

Bill No. CS for SB 1750

Amendment No.      Barcode 684552

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

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Senator Klein moved the following amendment:

**Senate Amendment (with title amendment)**  
Delete everything after the enacting clause

and insert:

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

Section 2. Section 121.155, Florida Statutes, is created to read:

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

(1) The Legislature finds that:

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

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

(c) A significant barrier to the growth of

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1 high-technology businesses in the state is caused by a lack of  
2 access to sources of capital to support the activities of such  
3 businesses.

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

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

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

28 (3) Staff of the State Board of Administration shall  
29 regularly solicit information from Enterprise Florida, Inc.,  
30 on those high-technology business sectors that research  
31 indicates have significant potential to contribute to the

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1 economic development of the state and shall provide such  
2 information to the Investment Advisory Council created under  
3 s. 215.444.

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

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

10 159.26 Legislative findings and purposes.--The  
11 Legislature finds and declares that:

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

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

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

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

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

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

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

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

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

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

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1 mass commuting facility and any one or more combinations of  
2 the foregoing.

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

31       Section 5. Subsection (10) of section 159.705, Florida

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1 Statutes, is amended to read:

2 159.705 Powers of the authority.--The authority is  
3 authorized and empowered:

4 (10) Other provisions of law to the contrary  
5 notwithstanding, to acquire by lease, without consideration,  
6 purchase, or option any lands owned, administered, managed,  
7 controlled, supervised, or otherwise protected by the state or  
8 any of its agencies, departments, boards, or commissions for  
9 the purpose of establishing a research and development park,  
10 subject to being first designated a research and development  
11 authority under the provisions of ss. 159.701-159.7095. The  
12 authority may cooperate with state and local political  
13 subdivisions and with private profit and nonprofit entities to  
14 implement the public purposes set out in s. 159.701. Such  
15 cooperation may include agreements for the use of the  
16 resources of state and local political subdivisions, agencies,  
17 or entities on a fee-for-service basis or on a cost-recovery  
18 basis. A project that is located in a research and development  
19 park and is financed under the provisions of the Florida  
20 Industrial Development Financing Act may be operated by a  
21 research and development authority, a state university, a  
22 Florida community college, or a governmental agency, provided  
23 that the purpose and operation of such project is consistent  
24 with the purposes and policies enumerated in ss.  
25 159.701-159.7095.

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

28 240.1055 Economic development mission.--

29 (1) The Legislature finds that the state system of  
30 postsecondary education contributes to the economic well-being  
31 of the state and its people through the education and training





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

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

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

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

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

26 ~~(3) In addition to the elements of the plan governed~~  
27 ~~by the purposes described in subsection (1), the plan shall~~  
28 ~~include, to the maximum extent practical, the coordination of~~  
29 ~~educational resources to be provided by distance learning and~~  
30 ~~shall facilitate to the maximum extent possible articulation~~  
31 ~~and transfer of credits between community colleges and the~~

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1 ~~state universities. The plan shall address student enrollment~~  
2 ~~in affected programs with emphasis on enrollment beginning as~~  
3 ~~early as fall term, 2001.~~

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

10 Section 8. Paragraph (a) of subsection (3) of section  
11 288.095, Florida Statutes, are amended to read:

12 288.095 Economic Development Trust Fund.--

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

22 Section 9. Paragraph (i) of subsection (6) of section  
23 288.108, Florida Statutes, is amended to read:

24 288.108 High-impact business.--

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

27 (i) For the purposes of this subsection, the  
28 semiconductor ~~a high-impact sector consists of the silicon~~  
29 technology sector and the information technology sector are  
30 ~~that Enterprise Florida, Inc., has found to be focused around~~  
31 the type of high-impact businesses for which the incentive

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1 created in this section subsection is designed. These sectors  
2 ~~required and~~ will create the kinds of economic sector and  
3 ~~economy wide~~ benefits that justify the use of state resources  
4 as economic development incentives. Further, the use of state  
5 resources to encourage investment in these sectors is  
6 necessary to encourage these investments and require  
7 ~~substantial inducements~~ to compete with the incentive packages  
8 offered by other states and nations. For the purposes of this  
9 subsection and s. 220.191, the term "information technology  
10 sector" shall encompass, but not be limited to, the digital  
11 media sector as defined by Enterprise Florida, Inc., and  
12 approved by the Office of Tourism, Trade, and Economic  
13 Development.

