

Bill No. CS for CS for SB 2008

Amendment No. Barcode 292944

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Klein moved the following amendment:

13 **Senate Amendment (with title amendment)**

14 On page 21, between lines 11 and 12,

16 insert:

17 Section 13. Section 121.155, Florida Statutes, is
18 created to read:

19 121.155 Investments in support of economic development
20 strategies; legislative findings and intent.--

21 (1) The Legislature finds that:

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

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

29 (c) A significant barrier to the growth of
30 high-technology businesses in the state is caused by a lack of
31 access to sources of capital to support the activities of such

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1 businesses.

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

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

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

26 (3) Staff of the State Board of Administration shall
27 regularly solicit information from Enterprise Florida, Inc.,
28 on those high-technology business sectors that research
29 indicates have significant potential to contribute to the
30 economic development of the state and shall provide such
31 information to the Investment Advisory Council created under

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1 s. 215.444.

2 (4) As part of the annual report required under s.
3 215.44, the State Board of Administration shall describe those
4 investment activities during the year in furtherance of the
5 findings and intent of this section.

6 Section 14. Section 159.26, Florida Statutes, is
7 amended to read:

8 159.26 Legislative findings and purposes.--The
9 Legislature finds and declares that:

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

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

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

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

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

18 Section 15. Subsection (5) of section 159.27, Florida
 19 Statutes, is amended, and subsection is added to that section
 20 to read:

21 159.27 Definitions.--The following words and terms,
 22 unless the context clearly indicates a different meaning,
 23 shall have the following meanings:

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

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

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

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

29 Section 16. Subsection (10) of section 159.705,
30 Florida Statutes, is amended to read:

31 159.705 Powers of the authority.--The authority is

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1 authorized and empowered:

2 (10) Other provisions of law to the contrary
3 notwithstanding, to acquire by lease, without consideration,
4 purchase, or option any lands owned, administered, managed,
5 controlled, supervised, or otherwise protected by the state or
6 any of its agencies, departments, boards, or commissions for
7 the purpose of establishing a research and development park,
8 subject to being first designated a research and development
9 authority under the provisions of ss. 159.701-159.7095. The
10 authority may cooperate with state and local political
11 subdivisions and with private profit and nonprofit entities to
12 implement the public purposes set out in s. 159.701. Such
13 cooperation may include agreements for the use of the
14 resources of state and local political subdivisions, agencies,
15 or entities on a fee-for-service basis or on a cost-recovery
16 basis. A project that is located in a research and development
17 park and is financed under the provisions of the Florida
18 Industrial Development Financing Act may be operated by a
19 research and development authority, a state university, a
20 Florida community college, or a governmental agency, provided
21 that the purpose and operation of such project is consistent
22 with the purposes and policies enumerated in ss.
23 159.701-159.7095.

24 Section 17. Section 240.1055, Florida Statutes, is
25 created to read:

26 240.1055 Economic development mission.--

27 (1) The Legislature finds that the state system of
28 postsecondary education contributes to the economic well-being
29 of the state and its people through the education and training
30 of individuals for employment, through research and
31 development of technologies that have commercial applications,

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1 and through the provision of assistance to businesses based in
2 this state. The Legislature further finds that the quality and
3 activities of the state system of postsecondary education
4 directly affect the success of state, regional, and local
5 efforts to develop, recruit, retain, and expand businesses,
6 particularly high-technology businesses, that create jobs and
7 generate revenue. Therefore, as a fundamental component of the
8 purpose and mission articulated in s. 240.105, the mission of
9 the state system of postsecondary education is to complement,
10 facilitate, and support the economic development strategies
11 and goals of the state and its communities.

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

24 Section 18. Section 240.710, Florida Statutes, is
25 amended to read:

26 240.710 Digital Media Education Coordination Group.--

27 (1) The Division of Universities of the Department of
28 Education, or the division's successor entity, ~~Board of~~
29 ~~Regents~~ shall create a Digital Media Education Coordination
30 Group composed of representatives of the universities within
31 the State University System that shall work in conjunction

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1 with the Division ~~Department of Education, the State Board of~~
 2 Community Colleges, the Office of Tourism, Trade, and Economic
 3 Development, and the Articulation Coordinating Committee ~~on~~
 4 ~~the development of a plan~~ to enhance Florida's ability to meet
 5 the current and future workforce needs of the digital media
 6 industry. The following purposes of the group shall be
 7 included in its plan development process:

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

11 (b) Address strategies to improve opportunities for
 12 interdisciplinary study and research within the emerging field
 13 of digital media through the development of tracts in existing
 14 degree programs, new interdisciplinary degree programs, and
 15 interdisciplinary research centers.

