

By Senator Klein

28-434-02

1 A bill to be entitled
2 An act relating to economic development;
3 creating the "Florida Emerging and Strategic
4 Technologies Act"; amending s. 112.313, F.S.;
5 revising procedures and conditions for the
6 approval of certain exemptions from standards
7 of conduct applicable to state university
8 employees; eliminating a requirement for a
9 report; prescribing minimum criteria for
10 university guidelines governing conflicts of
11 interest that may arise in certain research or
12 technology-transfer activities; requiring
13 sanctions for failing to comply with the
14 guidelines; creating s. 121.155, F.S.;
15 providing legislative findings relating to the
16 relationship between availability of capital
17 and the development of high-technology
18 businesses; expressing legislative intent that
19 Florida Retirement System investments
20 complement economic development strategies;
21 requiring staff of the State Board of
22 Administration to review certain economic
23 development information; expanding annual
24 report requirements; amending s. 159.26, F.S.;
25 declaring, for purposes of the Florida
26 Industrial Development Financing Act, that the
27 information technology industry is vital to the
28 economy of the state; providing that the
29 advancement of information technology is a
30 purpose underlying the act; amending s. 159.27,
31 F.S.; redefining the term "project" to include

1 information technology facilities; defining the
2 term "information technology facility";
3 amending s. 159.705, F.S.; specifying that
4 certain entities may operate a project located
5 in a research and development park and financed
6 under the Florida Industrial Development
7 Financing Act; amending s. 240.105, F.S.;
8 providing that the mission of the state system
9 of postsecondary education includes supporting
10 economic development of the state; amending s.
11 240.710, F.S.; revising duties relating to the
12 Digital Media Education Coordination Group;
13 eliminating obsolete provisions; providing for
14 the group to submit an annual report; amending
15 s. 288.108, F.S.; specifying that the
16 information technology sector is a high-impact
17 sector for the purposes of a grant program for
18 investments by certain businesses; providing
19 legislative intent relating to the provision of
20 state assistance to a not-for-profit
21 corporation created to advocate on behalf of
22 the information technology industry; requiring
23 the Florida Board of Education to report on
24 statutory and other factors affecting the
25 transfer and commercialization of technology
26 and the formation of relationships between
27 university employees and business entities;
28 prescribing elements of the report; requiring
29 the board to solicit the participation of
30 certain experts in the preparation of the
31 report; amending s. 445.045, F.S.; reassigning

1 responsibility for development and maintenance
2 of an information technology promotion and
3 workforce recruitment website to Workforce
4 Florida, Inc.; requiring consistency and
5 compatibility with other information systems;
6 authorizing Workforce Florida, Inc., to secure
7 website services from outside entities;
8 requiring coordination of the information
9 technology website with other marketing,
10 promotion, and advocacy efforts; authorizing
11 Workforce Florida, Inc., to act through the
12 Agency for Workforce Innovation in fulfilling
13 its responsibilities related to the website;
14 directing the agency to provide services to
15 Workforce Florida, Inc.; providing legislative
16 findings and intent relating to establishment
17 of joint-use advanced digital-media research
18 and production facilities; authorizing the
19 Office of Tourism, Trade, and Economic
20 Development to create a program supporting
21 establishment of the facilities; prescribing
22 the purposes of the facilities; specifying
23 powers and duties of the office relating to
24 establishment of the facilities; defining the
25 term "digital media"; requiring a report to the
26 Legislature on recommended funding levels for
27 the facilities; providing effective dates.

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

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

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

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

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

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

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

23 WHEREAS, in recognition of weakening economic
24 conditions in the state, exacerbated by the terrorist attacks
25 of September 11, 2001, the Legislature finds that it is
26 important to stimulate business activity, diversify the
27 state's economy, and further develop high-technology
28 industries, NOW, THEREFORE,

29

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

31

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

3 Section 2. Paragraph (h) of subsection (12) of section
4 112.313, Florida Statutes, is amended to read:

5 112.313 Standards of conduct for public officers,
6 employees of agencies, and local government attorneys.--

