technology-based disciplines to universities in the state;
- (e) Assisting new and expanding science and technology-based businesses with their research, technology commercialization, capital, and workforce needs;
- (f) Developing and implementing strategies to increase the state's share of research funds;
- (g) Identifying statutory, regulatory, policy, or other barriers impeding the effective, efficient, and timely transfer of technology and commercialization of research from the university setting and proposing resolutions to such barriers, including reforms to university policies on issues such as conflicts of interest;

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

- (i) Developing measures to assess the performance of the technology transfer offices of the member universities in facilitating the transfer of technology to businesses in the state;
- (j) Facilitating discussions, meetings, and other forms of communication among university researchers, faculty, administrators, and students; high technology businesses in the state; and economic-development professionals;
- (k) Establishing and maintaining an Internet-based database for the marketing, publication, and exchange of information with the public and private sectors on basic, applied, and other research being conducted at universities in the state;
- (1) Coordinating donations of equipment from high-technology businesses to secondary schools;
- (m) Hiring an executive director and other staff for the Florida Research Consortium; and
- (n) Meeting at least four times each calendar year, with the first meeting of the board of directors being held by July 1, 2001.
 - (5) ANNUAL REPORT. --

(a) By January 1 of each year, the Florida Research
Consortium shall submit a report of its activities and
accomplishments for the year to the Governor, the President of
the Senate, and the Speaker of the House of Representatives.
The report shall also include specific recommendations
regarding actions the state could take to enhance the

commercialization of research and transfer of technologies 2 from the universities and to enhance the role of universities 3 in accomplishing the economic development goals of the state. 4 (b) By December 1 of each year, the technology 5 transfer office of each university that is a member of the 6 Florida Research Consortium shall report to the board of 7 directors on the activities of the office during the year related to facilitating the transfer of technology to 8 9 businesses and on its other activities related to building relationships between university researchers, faculty, 10 students, and administrators and businesses in the state. The 11 12 report must include information on the achievement by the office of the performance measures identified under paragraph 13 14 (4)(i). The board of directors shall summarize the information 15 provided by the technology transfer offices as part of the 16 annual report by the board under paragraph (a). 17 Section 12. (1) Enterprise Florida, Inc., shall provide staff support to the Florida Research Consortium 18 19 created under section 288.9522, Florida Statutes, to assist 20 the board of directors of the consortium with the initial organization and operation of the consortium, until such time 21 as the board of directors of the consortium hires an executive 22 director or other staff. 23 (2) This section shall take effect upon this act 24 25 becoming a law. 26 Section 13. (1) The Legislature finds that promoting 27 objectivity in research at public universities is important to 28 ensure that conflicts of interest do not compromise the 29 responsibility of faculty, researchers, staff, and students to the state and the public educational institutions they 30 31 represent. The Legislature also finds, however, that the

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transfer of technology from the university setting to the private sector produces economic development benefits for the state and its citizens and is a laudable public policy goal of the state. The Legislature further finds that such transfer of technology is facilitated by encouraging communication and relationships between university employees and business entities. Therefore, it is the intent of the Legislature that public universities in the state operate under policies and procedures that safeguard the public trust but that also facilitate the transfer of technology by not unduly burdening the building of relationships between university employees and business entities.

(2) The Florida Research Consortium created under section 288.9522, Florida Statutes, shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2002, on the impact of existing statutes, regulations, policies, and procedures, as well as other factors the consortium identifies, on the transfer and commercialization of technology from the university setting to the private sector and on the ability of university faculty, researchers, other staff, and students to establish relationships with business entities emanating from research conducted at the universities. The report shall include specific recommendations for actions by the Legislature, universities, and state agencies to enhance and promote the transfer and commercialization of technology to produce economic development benefits for the state and its residents. At a minimum, this report must:

(a) Examine the code of ethics for public officers and employees under part III of chapter 112, Florida Statutes, to identify any specific provisions that impede the transfer and

commercialization of technology and recommend any changes to the code that the consortium deems necessary to address such impediments.

