

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Hart offered the following:

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Amendment (with title amendment)

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On page 3, line 16,

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insert:

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Section 1. Subsection (10) of section 159.705, Florida Statutes, is amended to read:

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159.705 Powers of the authority.--The authority is authorized and empowered:

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(10) Other provisions of law to the contrary notwithstanding, to acquire by lease, without consideration, purchase, or option any lands owned, administered, managed, controlled, supervised, or otherwise protected by the state or any of its agencies, departments, boards, or commissions for the purpose of establishing a research and development park, subject to being first designated a research and development authority under the provisions of ss. 159.701-159.7095. The authority may cooperate with state and local political subdivisions and with private profit and nonprofit entities to implement the public purposes set out in s. 159.701. Such

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1 cooperation may include agreements for the use of the
2 resources of state and local political subdivisions, agencies,
3 or entities on a fee-for-service basis or on a cost-recovery
4 basis. Notwithstanding any other provision of this chapter, a
5 project that is located in a research and development park and
6 is financed under the provisions of the Florida Industrial
7 Development Financing Act may be operated by a research and
8 development authority, a state university, a Florida community
9 college, or a governmental agency if the purpose and operation
10 of the project is consistent with the purposes and policies
11 specified in ss. 159.701-159.7095.

12 Section 2. Section 240.72, Florida Statutes, is
13 created to read:

14 240.72 The Florida Technology Development Act.--

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

17 (2) "Center of excellence," as used in this section,
18 means an organization of personnel, facilities, and equipment
19 established at or in collaboration with one or more
20 universities in Florida to accomplish the purposes and
21 objectives of this section.

22 (3) The purposes and objectives of a center of
23 excellence include:

24 (a) Identifying and pursuing opportunities for
25 university scholars, research center scientists and engineers,
26 and private businesses to form collaborative partnerships to
27 foster and promote the research required to develop
28 commercially promising, advanced, and innovative technologies
29 and to transfer those technologies to commercial sectors.

30 (b) Acquiring and leveraging public and private-sector
31 funding to provide the totality of funds, personnel,

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1 facilities, equipment, and other resources needed to support
2 the research required to develop commercially promising,
3 advanced, and innovative technologies and to transfer those
4 technologies to commercial sectors.

5 (c) Recruiting and retaining world-class scholars,
6 high-performing students, and leading scientists and engineers
7 in technology disciplines to engage in research in this state
8 to develop commercially promising, advanced, and innovative
9 technologies.

10 (d) Enhancing and expanding technology curricula and
11 laboratory resources at universities and research centers in
12 this state.

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

16 (f) Stimulating and supporting the inception, growth,
17 and diversification of technology-based businesses and
18 ventures in Florida and increasing employment opportunities
19 for the workforce needed to support such businesses.

20 (4) Subject to legislative appropriation, the Emerging
21 Technology Commission is created within the Executive Office
22 of the Governor to guide the establishment of centers of
23 excellence.

24 (a) The commission shall consist of five regular
25 members appointed by the Governor, one of whom the Governor
26 shall appoint as chair of the commission; two regular members
27 appointed by the President of the Senate; two regular members
28 appointed by the Speaker of the House of Representatives;
29 before January 7, 2003, the Secretary of Education as an ex
30 officio nonvoting member; effective January 7, 2003, the
31 Commissioner of Education as an ex officio nonvoting member;

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1 and, as ex officio nonvoting members, the member of the Senate
2 and the member of the House of Representatives who serve as
3 members of the Florida Research Consortium, Inc. The regular
4 members shall be business leaders, industrial researchers,
5 academic researchers, scientists, or engineers who have been
6 recognized as leaders in the state's emerging and advanced
7 technology sectors. Regular members must be appointed on or
8 before July 1, 2002.

9 (b) Members of the commission shall serve without
10 compensation but shall be entitled to receive per diem and
11 travel expenses in accordance with s. 112.061 while in
12 performance of their duties.

13 (c) The Executive Office of the Governor shall provide
14 staff support for the activities of the commission and per
15 diem and travel expenses for commission members.

16 (5) The commission shall solicit from the Florida
17 Research Consortium, Inc., a report detailing and prioritizing
18 the factors that would contribute to the success of the
19 creation of a center of excellence. Such report must be
20 received by the commission by August 1, 2002. At a minimum,
21 the commission shall seek from the Florida Research
22 Consortium, Inc., a detailed description and prioritization of
23 the following factors:

24 (a) Maturity of existing university programs relating
25 to a proposed center of excellence.

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

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

30 (d) Regional economic structure and climate.

31 (e) The degree to which a university proposed to house

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1 a center of excellence identifies and seizes opportunities to
2 collaborate with other public or private entities for research
3 purposes.

4 (f) The presence of a comprehensive performance and
5 accountability measurement system.

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

8 (h) The ability of a university proposed to house a
9 center of excellence to raise research funds and leverage
10 public and private investment dollars to support advanced and
11 emerging technological research and development projects.

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

15 (j) The degree to which a university proposed to house
16 a center of excellence stimulates and supports new venture
17 creation.

18 (k) The existence of a plan to enhance academic
19 curricula by improving communication between academia and
20 industry.

21 (l) The existence of a plan to increase the number,
22 quality, and retention rate of faculty, graduate students, and
23 eminent scholars in advanced and emerging technology-based
24 disciplines.