7 (12) EXEMPTION.--The requirements of subsections (3)
8 and (7) as they pertain to persons serving on advisory boards
9 may be waived in a particular instance by the body which
10 appointed the person to the advisory board, upon a full
11 disclosure of the transaction or relationship to the
12 appointing body prior to the waiver and an affirmative vote in
13 favor of waiver by two-thirds vote of that body. In instances
14 in which appointment to the advisory board is made by an
15 individual, waiver may be effected, after public hearing, by a
16 determination by the appointing person and full disclosure of
17 the transaction or relationship by the appointee to the
18 appointing person. In addition, no person shall be held in
19 violation of subsection (3) or subsection (7) if:

20 (h) The transaction is made pursuant to s. 240.229 or
21 s. 240.241 and is ~~specifically~~ approved by the president of
22 the state university or the president's designee under the
23 guidelines and procedures of the university concerning
24 conflicts of interest, outside activities, and financial
25 interests. For the purposes of allowing this exemption, each
26 state university's guidelines and procedures must include, at
27 a minimum, and in addition to the other requirements of law
28 and university policy, the disclosure, review, and monitoring
29 of "significant financial interests" as that term is defined
30 and used in regulations of the U.S. Department of Health and
31 Human Services governing objectivity in research for which

1 funding from the Public Health Service is sought, as contained
2 in Chapter 42, subpart F, C.F.R. The disclosure, review, and
3 monitoring must occur annually or when new significant
4 financial interests are obtained. The guidelines must include
5 sanctions for failing to disclose or to follow any other
6 requirement of the university's policies concerning conflicts
7 of interest or similar guidelines and procedures.~~and the~~
8 ~~Chancellor. The Chancellor shall submit to the Governor and~~
9 ~~the Legislature by March 1 of each year a report of the~~
10 ~~transactions approved pursuant to this paragraph during the~~
11 ~~preceding year.~~

12 Section 3. Section 121.155, Florida Statutes, is
13 created to read:

14 121.155 Investments in support of economic development
15 strategies; legislative findings and intent.--

16 (1) The Legislature finds that:

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

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

24 (c) A significant barrier to the growth of
25 high-technology businesses in the state is caused by a lack of
26 access to sources of capital to support the activities of
27 those businesses.

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

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

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

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

28 (4) As part of the annual report required under s.
29 215.44, the State Board of Administration shall describe those
30 investment activities undertaken during the year which are in
31

1 furtherance of the findings and intent expressed in this
2 section.

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

5 159.26 Legislative findings and purposes.--The
6 Legislature finds and declares that:

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

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

20 (3) In order to improve the prosperity and welfare of
21 the state and its inhabitants; to improve education, living
22 conditions, and health care; to promote the preservation of
23 historic structures; to promote the rehabilitation of
24 enterprise zones; to promote improved transportation; to
25 promote effective and efficient pollution control throughout
26 the state; to promote the advancement of education and science
27 and research in and the economic development of the state; to
28 promote the advancement of information technology; and to
29 increase purchasing power and opportunities for gainful
30 employment, it is necessary and in the public interest to
31 facilitate the financing of the projects provided for in this

1 part and to facilitate and encourage the planning and
2 development of these projects without regard to the boundaries
3 between counties, municipalities, special districts, and other
4 local governmental bodies or agencies in order to more
5 effectively and efficiently serve the interests of the
6 greatest number of people in the widest area practicable; and

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

15 Section 5. Subsection (5) of section 159.27, Florida
16 Statutes, is amended and subsection (25) is added to that
17 section to read:

18 159.27 Definitions.--The following words and terms,
19 unless the context clearly indicates a different meaning,
20 shall have the following meanings:

21 (5) "Project" means any capital project comprising an
22 industrial or manufacturing plant, a research and development
23 park, an information technology facility, an agricultural
24 processing or storage facility, a warehousing or distribution
25 facility, a headquarters facility, a tourism facility, a
26 convention or trade show facility, an urban parking facility,
27 a trade center, a health care facility, an educational
28 facility, a correctional or detention facility, a motion
29 picture production facility, a preservation or rehabilitation
30 of a certified historic structure, an airport or port
31 facility, a commercial project in an enterprise zone, a

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

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

29 (25) "Information technology facility" means a
30 building or structure, including infrastructure such as roads,
31 power, water, network access points, and fiber optic cable