14 Section 10. The Legislature finds that the Information  
15 Services Technology Development Task Force created under  
16 chapter 99-354, Laws of Florida, performed an integral role in  
17 analyzing and recommending policies to facilitate the  
18 beneficial development and deployment of information  
19 technology on a statewide basis. It is the intent of the  
20 Legislature that, upon the dissolution of the task force  
21 effective July 1, 2001, the state solicit continued policy  
22 guidance and direction from a not-for-profit corporation  
23 created to advocate on behalf of information technology  
24 businesses and other high-technology businesses throughout the  
25 state and which does business under the name "itflorida.com,  
26 Inc." It further is the intent of the Legislature that the  
27 State Technology Office; the Office of Tourism, Trade, and  
28 Economic Development; and Enterprise Florida, Inc., facilitate  
29 the formation and initial operation of such corporation to the  
30 maximum extent feasible and that such organizations use the  
31 corporation as a resource for information and insights about

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1 the information technology industry and other high-technology  
2 industries.

3 Section 11. Effective upon this act becoming a law,  
4 section 288.9522, Florida Statutes, is created to read:

5 288.9522 Florida Research Consortium.--

6 (1) CREATION; INTENT.--

7 (a) There is created the Florida Research Consortium,  
8 which shall be organized and operated as a not-for-profit  
9 corporation in compliance with chapter 617. The consortium  
10 shall serve as an entity for uniting businesses and  
11 universities in the state in order to enhance economic  
12 development through the development and commercialization of  
13 science and technology and for targeting the activities of  
14 such universities toward fulfillment of the economic  
15 development goals of the state.

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

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

31 (a) Ten chief executive officers of businesses based

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1 in this state who are appointed by the Governor. Initially, of  
2 the 10 chief executive officers, the Governor shall appoint 5  
3 members for terms of 4 years, 3 members for terms of 3 years,  
4 and 2 members for terms of 2 years. Thereafter, the Governor  
5 shall appoint all members for terms of 4 years.

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

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

12 (d) The presidents of the following universities:

13 1. University of Florida;

14 2. Florida State University;

15 3. University of Central Florida;

16 4. University of South Florida;

17 5. Florida Atlantic University;

18 6. Florida International University;

19 7. Florida Agricultural and Mechanical University;

20 8. University of North Florida;

21 9. Florida Gulf Coast University;

22 10. University of West Florida; and

23 11. University of Miami.

24 (e) The president of Enterprise Florida, Inc.

25 (f) The president of Workforce Florida, Inc.

26 (g) One representative each from two not-for-profit  
27 research institutes located in the state which are not public  
28 or private universities, who are appointed by the Governor for  
29 terms of 4 years.

30 (h) The Governor or the Governor's designee, who shall  
31 serve as an ex-officio, nonvoting member.

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1           (i) The Commissioner of Education or the  
2 commissioner's designee, who shall serve as an ex-officio,  
3 non-voting member.

4  
5 The voting members of the board of directors shall biennially  
6 elect one of the voting members of the board to serve as the  
7 chairman of the board. All members appointed under paragraphs  
8 (a), (b), (c), and (g) are subject to Senate confirmation.

9           (3) PURPOSE.--The purpose of the Florida Research  
10 Consortium is to support economic development in the state by  
11 linking the research capabilities of member universities with  
12 the needs and activities of private businesses in the state  
13 and by fostering the development and growth of scientific and  
14 technology-based industry and commerce in this state.

