

1 A bill to be entitled
2 An act relating to technology development;
3 creating s. 240.72, F.S.; creating the "Florida
4 Technology Development Act"; providing a
5 definition; providing purposes and objectives
6 of a center of excellence; creating the
7 Emerging Technology Commission; providing for
8 membership, powers, and duties of the
9 commission; providing for the Florida Research
10 Consortium, Inc., to report to the commission
11 regarding factors contributing to the success
12 of the creation of a center of excellence;
13 requiring the commission to develop and approve
14 criteria for evaluating proposals related to
15 the creation of centers of excellence;
16 requiring the commission to solicit such
17 proposals from state universities; requiring
18 the commission to submit recommended plans to
19 the State Board of Education for establishing
20 centers of excellence in the state; requiring
21 the State Board of Education to develop and
22 approve a final plan for establishing centers
23 of excellence in the state and to authorize
24 expenditures for plan implementation; providing
25 commission reporting requirements; providing
26 for future repeal; amending s. 240.2605, F.S.;
27 creating an account within the Trust Fund for
28 Major Gifts for the deposit of funds
29 appropriated as state match for qualified sales
30 tax exemptions which are pledged by certified
31 business to support eligible programs in the

1 state universities pursuant to s. 212.08(5)(j),
2 F.S.; providing an appropriation for commission
3 staff support and certain administrative
4 expenses; providing an effective date.

5
6 WHEREAS, the commercialization of technologies
7 developed in academic laboratories and research centers
8 through the application of new innovations is critical for
9 Florida to maintain a competitive economy, and

10 WHEREAS, promoting high-technology industrial growth
11 will further diversify and strengthen the Florida economy and
12 complement industries already recognized as being critical to
13 Florida's economic health, and

14 WHEREAS, attracting leading scholars and researchers in
15 advanced and emerging technology disciplines to Florida's
16 universities is critical to building Florida's knowledge base,
17 and

18 WHEREAS, promoting collaboration among academic and
19 industrial researchers, scientists, and engineers is essential
20 to the process of commercializing knowledge gained through
21 applied research, and

22 WHEREAS, centers of excellence within, and in
23 collaboration with, the State University System would provide
24 an infrastructure for recruiting and retaining world-class
25 faculty, increasing the number of graduates in advanced and
26 emerging technology programs, increasing the amount of base
27 and applied research conducted in Florida, incubating new
28 companies, developing new educational and industrial
29 applications for such research, helping Florida's businesses
30 adopt emerging technologies, and developing a highly skilled,
31 high-wage workforce, NOW, THEREFORE,

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

2

3 Section 1. Section 240.72, Florida Statutes, is
4 created to read:

5 240.72 The Florida Technology Development Act.--

6 (1) This section may be cited as the "Florida
7 Technology Development Act."

8 (2) "Center of excellence," as used in this section,
9 means an organization of personnel, facilities, and equipment
10 established at or in collaboration with one or more
11 universities in Florida to accomplish the purposes and
12 objectives of this section.

13 (3) The purposes and objectives of a center of
14 excellence include:

15 (a) Identifying and pursuing opportunities for
16 university scholars, research center scientists and engineers,
17 and private businesses to form collaborative partnerships to
18 foster and promote the research required to develop
19 commercially promising, advanced, and innovative technologies
20 and to transfer those technologies to commercial sectors.

21 (b) Acquiring and leveraging public and private-sector
22 funding to provide the totality of funds, personnel,
23 facilities, equipment, and other resources needed to support
24 the research required to develop commercially promising,
25 advanced, and innovative technologies and to transfer those
26 technologies to commercial sectors.

27 (c) Recruiting and retaining world-class scholars,
28 high-performing students, and leading scientists and engineers
29 in technology disciplines to engage in research in this state
30 to develop commercially promising, advanced, and innovative
31 technologies.

1 (d) Enhancing and expanding technology curricula and
2 laboratory resources at universities and research centers in
3 this state.

4 (e) Increasing the number of high-performing students
5 in technology disciplines who graduate from universities in
6 this state and pursue careers in this state.

7 (f) Stimulating and supporting the inception, growth,
8 and diversification of technology-based businesses and
9 ventures in Florida and increasing employment opportunities
10 for the workforce needed to support such businesses.

