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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/04/2010	.	
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The Committee on Higher Education (Constantine) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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

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

1004.346 Florida Institute for Industrial and Phosphate Research.—

(1) INSTITUTE CREATION.—The Florida Institute for



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13 Industrial and Phosphate Research is established within the
14 University of South Florida Polytechnic.

15 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
16 Research and Activities Board is created to monitor the
17 expenditure of funds appropriated to the university from the
18 Phosphate Research Trust Fund.

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

24 (b) The board shall consist of five members. The Governor
25 shall appoint two persons representing the phosphate mining or
26 processing industry and one member representing a major
27 environmental conservation group in the state. The Secretary of
28 Environmental Protection or his or her designee, and the Campus
29 Executive Officer of the University of South Florida
30 Polytechnic, shall also serve as board members.

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

36 (d) Board members shall annually elect a chair from among
37 their membership.

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

41 (3) INSTITUTE EXECUTIVE DIRECTOR.—An executive director



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42 shall be designated by and serve at the pleasure of the Campus
43 Executive Officer of the University of South Florida Polytechnic
44 or his or her designee. The executive director shall be
45 responsible for the daily administration of the institute,
46 including the expenditure of funds from all sources. The
47 executive director shall consult with the Phosphate Research and
48 Activities Board on the projects that the institute expects to
49 undertake using moneys appropriated from the Phosphate Research
50 Trust Fund.

51 (4) INSTITUTE DUTIES AND AUTHORIZED ACTIVITIES.-

52 (a) The institute shall:

53 1. Establish methods for better and more efficient
54 practices for phosphate mining and processing.

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

57 3. Conduct or contract for studies of reclamation
58 alternatives and technologies in phosphate mining and processing
59 and wetlands reclamation.

60 4. Conduct or contract for a comprehensive study of
61 phosphatic clay and phosphogypsum disposal and utilization as a
62 part of phosphate mining and processing.

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

66 (b) The institute may:

67 1. Research and develop methods for better and more
68 efficient processes and practices for commercial and industrial
69 activities, including, but not limited to, mitigating the health
70 and environmental effects of such activities as well as



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71 developing and evaluating alternatives and technologies.

72 2. Secure funding from grants and other available sources
73 for carrying out the activities authorized or required under
74 this section.

75 3. Enter into contracts with any firm, institution,
76 corporation, or federal, state, local, or foreign governmental
77 agency to carry out the activities authorized or required under
78 this section.

79 4. Promote the application, patenting, and
80 commercialization of the institute's technologies, knowledge,
81 and intellectual property in accordance with university policies
82 and procedures.

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

85 6. Hold public hearings.

86 7. Establish public-private partnerships.

87 8. Provide consulting services.

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

90 211.31 Levy of tax on severance of certain solid minerals;
91 rate, basis, and distribution of tax.—

92 (4) The expenses of administering this part and ss.
93 378.021, 378.031, and 1004.346 ~~378.101~~ shall be borne by the
94 Land Reclamation Trust Fund, the Nonmandatory Land Reclamation
95 Trust Fund, and the Phosphate Research Trust Fund.

96 Section 3. All powers, duties, functions, records,
97 personnel, property, and unexpended balances of appropriations,
98 allocations, and other funds of the Florida Institute of
99 Phosphate Research are transferred by a type two transfer



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100 pursuant to s. 20.06(2), Florida Statutes, to the Florida
101 Institute for Industrial and Phosphate Research within the
102 University of South Florida Polytechnic.

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

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

105

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

107 And the title is amended as follows:

108 Delete everything before the enacting clause
109 and insert:

110 A bill to be entitled
111 An act relating to the Florida Institute for
112 Industrial and Phosphate Research; transferring,
113 renumbering, and amending s. 378.101, F.S.;
114 establishing the Florida Institute for Industrial and
115 Phosphate Research within the University of South
116 Florida Polytechnic; creating the Phosphate Research
117 and Activities Board; providing duties, membership,
118 and terms for the board; providing for an executive
119 director of the institute; providing duties for the
120 executive director; providing duties and authorized
121 activities for the institute; amending s. 211.31,
122 F.S.; conforming a cross-reference; providing for a
123 type two transfer of the Florida Institute of
124 Phosphate Research to the Florida Institute for
125 Industrial and Phosphate Research within the
126 University of South Florida Polytechnic; repealing s.
127 378.102, F.S., relating to the Florida Institute of
128 Phosphate Research; providing an effective date.