

By the Committees on Higher Education Appropriations; and Higher Education; and Senators Alexander and Gaetz

605-02771A-10

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

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

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

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

29 1004.346 Florida Industrial and Phosphate Research

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30 Institute.—

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

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

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

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

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

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

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

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59 provided in s. 112.061.

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

70 (4) INSTITUTE DUTIES AND AUTHORIZED ACTIVITIES.—

71 (a) The institute shall:

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

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

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

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

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

85 (b) The institute may:

86 1. Research and develop methods for better and more
87 efficient processes and practices for commercial and industrial

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88 activities, including, but not limited to, mitigating the health
89 and environmental effects of such activities as well as
90 developing and evaluating alternatives and technologies.

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

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

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

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

104 6. Hold public hearings.

105 7. Establish public-private partnerships.

106 8. Provide consulting services.

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

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

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

115 Section 3. All powers, duties, functions, records,
116 personnel, property, and unexpended balances of appropriations,

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

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

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