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

26 Section 6. Subsection (10) of section 159.705, Florida
27 Statutes, is amended to read:

28 159.705 Powers of the authority.--The authority is
29 authorized and empowered:

30 (10) Other provisions of law to the contrary
31 notwithstanding, to acquire by lease, without consideration,

1 purchase, or option any lands owned, administered, managed,
2 controlled, supervised, or otherwise protected by the state or
3 any of its agencies, departments, boards, or commissions for
4 the purpose of establishing a research and development park,
5 subject to being first designated a research and development
6 authority under the provisions of ss. 159.701-159.7095. The
7 authority may cooperate with state and local political
8 subdivisions and with private profit and nonprofit entities to
9 implement the public purposes set out in s. 159.701. Such
10 cooperation may include agreements for the use of the
11 resources of state and local political subdivisions, agencies,
12 or entities on a fee-for-service basis or on a cost-recovery
13 basis. A project that is located in a research and development
14 park and is financed under the provisions of the Florida
15 Industrial Development Financing Act may be operated by a
16 research and development authority, a state university, a
17 Florida community college, or a governmental agency if the
18 purpose and operation of the project is consistent with the
19 purposes and policies specified in ss. 159.701-159.7095.

20 Section 7. Section 240.105, Florida Statutes, is
21 amended to read:

22 240.105 Statement of purpose and mission.--

23 (1) The Legislature finds it in the public interest to
24 provide a system of higher education which is of the highest
25 possible quality; which enables students of all ages,
26 backgrounds, and levels of income to participate in the search
27 for knowledge and individual development; which stresses
28 undergraduate teaching as its main priority; which offers
29 selected professional, graduate, and research programs with
30 emphasis on state and national needs; which fosters diversity
31 of educational opportunity; which promotes service to the

1 public; which promotes economic development of the state;
2 which makes effective and efficient use of human and physical
3 resources; which functions cooperatively with other
4 educational institutions and systems; and which promotes
5 internal coordination and the wisest possible use of
6 resources.

7 (2) The mission of the state system of postsecondary
8 education is to develop human resources, to discover and
9 disseminate knowledge, to extend knowledge and its application
10 beyond the boundaries of its campuses, and to serve and
11 stimulate society by developing in students heightened
12 intellectual, cultural, and humane sensitivities; scientific,
13 professional, and technological expertise; and a sense of
14 purpose. Inherent in this broad mission are methods of
15 instruction, research, extended training, and public service
16 designed to educate people, promote the economic development
17 of the state,and improve the human condition. Basic to every
18 purpose of the system is the search for truth.

19 Section 8. Section 240.710, Florida Statutes, is
20 amended to read:

21 240.710 Digital Media Education Coordination Group.--

22 (1) The Division of Colleges and Universities of the
23 Department of Education ~~Board of Regents~~ shall create a
24 Digital Media Education Coordination Group composed of
25 representatives of the universities within the State
26 University System that shall work in conjunction with the
27 Division ~~Department of Education, the State Board~~ of Community
28 Colleges, the Office of Tourism, Trade, and Economic
29 Development,and the Articulation Coordinating Committee ~~on~~
30 ~~the development of a plan~~ to enhance Florida's ability to meet
31 the current and future workforce needs of the digital media

1 industry. The following purposes of the group shall be
2 included in its plan development process:

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

6 (b) Address strategies to improve opportunities for
7 interdisciplinary study and research within the emerging field
8 of digital media through the development of tracts in existing
9 degree programs, new interdisciplinary degree programs, and
10 interdisciplinary research centers.

11 (c) Address the sharing of resources among
12 universities in such a way as to allow a student to take
13 courses from multiple departments or multiple educational
14 institutions in pursuit of competency, certification, and
15 degrees in digital information and media technology.

16 (2) Where practical, private accredited institutions
17 of higher learning in this state should be encouraged to
18 participate.