- (b) Assess the strengths and weaknesses of technology transfer and commercialization policies and practices of the member universities of the consortium and identify any exemplars.
- (c) Review technology transfer and commercialization policies and practices in other states to identify models for potential adoption in this state.
- (d) Examine federal statutes and regulations governing conflicts of interest and disclosure of significant financial interests by researchers who apply for or receive federal research funds and recommend whether comparable statutory or regulatory provisions should be adopted in this state.
- (e) Analyze the provisions of the federal Bayh-Dole
 Act and related legislation and recommend whether any
 comparable provisions should be adopted in this state.
- (f) Assess the advantages and disadvantages of adopting policies and practices related to the transfer and commercialization of technology on a statewide basis versus at the individual university level.
- (3) The consortium shall solicit the participation in the preparation of this report of individuals who have expertise related to the transfer and commercialization of technology but who are not members of the consortium.
- (4) This section shall take effect upon this act becoming a law.

Section 14. Section 445.045, Florida Statutes, is amended to read:

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

and Employment Security shall be responsible for directing

(1) Workforce Florida, Inc., The Department of Labor

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facilitate efforts to ensure the development and maintenance of a website that promotes and markets the information technology industry in this state. The website shall be designed to inform the public concerning the scope of the information technology industry in the state and shall also be designed to address the workforce needs of the industry. The website shall include, through links or actual content, information concerning information technology businesses in this state, including links to such businesses; information concerning employment available at these businesses; and the means by which a jobseeker may post a resume on the website.

- (2) Workforce Florida, Inc., The Department of Labor and Employment Security shall coordinate with the State Technology Office and the Agency for Workforce Innovation Workforce Development Board of Enterprise Florida, Inc., to ensure links, where feasible and appropriate, to existing job information websites maintained by the state and state agencies and to ensure that information technology positions offered by the state and state agencies are posted on the information technology website.
- (3) Workforce Florida, Inc., shall ensure that the website developed and maintained under this section is consistent, compatible, and coordinated with the workforce information systems required under s. 445.011, including, but not limited to, the automated job-matching information system for employers, job seekers, and other users.

(4)(a) Workforce Florida, Inc., shall coordinate development and maintenance of the website under this section with the state's Chief Information Officer in the State

Technology Office to ensure compatibility with the state's information system strategy and enterprise architecture.

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

 necessary to implement the provisions of this section,

 provided, however, that it employs competitive processes,

 including requests for proposals, competitive negotiation, and
 other competitive processes to ensure that the procurement
 results in the most cost-effective investment of state funds.
- (5) In furtherance of the requirements under this section that the website promote and market the information technology industry by communicating information on the scope of the industry in this state, Workforce Florida, Inc., shall coordinate its efforts with the high-technology industry marketing efforts of Enterprise Florida, Inc., under s. 288.911. Through links or actual content, the website developed under this section shall serve as a forum for distributing the marketing campaign developed by Enterprise Florida, Inc., under s. 288.911. In addition, Workforce Florida, Inc., shall solicit input from the not-for-profit corporation created to advocate on behalf of the information technology industry as an outgrowth of the Information Service

Technology Development Task Force created under chapter 99-354, Laws of Florida.

(6) In fulfilling its responsibilities under this section, Workforce Florida, Inc., may enlist the assistance of and act through the Agency for Workforce Innovation. The agency is authorized and directed to provide such services as Workforce Florida, Inc., and the agency deem necessary to implement this section.

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

- (1) Subject to legislative appropriation, Workforce Florida, Inc., shall establish a pilot matching grant program that is designed to encourage high-technology businesses to employ, train, and mentor financially needy youth through internships completed under the direct supervision of the eligible business. Under this program, Workforce Florida, Inc., may award grants to an eligible business for the benefit of a named eligible youth. Part of the purpose of the program shall be to help financially needy youth acquire and develop information technology skills in order to help close the digital divide."
- (2) Grant funds awarded under this program shall be used to supplement the stipend of the eligible youth and must be matched by contributions from the eligible business. The maximum grant amount that may be awarded on behalf of a single eligible youth at one time is \$2,000. Workforce Florida, Inc., may establish limitations on the total number of internship grants that may be awarded to a single eligible business or that may be awarded on behalf of a single eligible youth.
- (3) An eligible business under this program includes any sole proprietorship, firm, partnership, or corporation in

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this state that is in the information technology sector, 1 2 health technology sector, or other high-technology sector that 3 the board of directors of Workforce Florida, Inc., in 4 consultation with Enterprise Florida, Inc., determines is strategically important to the economic development goals of 6 the state.

