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A bill to be entitled  
An act relating to trust funds; terminating specified trust funds within the Board of Governors of the State University System; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 1011.94, F.S.; redesignating the Trust Fund for University Major Gifts as the "University Major Gifts Program"; providing the purpose of the program; providing for the use of funds; amending ss. 267.173, 1004.45, and 1009.74, F.S.; making conforming changes; modifying specified trust funds within the Board of Governors of the State University System; providing an effective date.

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

Section 1. (1) The following trust funds within the Board of Governors of the State University System are terminated:

(a) Grants and Donations Trust Fund, FLAIR number 49-2-153.

(b) Engineering Industrial Experiment Station Trust Fund, FLAIR number 49-2-186.

(c) Experiment Station Federal Grant Trust Fund, FLAIR number 49-2-207.

(d) Experiment Station Incidental Trust Fund, FLAIR number 49-2-210.

(e) Extension Service Federal Grant Trust Fund, FLAIR number 49-2-216.

(f) Extension Service Incidental Trust Fund, FLAIR number

- 30 49-2-219.
- 31 (g) Auxiliary Trust Fund, FLAIR number 49-2-330.
- 32 (h) University of Florida Health Sciences Center Incidental
- 33 Trust Fund, FLAIR number 49-2-381.
- 34 (i) University of Florida Health Sciences Center Operations
- 35 and Maintenance Trust Fund, FLAIR number 49-2-424.
- 36 (j) Sponsored Research Trust Fund, FLAIR number 49-2-655.
- 37 (k) Institute of Food and Agricultural Sciences Relocation
- 38 and Reconstruction Trust Fund, FLAIR number 48-2-395.
- 39 (l) Institute of Food and Agricultural Sciences Relocation
- 40 and Reconstruction Trust Fund, FLAIR number 49-2-395.
- 41 (m) Capital Improvement Fee Trust Fund, FLAIR number 49-2-
- 42 071.
- 43 (n) State University System Concurrency Trust Fund, FLAIR
- 44 number 49-2-682.
- 45 (o) Major Gifts Trust Fund, FLAIR number 49-2-483.
- 46 (p) State University System Construction Trust Fund, FLAIR
- 47 number 49-2-137. All current cash balances remaining in, and all
- 48 revenues of, the fund shall be transferred to the Public
- 49 Education Capital Outlay and Debt Service Trust Fund, FLAIR
- 50 number 48-2-555.
- 51 (q) Educational Enhancement Trust Fund, FLAIR number 49-2-
- 52 178.
- 53 (r) Developmental Research School Trust Fund, FLAIR number
- 54 49-2-999.
- 55 (2) Unless otherwise provided, all current balances
- 56 remaining in, and all revenues of, the trust funds terminated by
- 57 this act shall be transferred to the General Revenue Fund.
- 58 (3) For each trust fund terminated by this act, the agency

59 that administers the trust fund shall pay any outstanding debts  
 60 and obligations of the terminated fund as soon as practicable,  
 61 and the Chief Financial Officer shall close out and remove the  
 62 terminated fund from the various state accounting systems using  
 63 generally accepted accounting principles concerning warrants  
 64 outstanding, assets, and liabilities.