19 ~~(3) In addition to the elements of the plan governed~~
20 ~~by the purposes described in subsection (1), the plan shall~~
21 ~~include, to the maximum extent practical, the coordination of~~
22 ~~educational resources to be provided by distance learning and~~
23 ~~shall facilitate to the maximum extent possible articulation~~
24 ~~and transfer of credits between community colleges and the~~
25 ~~state universities. The plan shall address student enrollment~~
26 ~~in affected programs with emphasis on enrollment beginning as~~
27 ~~early as fall term, 2001.~~

28 (3)(4) The Digital Media Education Coordination Group
29 shall submit an annual report of its activities with any
30 recommendations for policy implementation or funding to the
31 Florida Board of Education and its plan to the President of

1 the Senate and the Speaker of the House of Representatives by
2 February 1 of each year no later than January 1, 2001.

3 Section 9. Paragraph (i) of subsection (6) of section
4 288.108, Florida Statutes, is amended to read:

5 288.108 High-impact business.--

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

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

25 Section 10. The Legislature finds that the Information
26 Services Technology Development Task Force that was created
27 under chapter 99-354, Laws of Florida, and expired on July 1,
28 2001, performed an integral role in analyzing and recommending
29 policies to facilitate the beneficial development and
30 deployment of information technology on a statewide basis. It
31 is the intent of the Legislature that the state solicit

1 continued policy guidance and direction from a not-for-profit
2 corporation that is created to advocate on behalf of
3 information technology businesses and other high-technology
4 businesses throughout the state and that does business under
5 the name "itflorida.com, Inc." It is the further intent of the
6 Legislature that the State Technology Office, the Office of
7 Tourism, Trade, and Economic Development, and Enterprise
8 Florida, Inc., facilitate the formation and initial operation
9 of the corporation to the maximum extent feasible and that
10 those organizations use the corporation as a resource for
11 information and insights concerning the information technology
12 industry and other high-technology industries.

13 Section 11. (1) The Legislature finds that promoting
14 objectivity in research at public universities is important to
15 ensure that conflicts of interest do not compromise the
16 responsibility of faculty, researchers, staff, and students to
17 the state and the public educational institutions they
18 represent. The Legislature also finds, however, that the
19 transfer of technology from the university setting to the
20 private sector produces economic development benefits for the
21 state and the public and is a laudable public policy goal of
22 the state. The Legislature further finds that the transfer of
23 technology is facilitated by encouraging communication and
24 relationships between university employees and business
25 entities. Therefore, it is the intent of the Legislature that
26 public universities in the state operate under policies and
27 procedures that safeguard the public trust but that also
28 facilitate the transfer of technology by not unduly burdening
29 the building of relationships between university employees and
30 business entities.

31

1 (2) The Florida Board of Education shall report to the
2 Governor, the President of the Senate, and the Speaker of the
3 House of Representatives by February 1, 2003, on the impact of
4 existing statutes, regulations, policies, and procedures, as
5 well as other factors the board identifies, on the transfer
6 and commercialization of technology from the university
7 setting to the private sector and on the ability of university
8 faculty, researchers, other staff, and students to establish
9 relationships with business entities emanating from research
10 conducted at the universities. The report must include
11 specific recommendations for actions by the Legislature,
12 universities, and state agencies which will enhance and
13 promote the transfer and commercialization of technology to
14 produce economic development benefits for the state and its
15 residents. At a minimum, this report must:

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

22 (b) Assess the strengths and weaknesses of technology
23 transfer and commercialization policies and practices of
24 universities in the state and identify any exemplars.

25 (c) Review technology transfer and commercialization
26 policies and practices in other states to identify models that
27 could be adopted for this state.

28 (d) Examine federal statutes and regulations governing
29 conflicts of interest and disclosure of significant financial
30 interests by researchers who apply for or receive federal
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1 research funds and recommend whether comparable statutory or
2 regulatory provisions should be adopted in this state.

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

6 (f) Assess the advantages and disadvantages of
7 adopting policies and practices related to the transfer and
8 commercialization of technology on a statewide basis compared
9 to doing so at the individual university level.

10 (3) The Florida Board of Education shall solicit
11 participation in the preparation of this report by individuals
12 who have expertise related to the transfer and
13 commercialization of technology, including, but not limited
14 to, representatives of private, not-for-profit organizations
15 formed to promote the growth of emerging and strategic
16 technology activities and businesses in this state.