11 (4) Subject to legislative appropriation, the Emerging
12 Technology Commission is created within the Executive Office
13 of the Governor to guide the establishment of centers of
14 excellence.

15 (a) The commission shall consist of five regular
16 members appointed by the Governor, one of whom the Governor
17 shall appoint as chair of the commission; two regular members
18 appointed by the President of the Senate; two regular members
19 appointed by the Speaker of the House of Representatives;
20 before January 7, 2003, the Secretary of Education as an ex
21 officio nonvoting member; effective January 7, 2003, the
22 Commissioner of Education as an ex officio nonvoting member;
23 and, as ex officio nonvoting members, the member of the Senate
24 and the member of the House of Representatives who serve as
25 members of the Florida Research Consortium, Inc. The regular
26 members shall be business leaders, industrial researchers,
27 academic researchers, scientists, or engineers who have been
28 recognized as leaders in the state's emerging and advanced
29 technology sectors. Regular members must be appointed on or
30 before July 1, 2002.

31

1 (b) Members of the commission shall serve without
2 compensation but shall be entitled to receive per diem and
3 travel expenses in accordance with s. 112.061 while in
4 performance of their duties.

5 (c) The Executive Office of the Governor shall provide
6 staff support for the activities of the commission and per
7 diem and travel expenses for commission members.

8 (5) The commission shall solicit from the Florida
9 Research Consortium, Inc., a report detailing and prioritizing
10 the factors that would contribute to the success of the
11 creation of a center of excellence. Such report must be
12 received by the commission by August 1, 2002. At a minimum,
13 the commission shall seek from the Florida Research
14 Consortium, Inc., a detailed description and prioritization of
15 the following factors:

16 (a) Maturity of existing university programs relating
17 to a proposed center of excellence.

18 (b) Existing amount of university resources dedicated
19 to activities relating to a proposed center of excellence.

20 (c) Comprehensiveness and effectiveness of site plans
21 relating to a proposed center of excellence.

22 (d) Regional economic structure and climate.

23 (e) The degree to which a university proposed to house
24 a center of excellence identifies and seizes opportunities to
25 collaborate with other public or private entities for research
26 purposes.

27 (f) The presence of a comprehensive performance and
28 accountability measurement system.

29 (g) The use of an integrated research and development
30 strategy utilizing multiple levels of the educational system.

31

1 (h) The ability of a university proposed to house a
2 center of excellence to raise research funds and leverage
3 public and private investment dollars to support advanced and
4 emerging technological research and development projects.

5 (i) The degree to which a university proposed to house
6 a center of excellence transfers advanced and emerging
7 technologies from its laboratories to the commercial sector.

8 (j) The degree to which a university proposed to house
9 a center of excellence stimulates and supports new venture
10 creation.

11 (k) The existence of a plan to enhance academic
12 curricula by improving communication between academia and
13 industry.

14 (l) The existence of a plan to increase the number,
15 quality, and retention rate of faculty, graduate students, and
16 eminent scholars in advanced and emerging technology-based
17 disciplines.

18 (m) The existence of a plan to increase the likelihood
19 of faculty, graduate students, and eminent scholars pursuing
20 private-sector careers in the state.

21 (n) Ability to provide capital facilities necessary to
22 support research and development.

23 (6) By September 15, 2002, the commission shall
24 develop and approve criteria for evaluating proposals
25 submitted under subsection (7). When developing such criteria,
26 the commission shall consider the report provided by the
27 Florida Research Consortium, Inc., under subsection (5) and
28 hold at least two public hearings, at times and locations
29 designated by the chair of the commission, for the purpose of
30 soliciting expert testimony relating to the factors set forth
31 in subsection (5). By October 1, 2002, the commission shall

1 provide a list of such criteria to each university in the
2 State University System, to the Florida Research Consortium,
3 Inc., and to the State Technology Office for publication on
4 the Internet within 24 hours after the office's receipt of the
5 list.

6 (7) Concurrent with the provision of the list of
7 criteria to the universities, the commission shall notify each
8 university, in writing, of the opportunity to submit to the
9 commission written proposals for establishing one or more
10 centers of excellence. Proposals must specifically address the
11 evaluation criteria developed by the commission and delineate
12 how funding would be used to develop one or more centers of
13 excellence. Proposals must be submitted to the commission by
14 December 1, 2002. Notwithstanding this deadline, the
15 commission, upon an affirmative vote of a majority of its
16 members, may accept a proposal submitted after the deadline.