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

18           (a) Raising funds from nonstate sources to leverage  
19 any appropriations from the Legislature;

20           (b) Identifying three specific disciplines in science  
21 or technology which shall be the focus of the activities of  
22 the consortium, with such disciplines being narrowly defined  
23 and being viable areas of potential success for the state from  
24 an economic development and academic perspective;

25           (c) Developing and implementing strategies to recruit  
26 and retain preeminent researchers in science and  
27 technology-based disciplines to universities in the state,  
28 with such strategies including but not being limited to the  
29 endowment of faculty or research chairs at universities in the  
30 state in the disciplines identified under paragraph (b);

31           (d) Developing and implementing strategies to recruit

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1 and retain graduate and undergraduate students in science and  
2 technology-based disciplines to universities in the state;

3 (e) Assisting new and expanding science and  
4 technology-based businesses with their research, technology  
5 commercialization, capital, and workforce needs;

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

8 (g) Identifying statutory, regulatory, policy, or  
9 other barriers impeding the effective, efficient, and timely  
10 transfer of technology and commercialization of research from  
11 the university setting and proposing resolutions to such  
12 barriers, including reforms to university policies on issues  
13 such as conflicts of interest;

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

18 (i) Developing measures to assess the performance of  
19 the technology transfer offices of the member universities in  
20 facilitating the transfer of technology to businesses in the  
21 state;

22 (j) Facilitating discussions, meetings, and other  
23 forms of communication among university researchers, faculty,  
24 administrators, and students; high technology businesses in  
25 the state; and economic-development professionals;

26 (k) Establishing and maintaining an Internet-based  
27 database for the marketing, publication, and exchange of  
28 information with the public and private sectors on basic,  
29 applied, and other research being conducted at universities in  
30 the state;

31 (l) Coordinating donations of equipment from



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1 high-technology businesses to secondary schools;  
2 (m) Hiring an executive director and other staff for  
3 the Florida Research Consortium; and  
4 (n) Meeting at least four times each calendar year,  
5 with the first meeting of the board of directors being held by  
6 July 1, 2001.  
7 (5) ANNUAL REPORT.--  
8 (a) By January 1 of each year, the Florida Research  
9 Consortium shall submit a report of its activities and  
10 accomplishments for the year to the Governor, the President of  
11 the Senate, and the Speaker of the House of Representatives.  
12 The report shall also include specific recommendations  
13 regarding actions the state could take to enhance the  
14 commercialization of research and transfer of technologies  
15 from the universities and to enhance the role of universities  
16 in accomplishing the economic development goals of the state.  
17 (b) By December 1 of each year, the technology  
18 transfer office of each university that is a member of the  
19 Florida Research Consortium shall report to the board of  
20 directors on the activities of the office during the year  
21 related to facilitating the transfer of technology to  
22 businesses and on its other activities related to building  
23 relationships between university researchers, faculty,  
24 students, and administrators and businesses in the state. The  
25 report must include information on the achievement by the  
26 office of the performance measures identified under paragraph  
27 (4)(i). The board of directors shall summarize the information  
28 provided by the technology transfer offices as part of the  
29 annual report by the board under paragraph (a).  
30 Section 12. (1) Enterprise Florida, Inc., shall  
31 provide staff support to the Florida Research Consortium

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1 created under section 288.9522, Florida Statutes, to assist  
2 the board of directors of the consortium with the initial  
3 organization and operation of the consortium, until such time  
4 as the board of directors of the consortium hires an executive  
5 director or other staff.

6 (2) This section shall take effect upon this act  
7 becoming a law.

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

26 (2) The Florida Research Consortium created under  
27 section 288.9522, Florida Statutes, shall report to the  
28 Governor, the President of the Senate, and the Speaker of the  
29 House of Representatives by January 1, 2002, on the impact of  
30 existing statutes, regulations, policies, and procedures, as  
31 well as other factors the consortium identifies, on the

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1 transfer and commercialization of technology from the  
2 university setting to the private sector and on the ability of  
3 university faculty, researchers, other staff, and students to  
4 establish relationships with business entities emanating from  
5 research conducted at the universities. The report shall  
6 include specific recommendations for actions by the  
7 Legislature, universities, and state agencies to enhance and  
8 promote the transfer and commercialization of technology to  
9 produce economic development benefits for the state and its  
10 residents. At a minimum, this report must:

11 (a) Examine the code of ethics for public officers and  
12 employees under part III of chapter 112, Florida Statutes, to  
13 identify any specific provisions that impede the transfer and  
14 commercialization of technology and recommend any changes to  
15 the code that the consortium deems necessary to address such  
16 impediments.