17 Section 12. Section 445.045, Florida Statutes, is
18 amended to read:

19 445.045 Development of an Internet-based system for
20 information technology industry promotion and workforce
21 recruitment.--

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

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

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

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

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

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

31

1 (c) Workforce Florida, Inc., may procure services
2 necessary to implement the provisions of this section, if it
3 employs competitive processes, including requests for
4 proposals, competitive negotiation, and other competitive
5 processes to ensure that the procurement results in the most
6 cost-effective investment of state funds.

7 (5) In furtherance of the requirements of this section
8 that the website promote and market the information technology
9 industry by communicating information on the scope of the
10 industry in this state, Workforce Florida, Inc., shall
11 coordinate its efforts with the high-technology industry
12 marketing efforts of Enterprise Florida, Inc., under s.
13 288.911. Through links or actual content, the website
14 developed under this section shall serve as a forum for
15 distributing the marketing campaign developed by Enterprise
16 Florida, Inc., under s. 288.911. In addition, Workforce
17 Florida, Inc., shall solicit input from the not-for-profit
18 corporation created to advocate on behalf of the information
19 technology industry as an outgrowth of the Information Service
20 Technology Development Task Force created under chapter
21 99-354, Laws of Florida.

22 (6) In fulfilling its responsibilities under this
23 section, Workforce Florida, Inc., may enlist the assistance of
24 and act through the Agency for Workforce Innovation. The
25 agency is authorized and directed to provide the services that
26 Workforce Florida, Inc., and the agency consider necessary to
27 implement this section.

28 Section 13. Joint-use advanced digital-media research
29 and production facilities.--

30 (1) The Legislature finds that developments in digital
31 media are having, and will continue to have, a profound effect

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

20 (2) Subject to legislative appropriation, the Office
21 of Tourism, Trade, and Economic Development may create and
22 administer a program to facilitate the establishment and
23 maintenance of joint-use advanced digital-media research and
24 production facilities at strategic locations around the state.
25 The office shall administer all facets of this program in
26 cooperation and consultation with the Office of the Film
27 Commissioner; Enterprise Florida, Inc.; Workforce Florida,
28 Inc.; the Digital Media Education Coordination Group of the
29 State University System; and a not-for-profit corporation that
30 represents information technology businesses throughout the
31 state.

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

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

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

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

11 (d) Facilitating the transfer of research results to
12 commercial and government applications.

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

16 (f) Assisting producers, suppliers, and distributors
17 in making the transition from well-established passive media
18 infrastructure to a highly interactive and immersive media
19 infrastructure.

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

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

27 (a) Shall develop a strategic plan for how joint-use
28 advanced digital-media research and production facilities will
29 be governed and for how those facilities will be funded in the
30 long term. The office may contract for the preparation of the
31 strategic plan required by this paragraph.

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

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

17 (d) Shall require any entity or organization receiving
18 state funding under this section to match that funding with
19 nonstate sources.

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

28 (f) Shall require any joint-use advanced digital-media
29 research and production facility receiving state funding to
30 submit an annual report to the office by a date established by
31 the office. Upon receipt of the annual reports, the office

1 shall provide copies to the Governor, the President of the
2 Senate, and the Speaker of the House of Representatives.

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

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

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

21 Section 14. The Office of Tourism, Trade, and Economic
22 Development, the Office of the Film Commissioner, and the
23 Digital Media Education Coordination Group shall jointly
24 report to the President of the Senate and the Speaker of the
25 House of Representatives by February 1, 2002, on recommended
26 funding levels for the program to facilitate establishment and
27 maintenance of joint-use advanced digital-media research and
28 production facilities as authorized by this act. The report
29 must include options based on different funding levels and
30 information on the number and types of facilities that the
31 organizations estimate could be established under each funding

1 option. The report also must include an assessment of the
2 long-term costs associated with operating the facilities and
3 an assessment of nonstate funding sources that could be
4 accessed to support establishment and maintenance of the
5 facilities.

6 Section 15. This act shall take effect upon becoming a
7 law.

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SENATE SUMMARY

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Creates the Florida Emerging and Strategic Technologies
12 Act. Revises the duties of specified state agencies and
the statutory framework for promotion of the information
13 technology industry in the state. (See bill for details.)

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