16 (c) Address the sharing of resources among
 17 universities in such a way as to allow a student to take
 18 courses from multiple departments or multiple educational
 19 institutions in pursuit of competency, certification, and
 20 degrees in digital information and media technology.

21 (2) Where practical, private accredited institutions
 22 of higher learning in this state should be encouraged to
 23 participate.

24 ~~(3) In addition to the elements of the plan governed~~
 25 ~~by the purposes described in subsection (1), the plan shall~~
 26 ~~include, to the maximum extent practical, the coordination of~~
 27 ~~educational resources to be provided by distance learning and~~
 28 ~~shall facilitate to the maximum extent possible articulation~~
 29 ~~and transfer of credits between community colleges and the~~
 30 ~~state universities. The plan shall address student enrollment~~
 31 ~~in affected programs with emphasis on enrollment beginning as~~

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1 ~~early as fall term, 2001.~~

2 ~~(3)(4)~~ The Digital Media Education Coordination Group
3 shall submit an annual report of its activities with any
4 recommendations for policy implementation or funding to the
5 State Board of Education ~~its plan to the President of the~~
6 ~~Senate and the Speaker of the House of Representatives~~ no
7 later than February 1 of each year ~~January 1, 2001.~~

8 Section 19. Paragraph (i) of subsection (6) of section
9 288.108, Florida Statutes, is amended to read:

10 288.108 High-impact business.--

11 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT
12 SECTORS.--

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

31 Section 20. The Legislature finds that the Information

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

20 Section 21. Effective upon this act becoming a law,
21 section 288.9522, Florida Statutes, is created to read:

22 288.9522 Florida Research Consortium.--

23 (1) CREATION; INTENT.--

24 (a) There is created the Florida Research Consortium,
25 which shall be organized and operated as a not-for-profit
26 corporation in compliance with chapter 617. The consortium
27 shall serve as an entity for uniting businesses and
28 universities in the state in order to enhance economic
29 development through the development and commercialization of
30 science and technology and for targeting the activities of
31 such universities toward fulfillment of the economic

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1 development goals of the state.

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

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

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

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

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

29 (d) The presidents of the following universities:

- 30 1. University of Florida;
31 2. Florida State University;

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

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

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

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

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

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

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

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

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

31 (h) Developing and implementing strategies to create a

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

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

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

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

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

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

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

24 (5) ANNUAL REPORT.--

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

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

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

16 Section 22. (1) The Office of Tourism, Trade, and
17 Economic Development and Enterprise Florida, Inc., shall
18 provide staff support to the Florida Research Consortium
19 created under section 288.9522, Florida Statutes, to assist
20 the board of directors of the consortium with the initial
21 organization and operation of the consortium, until such time
22 as the board of directors of the consortium hires an executive
23 director or other staff.

24 (2) This section shall take effect upon this act
25 becoming a law.

26 Section 23. (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
30 the state and the public educational institutions they
31 represent. The Legislature also finds, however, that the

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

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

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

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

4 (b) Assess the strengths and weaknesses of technology
5 transfer and commercialization policies and practices of the
6 member universities of the consortium and identify any
7 exemplars.

8 (c) Review technology transfer and commercialization
9 policies and practices in other states to identify models for
10 potential adoption in this state.

11 (d) Examine federal statutes and regulations governing
12 conflicts of interest and disclosure of significant financial
13 interests by researchers who apply for or receive federal
14 research funds and recommend whether comparable statutory or
15 regulatory provisions should be adopted in this state.

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

19 (f) Assess the advantages and disadvantages of
20 adopting policies and practices related to the transfer and
21 commercialization of technology on a statewide basis versus at
22 the individual university level.

23 (3) The consortium shall solicit the participation in
24 the preparation of this report of individuals who have
25 expertise related to the transfer and commercialization of
26 technology but who are not members of the consortium.

27 (4) This section shall take effect upon this act
28 becoming a law.