- (4) An eligible youth under this program includes a student between the ages of 15 and 18 who is currently enrolled at a high school in Florida and who has not been previously employed within the preceding 12 months by the eligible business, or a successor business, applying for matching funds under this program. The youth must be a member of a family that includes a parent with one or more minor children or a caretaker with one or more minor children and that is at risk of welfare dependency because the family's income does not exceed 200 percent of the federal poverty level.
- (5)(a) As part of an application for funding under this program, an eligible business must submit an internship work plan that describes:
 - 1. The work to be performed by the eligible youth;
- The anticipated number of hours per week the eligible youth will work;
- The total hourly stipend to be paid to eligible youth, with a description of the portion of the stipend proposed to be paid by the eligible business and the portion of the stipend proposed to be paid by the state;
 - 4. The anticipated term of the internship;
- The training and supervision to be provided by the eligible business, particularly in terms of skill development

of the youth related to computers and other information
technologies;

- 6. The impact of the grant funds on the ability of the eligible business to employ the eligible youth through the internship; and
- 7. The prospects for unsubsidized employment of the youth after the internship period concludes.
- (b) An application for funding must also identify the eligible youth to be hired under the internship and include information to demonstrate that the eligible youth satisfies the requirements of subsection (4).
- (6) Workforce Florida, Inc., shall establish guidelines governing the administration of this program which facilitate access to the program by businesses and shall establish criteria to be used in evaluating an application for funding and the internship plan accompanying the application as required under subsection (5). Such criteria must include, but need not be limited to:
- (a) The nature of the work to be performed by the eligible youth;
- (b) The potential experience and skills to be acquired by the eligible youth, particularly related to computers and other information technologies, as identified by Workforce Florida, Inc., which may help address the digital divide;
- (c) Whether the eligible business is classified in one of the business sectors identified by Enterprise Florida,

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

1 (d) The supervision, training, and counseling to be
2 provided to the eligible youth as part of the internship;
3 (e) The demonstrated need of the eligible business a

- (e) The demonstrated need of the eligible business and the amount of matching funds to be provided by the eligible business; and
- (f) The extent to which the internship has potential to result in permanent employment with the eligible business at the completion of the internship or anytime thereafter.
- (7) Before allocating funds for any grant application under this program, Workforce Florida, Inc., shall execute a simplified grant agreement with the eligible business. Such agreement must include provisions for Workforce Florida, Inc., to have access to information about the performance of eligible youth upon completion of the internship.
- (8) Workforce Florida, Inc., shall ensure that any forms or reports associated with this program which a business or individual is required to complete are as concise and simple to complete as practicable.
- (9) Before the 2003 legislative session, Workforce Florida, Inc., shall prepare a report describing the outcomes of the pilot program authorized under this section. The report must include a recommendation as to whether the Legislature should continue to fund the program and on any changes necessary to enhance the program. The report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2003.
- (10) In fulfilling its responsibilities under this section, Workforce Florida, Inc., may enlist the assistance of and act through the Agency for Workforce Innovation. The agency is authorized and directed to provide such services as

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Workforce Florida, Inc., and the agency deem necessary to implement this section.

Section 16. <u>Joint-Use Advanced Digital-Media Research</u> and Production Facilities.--

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

(2) Subject to legislative appropriation, the Office of Tourism, Trade, and Economic Development is authorized to create and administer a program to facilitate the establishment and maintenance of joint-use advanced digital-media research and production facilities at strategic locations around the state. The office shall administer all

facets of this program in cooperation and consultation with
the Office of the Film Commissioner; Enterprise Florida, Inc.;

Workforce Florida, Inc.; the Digital Media Education

Coordination Group of the State University System; and a
not-for-profit corporation that represents information
technology businesses throughout the state.

- (3) The purposes of a joint-use advanced digital-media research and production facility shall include:
- (a) Creating opportunities for industry, academia, and government to benefit from student and researcher involvement in applied research and development projects and other projects related to digital media.
- (b) Promoting paths to future employment for students participating in the activities of the facility.
- (c) Contributing to the development of a skilled workforce to support the needs of the digital-media industry.
- (d) Facilitating the transfer of research results to commercial and government applications.
- (e) Integrating the efforts and activities of the diverse, high-technology industries in the state that are critical to the economic future of the state.
- (f) Assisting producers, suppliers, and distributors to make the transition from well-established passive media infrastructure to a highly interactive and immersive media infrastructure.
- (g) Performing other functions or activities designed to contribute to the success of the state in becoming a leader in the digital-media industry, as approved by the Office of Tourism, Trade, and Economic Development.