17 (b) Assess the strengths and weaknesses of technology  
18 transfer and commercialization policies and practices of the  
19 member universities of the consortium and identify any  
20 exemplars.

21 (c) Review technology transfer and commercialization  
22 policies and practices in other states to identify models for  
23 potential adoption in this state.

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

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

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1           (f) Assess the advantages and disadvantages of  
2 adopting policies and practices related to the transfer and  
3 commercialization of technology on a statewide basis versus at  
4 the individual university level.

5           (3) The consortium shall solicit the participation in  
6 the preparation of this report of individuals who have  
7 expertise related to the transfer and commercialization of  
8 technology but who are not members of the consortium.

9           (4) This section shall take effect upon this act  
10 becoming a law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 "digital divide."

2 (2) Grant funds awarded under this program shall be  
3 used to supplement the stipend of the eligible youth and must  
4 be matched by contributions from the eligible business. The  
5 maximum grant amount that may be awarded on behalf of a single  
6 eligible youth at one time is \$2,000. Workforce Florida, Inc.,  
7 may establish limitations on the total number of internship  
8 grants that may be awarded to a single eligible business or  
9 that may be awarded on behalf of a single eligible youth.

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

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

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

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

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

4           3. The total hourly stipend to be paid to eligible  
5 youth, with a description of the portion of the stipend  
6 proposed to be paid by the eligible business and the portion  
7 of the stipend proposed to be paid by the state;

8           4. The anticipated term of the internship;

9           5. The training and supervision to be provided by the  
10 eligible business, particularly in terms of skill development  
11 of the youth related to computers and other information  
12 technologies;

13           6. The impact of the grant funds on the ability of the  
14 eligible business to employ the eligible youth through the  
15 internship; and

16           7. The prospects for unsubsidized employment of the  
17 youth after the internship period concludes.

18           (b) An application for funding must also identify the  
19 eligible youth to be hired under the internship and include  
20 information to demonstrate that the eligible youth satisfies  
21 the requirements of subsection (4).

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

29           (a) The nature of the work to be performed by the  
30 eligible youth;

31           (b) The potential experience and skills to be acquired



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1 by the eligible youth, particularly related to computers and  
2 other information technologies, as identified by Workforce  
3 Florida, Inc., which may help address the digital divide;

4 (c) Whether the eligible business is classified in one  
5 of the business sectors identified by Enterprise Florida,  
6 Inc., as being strategically important to the economic  
7 development efforts of the state or is classified in a  
8 business sector identified as being strategically important to  
9 the particular regional or local area in which the business is  
10 located;

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

13 (e) The demonstrated need of the eligible business and  
14 the amount of matching funds to be provided by the eligible  
15 business; and

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

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

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

29 (9) Before the 2003 legislative session, Workforce  
30 Florida, Inc., shall prepare a report describing the outcomes  
31 of the pilot program authorized under this section. The report

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1 must include a recommendation as to whether the Legislature  
2 should continue to fund the program and on any changes  
3 necessary to enhance the program. The report must be submitted  
4 to the Governor, the President of the Senate, and the Speaker  
5 of the House of Representatives by January 31, 2003.

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

12 Section 16. Joint-Use Advanced Digital-Media Research  
13 and Production Facilities.--

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

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1 production facilities in the state to provide regional focal  
2 points for collaboration between research and education  
3 programs and digital-media industries.