29 Section 24. Section 445.045, Florida Statutes, is
30 amended to read:

31 445.045 Development of an Internet-based system for

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1 information technology industry promotion and workforce
2 recruitment.--

3 (1) Workforce Florida, Inc.,~~The Department of Labor~~
4 ~~and Employment Security~~ shall be responsible for directing
5 ~~facilitate efforts to ensure~~ the development and maintenance
6 of a website that promotes and markets the information
7 technology industry in this state. The website shall be
8 designed to inform the public concerning the scope of the
9 information technology industry in the state and shall also be
10 designed to address the workforce needs of the industry. The
11 website shall include, through links or actual content,
12 information concerning information technology businesses in
13 this state, including links to such businesses; information
14 concerning employment available at these businesses; and the
15 means by which a jobseeker may post a resume on the website.

16 (2) Workforce Florida, Inc.,~~The Department of Labor~~
17 ~~and Employment Security~~ shall coordinate with the State
18 Technology Office and the Agency for Workforce Innovation
19 ~~Workforce Development Board of Enterprise Florida, Inc.,~~to
20 ensure links, where feasible and appropriate, to existing job
21 information websites maintained by the state and state
22 agencies and to ensure that information technology positions
23 offered by the state and state agencies are posted on the
24 information technology website.

25 (3) Workforce Florida, Inc., shall ensure that the
26 website developed and maintained under this section is
27 consistent, compatible, and coordinated with the workforce
28 information systems required under s. 445.011, including, but
29 not limited to, the automated job-matching information system
30 for employers, job seekers, and other users.

31 (4)(a) Workforce Florida, Inc., shall coordinate

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1 development and maintenance of the website under this section
2 with the state's Chief Information Officer in the State
3 Technology Office to ensure compatibility with the state's
4 information system strategy and enterprise architecture.

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

11 (c) Workforce Florida, Inc., may procure services
12 necessary to implement the provisions of this section,
13 provided, however, that it employs competitive processes,
14 including requests for proposals, competitive negotiation, and
15 other competitive processes to ensure that the procurement
16 results in the most cost-effective investment of state funds.

17 (5) In furtherance of the requirements under this
18 section that the website promote and market the information
19 technology industry by communicating information on the scope
20 of the industry in this state, Workforce Florida, Inc., shall
21 coordinate its efforts with the high-technology industry
22 marketing efforts of Enterprise Florida, Inc., under s.
23 288.911. Through links or actual content, the website
24 developed under this section shall serve as a forum for
25 distributing the marketing campaign developed by Enterprise
26 Florida, Inc., under s. 288.911. In addition, Workforce
27 Florida, Inc., shall solicit input from the not-for-profit
28 corporation created to advocate on behalf of the information
29 technology industry as an outgrowth of the Information Service
30 Technology Development Task Force created under chapter
31 99-354, Laws of Florida.

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

7 Section 25. Pilot grant program for youth
8 internships.--

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

20 (2) Grant funds awarded under this program shall be
21 used to supplement the stipend of the eligible youth and must
22 be matched by contributions from the eligible business. The
23 maximum grant amount that may be awarded on behalf of a single
24 eligible youth at one time is \$2,000. Workforce Florida, Inc.,
25 may establish limitations on the total number of internship
26 grants that may be awarded to a single eligible business or
27 that may be awarded on behalf of a single eligible youth.

28 (3) An eligible business under this program includes
29 any sole proprietorship, firm, partnership, or corporation in
30 this state that is in the information technology sector,
31 health technology sector, or other high-technology sector that

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1 the board of directors of Workforce Florida, Inc., in
2 consultation with Enterprise Florida, Inc., determines is
3 strategically important to the economic development goals of
4 the state.

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

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

19 1. The work to be performed by the eligible youth;

20 2. The anticipated number of hours per week the
21 eligible youth will work;

22 3. The total hourly stipend to be paid to eligible
23 youth, with a description of the portion of the stipend
24 proposed to be paid by the eligible business and the portion
25 of the stipend proposed to be paid by the state;

26 4. The anticipated term of the internship;

27 5. The training and supervision to be provided by the
28 eligible business, particularly in terms of skill development
29 of the youth related to computers and other information
30 technologies;

31 6. The impact of the grant funds on the ability of the

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1 eligible business to employ the eligible youth through the
2 internship; and

3 7. The prospects for unsubsidized employment of the
4 youth after the internship period concludes.

5 (b) An application for funding must also identify the
6 eligible youth to be hired under the internship and include
7 information to demonstrate that the eligible youth satisfies
8 the requirements of subsection (4).