17 (8) By February 1, 2003, the commission shall submit
18 to the State Board of Education a minimum of two, but no more
19 than five, recommended plans for the establishment of one or
20 more centers of excellence in the state. Recommended plans
21 must specifically address the evaluation criteria developed by
22 the commission and delineate how funding would be used to
23 develop one or more centers of excellence. When developing
24 such recommended plans, the commission shall consider the
25 university proposals submitted under subsection (7) and hold
26 at least three public hearings, at times and locations
27 designated by the chair of the commission, for the purpose of
28 soliciting expert testimony, including, but not limited to,
29 viewing presentations of university proposals.

30 (9) By March 15, 2003, the State Board of Education
31 shall develop and approve a final plan for the establishment

1 of one or more centers of excellence in the state and shall
2 authorize the allocation and expenditure of appropriated and
3 available funds for implementation of the plan. When
4 developing this final plan, the board shall consider the
5 commission's recommended plans submitted under subsection (8)
6 and hold at least one public hearing for the purpose of
7 soliciting expert testimony. The final plan must include
8 performance and accountability measures that can be used to
9 assess the progress of plan implementation and the success of
10 the centers of excellence established under the final plan. By
11 March 22, 2003, the board shall provide a copy of the final
12 plan to the Governor, the President of the Senate, and the
13 Speaker of the House of Representatives.

14 (10) Beginning June 30, 2003, the commission shall
15 report quarterly, in writing, to the Commissioner of Education
16 on the progress of the implementation of the final plan
17 approved under subsection (9) and the success of the centers
18 of excellence established under that plan.

19 (11) This section is repealed July 1, 2004.

20 Section 2. Subsection (1) of Section 240.2605, Florida
21 Statutes, is amended to read:

22 240.2605 Trust Fund for Major Gifts.--

23 (1) There is established a Trust Fund for Major Gifts.
24 The purpose of the trust fund is to enable the Board of
25 Regents Foundation, each university, and New College to
26 provide donors with an incentive in the form of matching
27 grants for donations for the establishment of permanent
28 endowments and sales tax exemption matching funds received
29 pursuant to s. 212.08(5)(j), which must be invested, with the
30 proceeds of the investment used to support libraries and
31 instruction and research programs, as defined by procedure of

1 the Board of Regents. All funds appropriated for the challenge
 2 grants, new donors, major gifts, sales tax exemption matching
 3 funds pursuant to s.212.05(5)(j), or eminent scholars program
 4 must be deposited into the trust fund and invested pursuant to
 5 s. 18.125 until the Board of Regents allocates the funds to
 6 universities to match private donations. Notwithstanding s.
 7 216.301 and pursuant to s. 216.351, any undisbursed balance
 8 remaining in the trust fund and interest income accruing to
 9 the portion of the trust fund which is not matched and
 10 distributed to universities must remain in the trust fund and
 11 be used to increase the total funds available for challenge
 12 grants. Funds deposited to the trust fund for the sales tax
 13 exemption matching program authorized in s.212.08(5)(j), and
 14 interest earnings thereon, shall be maintained in a separate
 15 account within the Trust Fund for Major Gifts, and may only be
 16 used to match qualified sales tax exemptions which are pledged
 17 by certified businesses to support eligible programs at state
 18 universities.The Board of Regents may authorize any
 19 university to encumber the state matching portion of a
 20 challenge grant from funds available under s. 240.272.

21 Section 3. The sum of \$50,000 in nonrecurring funds is
 22 appropriated from the General Revenue Fund to the Executive
 23 Office of the Governor for the 2002-2003 fiscal year for the
 24 purposes of providing administrative and support services to
 25 the Emerging Technology Commission and per diem and travel
 26 expenses for Commission members. The sum of \$50 million in
 27 non-recurring General Revenue funds is appropriated to the
 28 Executive Office of the Governor for the 2002-2003 fiscal year
 29 for the other purposes of this act.

30 Section 4. This act shall take effect upon becoming a
 31 law.