4 (2) Subject to legislative appropriation, the Office  
5 of Tourism, Trade, and Economic Development is authorized to  
6 create and administer a program to facilitate the  
7 establishment and maintenance of joint-use advanced  
8 digital-media research and production facilities at strategic  
9 locations around the state. The office shall administer all  
10 facets of this program in cooperation and consultation with  
11 the Office of the Film Commissioner; Enterprise Florida, Inc.;  
12 Workforce Florida, Inc.; the Digital Media Education  
13 Coordination Group of the State University System; and a  
14 not-for-profit corporation that represents information  
15 technology businesses throughout the state.

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

18 (a) Creating opportunities for industry, academia, and  
19 government to benefit from student and researcher involvement  
20 in applied research and development projects and other  
21 projects related to digital media.

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

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

26 (d) Facilitating the transfer of research results to  
27 commercial and government applications.

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

31 (f) Assisting producers, suppliers, and distributors

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1 to make the transition from well-established passive media  
2 infrastructure to a highly interactive and immersive media  
3 infrastructure.

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

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

11 (a) Shall develop a strategic plan for how joint-use  
12 advanced digital-media research and production facilities will  
13 be governed and for how such facilities will be funded in the  
14 long term. The office may contract for the preparation of the  
15 strategic plan required by this paragraph.

16 (b) May contract for the establishment of joint-use  
17 advanced digital-media research and production facilities. In  
18 identifying, approving, and executing such contracts, the  
19 office shall attempt to maximize the use and integration of  
20 existing facilities and programs in the state that are  
21 suitable for application as joint-use advanced digital-media  
22 facilities. Funds awarded under such contracts may be used to  
23 lease or refurbish existing facilities to create  
24 state-of-the-art digital-media design, production, and  
25 research laboratories that shall be shared by public and  
26 private educational institutions and industry partners.

27 (c) Shall ensure that funds appropriated for the  
28 program authorized in this section are expended in a manner  
29 consistent with the priority needs for developing the  
30 digital-media industry in this state, as identified by the  
31 organizations listed in subsection (2).

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1           (d) Shall require any entity or organization receiving  
2 state funding under this section to match such funding with  
3 non-state sources.

4           (e) Shall require any joint-use advanced digital-media  
5 research and production facility receiving state funds to  
6 submit for approval by the office a detailed plan for the  
7 operation of such facility. Such operating plan must, at a  
8 minimum, include provisions for the establishment of a tenant  
9 association, with representation by each tenant using the  
10 facility, and for the collection of annual dues from tenants  
11 to support the operation and maintenance of the facility.

12           (f) Shall require any joint-use advanced digital-media  
13 research and production facility receiving state funding to  
14 submit an annual report to the office by a date established by  
15 the office. Upon receipt of such annual reports, the office  
16 shall provide copies to the Governor, the President of the  
17 Senate, and the Speaker of the House of Representatives.

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

20           (h) May, as part of the annual report on the business  
21 climate of the state required under section 14.2015, Florida  
22 Statutes, recommend to the Legislature policies designed to  
23 enhance the effectiveness of the program for joint-use  
24 advanced digital-media research and production facilities or  
25 policies designed to otherwise promote the development of the  
26 digital-media industry in the state.

27           (5) For the purposes of this section, the term  
28 "digital media" is defined as a discipline based on the  
29 creative convergence of art, science, and technology for human  
30 expression, communication, and social interaction. The Office  
31 of Tourism, Trade, and Economic Development, in cooperation

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1 and consultation with the organizations identified in  
2 subsection (2), shall identify specific types of businesses or  
3 types of business activity to be included within the term  
4 "digital media."

5       Section 17. The Office of Tourism, Trade, and Economic  
6 Development, the Office of the Film Commissioner, and the  
7 Digital Media Education Coordination Group shall jointly  
8 report to the President of the Senate and the Speaker of the  
9 House of Representatives by December 1, 2001, on recommended  
10 funding levels for the program to facilitate establishment and  
11 maintenance of joint-use advanced digital-media research and  
12 production facilities as authorized by this act. The report  
13 must include options based on different funding levels and  
14 information on the number and types of facilities that the  
15 organizations estimate could be established under each funding  
16 option. The report also must include an assessment of the  
17 long-term costs associated with operating such facilities and  
18 an assessment of non-state funding sources that could be  
19 accessed to support establishment and maintenance of such  
20 facilities.