9 (6) Workforce Florida, Inc., shall establish
10 guidelines governing the administration of this program which
11 facilitate access to the program by businesses and shall
12 establish criteria to be used in evaluating an application for
13 funding and the internship plan accompanying the application
14 as required under subsection (5). Such criteria must include,
15 but need not be limited to:

16 (a) The nature of the work to be performed by the
17 eligible youth;

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

22 (c) Whether the eligible business is classified in one
23 of the business sectors identified by Enterprise Florida,
24 Inc., as being strategically important to the economic
25 development efforts of the state or is classified in a
26 business sector identified as being strategically important to
27 the particular regional or local area in which the business is
28 located;

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

31 (e) The demonstrated need of the eligible business and

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1 the amount of matching funds to be provided by the eligible
2 business; and

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

6 (7) Before allocating funds for any grant application
7 under this program, Workforce Florida, Inc., shall execute a
8 simplified grant agreement with the eligible business. Such
9 agreement must include provisions for Workforce Florida, Inc.,
10 to have access to information about the performance of
11 eligible youth upon completion of the internship.

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

16 (9) Before the 2003 legislative session, Workforce
17 Florida, Inc., shall prepare a report describing the outcomes
18 of the pilot program authorized under this section. The report
19 must include a recommendation as to whether the Legislature
20 should continue to fund the program and on any changes
21 necessary to enhance the program. The report must be submitted
22 to the Governor, the President of the Senate, and the Speaker
23 of the House of Representatives by January 31, 2003.

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

30 Section 26. Joint-Use Advanced Digital-Media Research
31 and Production Facilities.--

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

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

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1 not-for-profit corporation that represents information
2 technology businesses throughout the state.

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

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

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

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

13 (d) Facilitating the transfer of research results to
14 commercial and government applications.

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

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

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

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

29 (a) Shall develop a strategic plan for how joint-use
30 advanced digital-media research and production facilities will
31 be governed and for how such facilities will be funded in the

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1 long term. The office may contract for the preparation of the
2 strategic plan required by this paragraph.

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

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

19 (d) Shall require any entity or organization receiving
20 state funding under this section to match such funding with
21 non-state sources.

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

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

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1 submit an annual report to the office by a date established by
2 the office. Upon receipt of such annual reports, the office
3 shall provide copies to the Governor, the President of the
4 Senate, and the Speaker of the House of Representatives.

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

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

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

23 Section 27. The Office of Tourism, Trade, and Economic
24 Development, the Office of the Film Commissioner, and the
25 Digital Media Education Coordination Group shall jointly
26 report to the President of the Senate and the Speaker of the
27 House of Representatives by December 1, 2001, on recommended
28 funding levels for the program to facilitate establishment and
29 maintenance of joint-use advanced digital-media research and
30 production facilities as authorized by this act. The report
31 must include options based on different funding levels and

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1 information on the number and types of facilities that the
2 organizations estimate could be established under each funding
3 option. The report also must include an assessment of the
4 long-term costs associated with operating such facilities and
5 an assessment of non-state funding sources that could be
6 accessed to support establishment and maintenance of such
7 facilities.

8 Section 28. (1) In implementing the single, statewide
9 computer-assisted student advising system required under
10 section 240.2099, Florida Statutes, the Board of Regents and
11 the State Board of Community Colleges may:

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

15 (b) Enter into binding agreements with organizations,
16 corporations, or government entities to license, lease,
17 assign, or otherwise give written consent to any person, firm,
18 corporation, or agency for the use of the single, statewide,
19 computer-assisted student advising system and collect
20 royalties or any other consideration that the boards find
21 proper.

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

24 (2) The Board of Regents and the State Board of
25 Community Colleges shall submit to the President of the Senate
26 and the Speaker of the House of Representatives any agreement
27 relating to this section. The President and Speaker may review
28 the terms of the agreement and respond with comments for 30
29 days after receipt of an agreement; after that time, the
30 agreement is binding.

31 (3) All or a portion of the proceeds derived from

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1 activities authorized under this section may be expended for
2 developing the next generation of on-line student services,
3 maintaining and operating the system, and acquiring statewide
4 licenses for related software. Proceeds in excess of that
5 necessary to support such expenditures may be deposited in the
6 State Treasury to support need-based student aid or to support
7 information technology infrastructure.

8 Section 29. The unexpended balance of funds from
9 section 38 of chapter 2000-164, Laws of Florida, authorized to
10 reimburse eligible companies for sales tax payments made on
11 equipment specifically associated with the creation of a
12 network access point, is reappropriated for Fiscal Year
13 2001-2002 to the Department of Revenue for reimbursement of
14 such sales tax payments as provided in section 212.08(5),
15 Florida Statutes.