65 Section 2. Section 1011.94, Florida Statutes, is amended to  
 66 read:

67 1011.94 ~~Trust Fund for~~ University Major Gifts Program.--

68 (1) There is established a ~~Trust Fund for~~ University Major  
 69 Gifts Program. The purpose of the program trust fund is to enable  
 70 each university and New College to provide donors with an  
 71 incentive in the form of matching grants for donations for the  
 72 establishment of permanent endowments and sales tax exemption  
 73 matching funds received pursuant to s. 212.08(5)(j), which must  
 74 be invested, with the proceed of the investment used to support  
 75 libraries and instruction and research programs, as defined by  
 76 the State Board of Education. ~~All funds appropriated for the~~  
 77 ~~challenge grants, new donors, major gifts, sales tax exemption~~  
 78 ~~matching funds pursuant to s. 212.08(5)(j), or eminent scholars~~  
 79 ~~program may be deposited into the trust fund and invested~~  
 80 ~~pursuant to s. 17.61 until the State Board of Education allocates~~  
 81 ~~the funds to universities to match private donations.~~  
 82 ~~Notwithstanding s. 216.301 and pursuant to s. 216.351, any~~  
 83 ~~undisbursed balance remaining in the trust fund and interest~~  
 84 ~~income accruing to the portion of the trust fund which is not~~  
 85 ~~matched and distributed to universities must remain in the trust~~  
 86 ~~fund and be used to increase the total funds available for~~  
 87 ~~challenge grants. Funds deposited in the trust fund for the sales~~

88 ~~tax exemption matching program authorized in s. 212.08(5)(j), and~~  
 89 ~~interest earnings thereon, shall be maintained in a separate~~  
 90 ~~account within the Trust Fund for University Major Gifts, and may~~  
 91 ~~be used only to match qualified sales tax exemptions that a~~  
 92 ~~certified business designates for use by state universities and~~  
 93 ~~community colleges to support research and development projects~~  
 94 ~~requested by the certified business. The State Board of Education~~  
 95 ~~may authorize any university to encumber the state matching~~  
 96 ~~portion of a challenge grant from funds available under s.~~  
 97 ~~1011.45.~~

98 (2) The State Board of Education shall specify the process  
 99 for submission, documentation, and approval of requests for  
 100 matching funds, accountability for endowments and proceeds of  
 101 endowments, allocations to universities, restrictions on the use  
 102 of the proceeds from endowments, and criteria used in determining  
 103 the value of donations.

104 (3)(a) The State Board of Education shall allocate the  
 105 amount appropriated to ~~the trust fund~~ to each university and New  
 106 College based on the amount of the donation and the restrictions  
 107 applied to the donation.

108 (b) Donations for a specific purpose must be matched in the  
 109 following manner:

110 1. Each university that raises at least \$100,000 but no  
 111 more than \$599,999 from a private source must receive a matching  
 112 grant equal to 50 percent of the private contribution.

113 2. Each university that raises a contribution of at least  
 114 \$600,000 but no more than \$1 million from a private source must  
 115 receive a matching grant equal to 70 percent of the private  
 116 contribution.

117           3. Each university that raises a contribution in excess of  
 118 \$1 million but no more than \$1.5 million from a private source  
 119 must receive a matching grant equal to 75 percent of the private  
 120 contribution.

121           4. Each university that raises a contribution in excess of  
 122 \$1.5 million but no more than \$2 million from a private source  
 123 must receive a matching grant equal to 80 percent of the private  
 124 contribution.

125           5. Each university that raises a contribution in excess of  
 126 \$2 million from a private source must receive a matching grant  
 127 equal to 100 percent of the private contribution.

128           (c) The State Board of Education shall encumber state  
 129 matching funds for any pledged contributions, pro rata, based on  
 130 the requirements for state matching funds as specified for the  
 131 particular challenge grant and the amount of the private  
 132 donations actually received by the university for the respective  
 133 challenge grant.

134           (4) Matching funds may be provided for contributions  
 135 encumbered or pledged under the Eminent Scholars Act prior to  
 136 July 1, 1994, and for donations or pledges of any amount equal to  
 137 or in excess of the prescribed minimums which are pledged for the  
 138 purpose of this section.

139           (5) (a) Each university foundation and New College  
 140 Foundation shall establish a challenge grant account for each  
 141 challenge grant as a depository for private contributions and  
 142 state matching funds to be administered on behalf of the State  
 143 Board of Education, the university, or New College. State  
 144 matching funds must be transferred to a university foundation or  
 145 New College Foundation upon notification that the university or

146 New College has received and deposited the amount specified in  
 147 this section in a foundation challenge grant account.