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

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

28       (b) Enter into binding agreements with organizations,  
29 corporations, or government entities to license, lease,  
30 assign, or otherwise give written consent to any person, firm,  
31 corporation, or agency for the use of the single, statewide,

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1 computer-assisted student advising system and collect  
2 royalties or any other consideration that the boards find  
3 proper.

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

6 (2) The Board of Regents and the State Board of  
7 Community Colleges shall submit to the President of the Senate  
8 and the Speaker of the House of Representatives any agreement  
9 relating to this section. The President and Speaker may review  
10 the terms of the agreement and respond with comments for 30  
11 days after receipt of an agreement; after that time, the  
12 agreement is binding.

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

21 Section 19. The unexpended balance of funds from  
22 section 38 of chapter 2000-164, Laws of Florida, authorized to  
23 reimburse eligible companies for sales tax payments made on  
24 equipment specifically associated with the creation of a  
25 network access point, is reappropriated for Fiscal Year  
26 2001-2002 to the Department of Revenue for reimbursement of  
27 such sales tax payments as provided in section 212.08(5),  
28 Florida Statutes.

29 Section 20. There is appropriated from the General  
30 Revenue Fund to the Office of Tourism, Trade, and Economic  
31 Development the sum of \$100,000 in fiscal year 2001-2002 for

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1 use by the Florida Research Consortium created under section  
2 288.9522, Florida Statutes, for the purposes specified in such  
3 section.

4 Section 21. There is appropriated from the Employment  
5 Security Administration Trust Fund to the Agency for Workforce  
6 Innovation the sum of \$200,000 in fiscal year 2001-2002 for  
7 use by Workforce Florida, Inc., in implementing the pilot  
8 matching grant program for youth internships as provided in  
9 this act. The source of these funds is the Temporary  
10 Assistance for Needy Families block grant.

11 Section 22. Except as otherwise provided, this act  
12 shall take effect July 1, 2001.

13  
14 (Redesignate subsequent sections.)

15  
16  
17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 Delete everything before the enacting clause

20  
21 and insert:

22 A bill to be entitled  
23 An act relating to economic development;  
24 creating the "Florida Emerging and Strategic  
25 Technologies Act"; creating s. 121.155, F.S.;  
26 providing legislative findings relating to the  
27 relationship between availability of capital  
28 and the development of high-technology  
29 businesses; expressing legislative intent that  
30 Florida Retirement System investments  
31 complement economic development strategies;



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1 requiring staff of the State Board of  
2 Administration to review certain economic  
3 development information; expanding annual  
4 report requirements; amending s. 159.26, F.S.;  
5 declaring, for purposes of the Florida  
6 Industrial Development Financing Act, that the  
7 information technology industry is vital to the  
8 economy of the state; providing that the  
9 advancement of information technology is a  
10 purpose underlying the act; amending s. 159.27,  
11 F.S.; redefining the term "project" to include  
12 information technology facilities; defining the  
13 term "information technology facility";  
14 amending s. 159.705, F.S.; specifying that  
15 certain entities may operate a project located  
16 in a research and development park and financed  
17 under the Florida Industrial Development  
18 Financing Act; creating s. 240.1055, F.S.;  
19 providing that the mission of the state system  
20 of postsecondary education includes supporting  
21 the economic development goals of the state;  
22 expressing legislative intent; amending s.  
23 240.710, F.S.; revising duties relating to the  
24 Digital Media Education Coordination Group;  
25 eliminating obsolete provisions; providing for  
26 the group to submit an annual report; amending  
27 s. 288.095, F.S.; increasing the amount of the  
28 total state share of tax refunds that may be  
29 scheduled annually for payment under the  
30 qualified target industry tax refund program  
31 and the qualified defense contractor tax refund