16 Section 30. There is appropriated from the General
17 Revenue Fund to the Office of Tourism, Trade, and Economic
18 Development the sum of \$100,000 in fiscal year 2001-2002 for
19 use by the Florida Research Consortium created under section
20 288.9522, Florida Statutes, for the purposes specified in such
21 section.

22 Section 31. There is appropriated from the Employment
23 Security Administration Trust Fund to the Agency for Workforce
24 Innovation the sum of \$200,000 in fiscal year 2001-2002 for
25 use by Workforce Florida, Inc., in implementing the pilot
26 matching grant program for youth internships as provided in
27 this act. The source of these funds is the Temporary
28 Assistance for Needy Families block grant.

29 Section 32. Except as otherwise provided, this act
30 shall take effect July 1, 2001.

31

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1 (Redesignate subsequent sections.)

2

3

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

5 And the title is amended as follows:

6 On page 3, line 27, after the semicolon

7

8 insert:

9 creating s. 121.155, F.S.; providing
10 legislative findings relating to the
11 relationship between availability of capital
12 and the development of high-technology
13 businesses; expressing legislative intent that
14 Florida Retirement System investments
15 complement economic development strategies;
16 requiring staff of the State Board of
17 Administration to review certain economic
18 development information; expanding annual
19 report requirements; amending s. 159.26, F.S.;
20 declaring, for purposes of the Florida
21 Industrial Development Financing Act, that the
22 information technology industry is vital to the
23 economy of the state; providing that the
24 advancement of information technology is a
25 purpose underlying the act; amending s. 159.27,
26 F.S.; redefining the term "project" to include
27 information technology facilities; defining the
28 term "information technology facility";
29 amending s. 159.705, F.S.; specifying that
30 certain entities may operate a project located
31 in a research and development park and financed

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1 under the Florida Industrial Development
2 Financing Act; creating s. 240.1055, F.S.;
3 providing that the mission of the state system
4 of postsecondary education includes supporting
5 the economic development goals of the state;
6 expressing legislative intent; amending s.
7 240.710, F.S.; revising duties relating to the
8 Digital Media Education Coordination Group;
9 eliminating obsolete provisions; providing for
10 the group to submit an annual report; amending
11 s. 288.108, F.S.; specifying that the
12 information technology sector is a high-impact
13 sector for the purposes of a grant program for
14 investments by certain businesses; providing
15 legislative intent relating to the provision of
16 state assistance to a not-for-profit
17 corporation created to advocate on behalf of
18 the information technology industry; creating
19 s. 288.9522, F.S.; creating the Florida
20 Research Consortium; providing legislative
21 intent related to the consortium; providing for
22 the organization, membership, purpose, powers,
23 and administration of the consortium; requiring
24 an annual report from the consortium and its
25 member universities; requiring the Office of
26 Tourism, Trade, and Economic Development and
27 Enterprise Florida, Inc., to provide initial
28 staff support to the Florida Research
29 Consortium; requiring the Florida Research
30 Consortium to report on statutory and other
31 factors affecting the transfer and

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

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1 to report the outcomes of the pilot program to
2 the Legislature; authorizing Workforce Florida,
3 Inc., to act through the Agency for Workforce
4 Innovation in fulfilling its responsibilities
5 related to the pilot program; directing the
6 agency to provide such services to Workforce
7 Florida, Inc.; providing legislative findings
8 and intent relating to establishment of
9 joint-use advanced digital-media research and
10 production facilities; authorizing the Office
11 of Tourism, Trade, and Economic Development to
12 create a program supporting establishment of
13 such facilities; prescribing the purposes of
14 such facilities; specifying powers and duties
15 of the office relating to establishment of such
16 facilities; defining the term "digital media";
17 requiring a report to the Legislature on
18 recommended funding levels for such facilities;
19 authorizing the Board of Regents and the State
20 Board of Community Colleges, in implementing a
21 single, statewide computer-assisted student
22 advising system, to secure and enforce patents
23 on work products, enter into various
24 agreements, and sell or license work products;
25 requiring the Board of Regents and the State
26 Board of Community Colleges to submit certain
27 agreements to the Legislature; providing for
28 uses of any or all of the proceeds derived from
29 such activities; providing appropriations;
30
31