

By the Committee on Higher Education; and Senators Alexander and Gaetz

589-02479-10

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1 A bill to be entitled
2 An act relating to the Florida Institute for
3 Industrial and Phosphate Research; transferring,
4 renumbering, and amending s. 378.101, F.S.;
5 establishing the Florida Institute for Industrial and
6 Phosphate Research within the University of South
7 Florida Polytechnic; creating the Phosphate Research
8 and Activities Board; providing duties, membership,
9 and terms for the board; providing for an executive
10 director of the institute; providing duties for the
11 executive director; providing duties and authorized
12 activities for the institute; amending s. 211.31,
13 F.S.; conforming a cross-reference; providing for a
14 type two transfer of the Florida Institute of
15 Phosphate Research to the Florida Institute for
16 Industrial and Phosphate Research within the
17 University of South Florida Polytechnic; repealing s.
18 378.102, F.S., relating to the Florida Institute of
19 Phosphate Research; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Section 378.101, Florida Statutes, is
24 transferred, renumbered as section 1004.346, Florida Statutes,
25 and amended to read:

26 (Substantial rewording of section. See
27 s. 378.101, F.S., for present text.)

28 1004.346 Florida Institute for Industrial and Phosphate
29 Research.—

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30 (1) INSTITUTE CREATION.—The Florida Institute for
31 Industrial and Phosphate Research is established within the
32 University of South Florida Polytechnic.

33 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
34 Research and Activities Board is created to monitor the
35 expenditure of funds appropriated to the university from the
36 Phosphate Research Trust Fund.

37 (a) The board shall approve an annual report, prepared by
38 the institute executive director, which outlines the expenditure
39 of the funds appropriated to the university from the Phosphate
40 Research Trust Fund and describes the various phosphate-related
41 projects and institute operations funded by those moneys.

42 (b) The board shall consist of five members. The Governor
43 shall appoint two persons representing the phosphate mining or
44 processing industry and one member representing a major
45 environmental conservation group in the state. The Secretary of
46 Environmental Protection or his or her designee and the Campus
47 Executive Officer of the University of South Florida Polytechnic
48 shall also serve as board members.

49 (c) Members of the board appointed by the Governor shall be
50 appointed to 3-year terms. A board member may continue to serve
51 until a successor is appointed, but not more than 180 days after
52 the expiration of his or her term. A board member is eligible
53 for reappointment to subsequent terms.

54 (d) Board members shall annually elect a chair from among
55 the membership.

56 (e) Board members shall serve without compensation, but are
57 entitled to reimbursement for per diem and travel expenses as
58 provided in s. 112.061.

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59 (3) INSTITUTE EXECUTIVE DIRECTOR.—An executive director
60 shall be designated by and serve at the pleasure of the Campus
61 Executive Officer of the University of South Florida Polytechnic
62 or his or her designee. The executive director shall be
63 responsible for the daily administration of the institute,
64 including the expenditure of funds from all sources. The
65 executive director shall consult with the Phosphate Research and
66 Activities Board on the projects that the institute expects to
67 undertake using moneys appropriated from the Phosphate Research
68 Trust Fund.

69 (4) INSTITUTE DUTIES AND AUTHORIZED ACTIVITIES.—

70 (a) The institute shall:

71 1. Establish methods for better and more efficient
72 practices for phosphate mining and processing.

73 2. Conduct or contract for studies on the environmental and
74 health effects of phosphate mining and reclamation.

75 3. Conduct or contract for studies of reclamation
76 alternatives and technologies in phosphate mining and processing
77 and wetlands reclamation.

78 4. Conduct or contract for a comprehensive study of
79 phosphatic clay and phosphogypsum disposal and utilization as a
80 part of phosphate mining and processing.

81 5. Provide the public with access to the results of its
82 activities and maintain a public library related to the
83 institute's activities, which may contain special collections.

84 (b) The institute may:

85 1. Research and develop methods for better and more
86 efficient processes and practices for commercial and industrial
87 activities, including, but not limited to, mitigating the health

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88 and environmental effects of such activities as well as
89 developing and evaluating alternatives and technologies.

90 2. Secure funding from grants and other available sources
91 for carrying out the activities authorized or required under
92 this section.

93 3. Enter into contracts with any firm, institution, or
94 corporation, or federal, state, local, or foreign governmental
95 agency, to carry out the activities authorized or required under
96 this section.

97 4. Promote the application, patenting, and
98 commercialization of the institute's technologies, knowledge,
99 and intellectual property in accordance with university policies
100 and procedures.

101 5. Educate the public about the science related to topics
102 and issues that are within the institute's scope of expertise.

103 6. Hold public hearings.

104 7. Establish public-private partnerships.

105 8. Provide consulting services.

106 Section 2. Subsection (4) of section 211.31, Florida
107 Statutes, is amended to read:

108 211.31 Levy of tax on severance of certain solid minerals;
109 rate, basis, and distribution of tax.-

110 (4) The expenses of administering this part and ss.
111 378.021, 378.031, and 1004.346 ~~378.101~~ shall be borne by the
112 Land Reclamation Trust Fund, the Nonmandatory Land Reclamation
113 Trust Fund, and the Phosphate Research Trust Fund.

114 Section 3. All powers, duties, functions, records,
115 personnel, property, and unexpended balances of appropriations,
116 allocations, and other funds of the Florida Institute of

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117 Phosphate Research are transferred by a type two transfer
118 pursuant to s. 20.06(2), Florida Statutes, to the Florida
119 Institute for Industrial and Phosphate Research within the
120 University of South Florida Polytechnic.

121 Section 4. Section 378.102, Florida Statutes, is repealed.

122 Section 5. This act shall take effect upon becoming a law.