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

- (a) Shall develop a strategic plan for how joint-use advanced digital-media research and production facilities will be governed and for how such facilities will be funded in the long term. The office may contract for the preparation of the strategic plan required by this paragraph.
- advanced digital-media research and production facilities. In identifying, approving, and executing such contracts, the office shall attempt to maximize the use and integration of existing facilities and programs in the state that are suitable for application as joint-use advanced digital-media facilities. Funds awarded under such contracts may be used to lease or refurbish existing facilities to create state-of-the-art digital-media design, production, and research laboratories that shall be shared by public and private educational institutions and industry partners.
- (c) Shall ensure that funds appropriated for the program authorized in this section are expended in a manner consistent with the priority needs for developing the digital-media industry in this state, as identified by the organizations listed in subsection (2).
- (d) Shall require any entity or organization receiving state funding under this section to match such funding with non-state sources.
- (e) Shall require any joint-use advanced digital-media research and production facility receiving state funds to submit for approval by the office a detailed plan for the operation of such facility. Such operating plan must, at a

minimum, include provisions for the establishment of a tenant association, with representation by each tenant using the facility, and for the collection of annual dues from tenants to support the operation and maintenance of the facility.

- (f) Shall require any joint-use advanced digital-media research and production facility receiving state funding to submit an annual report to the office by a date established by the office. Upon receipt of such annual reports, the office shall provide copies to the Governor, the President of the Senate, and the Speaker of the House of Representatives.
- (g) Shall establish guidelines and criteria governing the application for and receipt of funds under this section.
- (h) May, as part of the annual report on the business climate of the state required under section 14.2015, Florida Statutes, recommend to the Legislature policies designed to enhance the effectiveness of the program for joint-use advanced digital-media research and production facilities or policies designed to otherwise promote the development of the digital-media industry in the state.
- (5) For the purposes of this section, the term digital media" is defined as a discipline based on the creative convergence of art, science, and technology for human expression, communication, and social interaction. The Office of Tourism, Trade, and Economic Development, in cooperation and consultation with the organizations identified in subsection (2), shall identify specific types of businesses or types of business activity to be included within the term digital media."
- Section 17. <u>The Office of Tourism, Trade, and Economic Development, the Office of the Film Commissioner, and the Digital Media Education Coordination Group shall jointly</u>

report to the President of the Senate and the Speaker of the House of Representatives by December 1, 2001, on recommended funding levels for the program to facilitate establishment and maintenance of joint-use advanced digital-media research and production facilities as authorized by this act. The report must include options based on different funding levels and information on the number and types of facilities that the organizations estimate could be established under each funding option. The report also must include an assessment of the long-term costs associated with operating such facilities and an assessment of non-state funding sources that could be accessed to support establishment and maintenance of such facilities.

Section 18. (1) In implementing the single, statewide computer-assisted student advising system required under section 240.2099, Florida Statutes, the Board of Regents and the State Board of Community Colleges may:

- (a) Perform all things necessary to secure letters of patent, copyrights, and trademarks on any work products and enforce their rights with respect thereto.
- (b) Enter into binding agreements with organizations, corporations, or government entities to license, lease, assign, or otherwise give written consent to any person, firm, corporation, or agency for the use of the single, statewide, computer-assisted student advising system and collect royalties or any other consideration that the boards find proper.
- (c) Sell or license any such work products and execute all instruments necessary to consummate the sale or license.
- (2) The Board of Regents and the State Board of
 Community Colleges shall submit to the President of the Senate

and the Speaker of the House of Representatives any agreement relating to this section. The President and Speaker may review the terms of the agreement and respond with comments for 30 days after receipt of an agreement; after that time, the agreement is binding.

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

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

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

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

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matching grant program for youth internships as provided in
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    this act. The source of these funds is the Temporary
 3
    Assistance for Needy Families block grant.
           Section 22. Except as otherwise provided, this act
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    shall take effect July 1, 2001.
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CODING: Words stricken are deletions; words underlined are additions.