

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

19  
 20 Be It Enacted by the Legislature of the State of Florida:

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

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

27       1004.346 Florida Industrial and Phosphate Research  
 28       Institute.—

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

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

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

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

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

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

55        (e) Board members shall serve without compensation, but  
56 are entitled to reimbursement for per diem and travel expenses

57 | as provided in s. 112.061.

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

68 | (4) INSTITUTE DUTIES AND AUTHORIZED ACTIVITIES.—

69 | (a) The institute shall:

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

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

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

77 | 4. Conduct or contract for studies of phosphatic clay and  
78 | phosphogypsum disposal and utilization as a part of phosphate  
79 | mining and processing.

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

83 | (b) The institute may:

84 | 1. Research and develop methods for better and more

85 efficient processes and practices for commercial and industrial  
 86 activities, including, but not limited to, mitigating the health  
 87 and environmental effects of such activities as well as  
 88 developing and evaluating alternatives and technologies.

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

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

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

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

102 6. Hold public hearings.

103 7. Establish public-private partnerships.

104 8. Provide consulting services.

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

107 211.31 Levy of tax on severance of certain solid minerals;  
 108 rate, basis, and distribution of tax.—

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

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113           Section 3. All powers, duties, functions, records,  
114 personnel, property, and unexpended balances of appropriations,  
115 allocations, and other funds of the Florida Institute of  
116 Phosphate Research are transferred by a type two transfer  
117 pursuant to s. 20.06(2), Florida Statutes, to the Florida  
118 Industrial and Phosphate Research Institute within the  
119 University of South Florida Polytechnic.

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

121           Section 5. This act shall take effect July 1, 2010.