

CHAPTER 2010-206

Committee Substitute for Committee Substitute for Senate Bill No. 850

An act relating to the Florida Industrial and Phosphate Research Institute; transferring, renumbering, and amending s. 378.101, F.S.; renaming the Florida Institute of Phosphate Research as the “Florida Industrial and Phosphate Research Institute” and establishing it within the University of South Florida Polytechnic; creating the Phosphate Research and Activities Board; providing duties, membership, and terms for the board; providing for an executive director of the institute; providing duties for the executive director; providing duties and authorized activities for the institute; amending s. 211.31, F.S.; conforming a cross-reference; providing for a type two transfer of the Florida Institute of Phosphate Research to the Florida Industrial and Phosphate Research Institute within the University of South Florida Polytechnic; repealing s. 378.102, F.S., relating to the Florida Institute of Phosphate Research; providing an effective date.

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

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 Industrial and Phosphate Research Institute.—

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

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

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

(b) The board shall consist of five members. The Governor shall appoint two persons representing the phosphate mining or processing industry and one member representing a major environmental conservation group in the state. The Secretary of Environmental Protection or his or her designee and

the Campus Executive Officer of the University of South Florida Polytechnic shall also serve as board members.

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

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

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

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

(4) INSTITUTE DUTIES AND AUTHORIZED ACTIVITIES.—

(a) The institute shall:

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

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

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

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

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

(b) The institute may:

1. Research and develop methods for better and more efficient processes and practices for commercial and industrial activities, including, but not limited to, mitigating the health and environmental effects of such activities as well as developing and evaluating alternatives and technologies.

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

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

4. Promote the application, patenting, and commercialization of the institute’s technologies, knowledge, and intellectual property in accordance with university policies and procedures.

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

6. Hold public hearings.

7. Establish public-private partnerships.

8. Provide consulting services.

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

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

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

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

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

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

Approved by the Governor June 4, 2010.

Filed in Office Secretary of State June 4, 2010.