148 (b) The foundation serving a university and New College  
 149 Foundation each has the responsibility for the maintenance and  
 150 investment of its challenge grant account and for the  
 151 administration of the program on behalf of the university or New  
 152 College, pursuant to procedures specified by the State Board of  
 153 Education. Each foundation shall include in its annual report to  
 154 the State Board of Education information concerning collection  
 155 and investment of matching gifts and donations and investment of  
 156 the account.

157 (c) A donation of at least \$600,000 and associated state  
 158 matching funds may be used to designate an Eminent Scholar  
 159 Endowed Chair pursuant to procedures specified by the State Board  
 160 of Education.

161 (6) The donations, state matching funds, or proceeds from  
 162 endowments established under this section may not be expended for  
 163 the construction, renovation, or maintenance of facilities or for  
 164 the support of intercollegiate athletics.

165 Section 3. Subsection (8) of section 267.173, Florida  
 166 Statutes, is amended to read:

167 267.173 Historic preservation in West Florida; goals;  
 168 contracts for historic preservation; powers and duties.--

169 (8) Notwithstanding any other provision of law, the  
 170 University of West Florida and its direct-support organization  
 171 are eligible to match state funds in the ~~Trust Fund for~~  
 172 University Major Gifts Program established pursuant to s.  
 173 1011.94.

174 Section 4. Paragraph (j) of subsection (2) of section

175 1004.45, Florida Statutes, is amended to read:

176 1004.45 Ringling Center for Cultural Arts.--

177 (j) Notwithstanding any other provision of law, the John  
178 and Mable Ringling Museum of Art direct-support organization is  
179 eligible to match state funds in the ~~Trust Fund for~~ University  
180 Major Gifts Program established pursuant to s. 1011.94 as  
181 follows:

182 1. For the first \$1,353,750, matching shall be on the  
183 basis of 75 cents in state matching for each dollar of private  
184 funds.

185 2. For additional funds, matching shall be provided on  
186 the same basis as is authorized in s. 1011.94.

187 Section 5. Subsections (1) and (2) of section 1009.74,  
188 Florida Statutes, are amended to read:

189 1009.74 The Theodore R. and Vivian M. Johnson Scholarship  
190 Program.--

191 (1) There is established the Theodore R. and Vivian M.  
192 Johnson Scholarship Program to be administered by the Department  
193 of Education. The program shall provide scholarships to students  
194 attending a state university. The program shall be funded by  
195 contributions from the Theodore R. and Vivian M. Johnson  
196 Scholarship Foundation and from state matching funds to be  
197 allocated from the ~~Trust Fund for~~ University Major Gifts Program.

198 (2) The amount to be allocated to the program shall be on  
199 the basis of a 50-percent match of funds from the ~~Trust Fund for~~  
200 University Major Gifts Program for each contribution received  
201 from the Theodore R. and Vivian M. Johnson Scholarship  
202 Foundation. The funds allocated to the program, including the  
203 corpus and interest income, shall be expended for scholarships to

204 benefit disabled students attending a state university.

205 Section 6. The following trust funds within the Board of  
206 Governors of the State University System are modified:

207 (1) Uniform Payroll Trust Fund, from FLAIR number 49-2-766  
208 to 48-2-766.

209 (2) Ancillary Facilities Construction Trust Fund, from  
210 FLAIR number 49-2-026 to 48-2-026.

211 (3) Law Enforcement Trust Fund, from FLAIR number 49-2-434  
212 to 48-2-434.

213 (4) Phosphate Research Trust Fund, from FLAIR number 49-2-  
214 530 to 48-2-530.

215 (5) Replacement Trust Fund, from FLAIR number 49-2-580 to  
216 48-2-580.

217 (6) Capital Facilities Matching Trust Fund, from FLAIR  
218 number 49-2-070 to 48-2-070.

219 (7) Student and Other Fees Trust Fund, from FLAIR number  
220 49-2-164 to 48-2-164.

221 (8) Operations and Maintenance Trust Fund, from FLAIR  
222 number 49-2-516 to 48-2-516.

223 (9) Building Fee Trust Fund, from FLAIR number 49-2-064 to  
224 48-2-064.

225 Section 7. This act shall take effect July 1, 2007.

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