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1 program; amending s. 288.108, F.S.; specifying  
2 that the information technology sector is a  
3 high-impact sector for the purposes of a grant  
4 program for investments by certain businesses;  
5 providing legislative intent relating to the  
6 provision of state assistance to a  
7 not-for-profit corporation created to advocate  
8 on behalf of the information technology  
9 industry; creating s. 288.9522, F.S.; creating  
10 the Florida Research Consortium; providing  
11 legislative intent related to the consortium;  
12 providing for the organization, membership,  
13 purpose, powers, and administration of the  
14 consortium; requiring an annual report from the  
15 consortium and its member universities;  
16 requiring Enterprise Florida, Inc., to provide  
17 initial staff support to the Florida Research  
18 Consortium; requiring the Florida Research  
19 Consortium to report on statutory and other  
20 factors affecting the transfer and  
21 commercialization of technology and the  
22 formation of relationships between university  
23 employees and business entities; prescribing  
24 elements of such report; requiring the  
25 consortium to solicit the participation of  
26 certain experts in the preparation of such  
27 report; amending s. 445.045, F.S.; reassigning  
28 responsibility for development and maintenance  
29 of an information technology promotion and  
30 workforce recruitment website to Workforce  
31 Florida, Inc.; requiring consistency and

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1 compatibility with other information systems;  
2 authorizing Workforce Florida, Inc., to secure  
3 website services from outside entities;  
4 requiring coordination of the information  
5 technology website with other marketing,  
6 promotion, and advocacy efforts; authorizing  
7 Workforce Florida, Inc., to act through the  
8 Agency for Workforce Innovation in fulfilling  
9 its responsibilities related to the website;  
10 directing the agency to provide such services  
11 to Workforce Florida, Inc.; directing Workforce  
12 Florida, Inc., to establish a pilot grant  
13 program for youth internships in  
14 high-technology fields, subject to legislative  
15 appropriation; specifying the amount of a grant  
16 under the program; providing for eligibility;  
17 requiring an eligible business to submit an  
18 internship work plan; specifying criteria for  
19 evaluating an application for funding of an  
20 internship; requiring Workforce Florida, Inc.,  
21 to report the outcomes of the pilot program to  
22 the Legislature; authorizing Workforce Florida,  
23 Inc., to act through the Agency for Workforce  
24 Innovation in fulfilling its responsibilities  
25 related to the pilot program; directing the  
26 agency to provide such services to Workforce  
27 Florida, Inc.; providing legislative findings  
28 and intent relating to establishment of  
29 joint-use advanced digital-media research and  
30 production facilities; authorizing the Office  
31 of Tourism, Trade, and Economic Development to

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1 create a program supporting establishment of  
 2 such facilities; prescribing the purposes of  
 3 such facilities; specifying powers and duties  
 4 of the office relating to establishment of such  
 5 facilities; defining the term "digital media";  
 6 requiring a report to the Legislature on  
 7 recommended funding levels for such facilities;  
 8 authorizing the Board of Regents and the State  
 9 Board of Community Colleges, in implementing a  
 10 single, statewide computer-assisted student  
 11 advising system, to secure and enforce patents  
 12 on work products, enter into various  
 13 agreements, and sell or license work products;  
 14 requiring the Board of Regents and the State  
 15 Board of Community Colleges to submit certain  
 16 agreements to the Legislature; providing for  
 17 uses of any or all of the proceeds derived from  
 18 such activities; providing appropriations;  
 19 providing effective dates.

20  
 21 WHEREAS, Enterprise Florida, Inc., has sector  
 22 strategies devoted to Florida's health technology industry and  
 23 information technology industry, and

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

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

29 WHEREAS, these industries are dominated by small  
 30 employers and entrepreneurs who look to the state, its  
 31 communities, economic development organizations, and community

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1 colleges and universities to provide an environment that will  
2 nurture their development, and

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

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

13 WHEREAS, high-technology industries improve the quality  
14 of life for all Floridians, and

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

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