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

28 (n) Ability to provide capital facilities necessary to
29 support research and development.

30 (6) By September 15, 2002, the commission shall
31 develop and approve criteria for evaluating proposals

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1 submitted under subsection (7). When developing such criteria,
2 the commission shall consider the report provided by the
3 Florida Research Consortium, Inc., under subsection (5) and
4 hold at least two public hearings, at times and locations
5 designated by the chair of the commission, for the purpose of
6 soliciting expert testimony relating to the factors set forth
7 in subsection (5). By October 1, 2002, the commission shall
8 provide a list of such criteria to each university in the
9 State University System, to the Florida Research Consortium,
10 Inc., and to the State Technology Office for publication on
11 the Internet within 24 hours after the office's receipt of the
12 list.

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

24 (8) By February 1, 2003, the commission shall submit
25 to the State Board of Education a minimum of two, but no more
26 than five, recommended plans for the establishment of one or
27 more centers of excellence in the state. Recommended plans
28 must specifically address the evaluation criteria developed by
29 the commission and delineate how funding would be used to
30 develop one or more centers of excellence. When developing
31 such recommended plans, the commission shall consider the

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1 university proposals submitted under subsection (7) and hold
2 at least three public hearings, at times and locations
3 designated by the chair of the commission, for the purpose of
4 soliciting expert testimony, including, but not limited to,
5 viewing presentations of university proposals.

6 (9) By March 15, 2003, the State Board of Education
7 shall develop and approve a final plan for the establishment
8 of one or more centers of excellence in the state and shall
9 authorize the allocation and expenditure of appropriated and
10 available funds for implementation of the plan. The final
11 plan must allocate at least \$10 million to each center of
12 excellence established by the plan. When developing this
13 final plan, the board shall consider the commission's
14 recommended plans submitted under subsection (8) and hold at
15 least one public hearing for the purpose of soliciting expert
16 testimony. The final plan must include performance and
17 accountability measures that can be used to assess the
18 progress of plan implementation and the success of the centers
19 of excellence established under the final plan. By March 22,
20 2003, the board shall provide a copy of the final plan to the
21 Governor, the President of the Senate, and the Speaker of the
22 House of Representatives.

23 (10) Beginning June 30, 2003, the commission shall
24 report quarterly, in writing, to the Commissioner of Education
25 on the progress of the implementation of the final plan
26 approved under subsection (9) and the success of the centers
27 of excellence established under that plan.

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

29 Section 3. Subsection (1) of Section 240.2605, Florida
30 Statutes, is amended to read:

31 240.2605 Trust Fund for Major Gifts.--

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1 (1) There is established a Trust Fund for Major Gifts.
2 The purpose of the trust fund is to enable the Board of
3 Regents Foundation, each university, and New College to
4 provide donors with an incentive in the form of matching
5 grants for donations for the establishment of permanent
6 endowments and sales tax exemption matching funds received
7 pursuant to s. 212.08(5)(j), which must be invested, with the
8 proceeds of the investment used to support libraries and
9 instruction and research programs, as defined by procedure of
10 the Board of Regents. All funds appropriated for the challenge
11 grants, new donors, major gifts, sales tax exemption matching
12 funds pursuant to s. 212.08(5)(j), or eminent scholars program
13 must be deposited into the trust fund and invested pursuant to
14 s. 18.125 until the Board of Regents allocates the funds to
15 universities to match private donations. Notwithstanding s.
16 216.301 and pursuant to s. 216.351, any undisbursed balance
17 remaining in the trust fund and interest income accruing to
18 the portion of the trust fund which is not matched and
19 distributed to universities must remain in the trust fund and
20 be used to increase the total funds available for challenge
21 grants. Funds deposited to the trust fund for the sales tax
22 exemption matching program authorized in s.212.08(5)(j), and
23 interest earnings thereon, shall be maintained in a separate
24 account within the Trust Fund for Major Gifts, and may be used
25 only to match qualified sales tax exemptions that a certified
26 business designates for use by state universities and
27 community colleges to support research and development
28 projects requested by the certified business. The Board of
29 Regents may authorize any university to encumber the state
30 matching portion of a challenge grant from funds available
31 under s. 240.272.

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1 Section 4. The sum of \$50,000 in nonrecurring funds is
2 appropriated from the General Revenue Fund to the Executive
3 Office of the Governor for the 2002-2003 fiscal year for the
4 purposes of providing administrative and support services to
5 the Emerging Technology Commission and per diem and travel
6 expenses for Commission members. The sum of \$50 million in
7 non-recurring General Revenue funds is appropriated to the
8 Executive Office of the Governor for the 2002-2003 fiscal year
9 for the other purposes of The Florida Technology Act.

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

And the title is amended as follows:

On page 1, line 2,
remove all of said line

and insert:

An act relating to economic and technology
development; amending s. 159.705, F.S.;
specifying that certain entities may operate a
project located in a research and development
park and financed under the Florida Industrial
Development Financing Act; creating s. 240.72,
F.S.; creating the "Florida Technology
Development Act"; providing a definition;
providing purposes and objectives of a center
of excellence; creating the Emerging Technology
Commission; providing for membership, powers,
and duties of the commission; providing for the
Florida Research Consortium, Inc., to report to
the commission regarding factors contributing

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1 to the success of the creation of a center of
2 excellence; requiring the commission to develop
3 and approve criteria for evaluating proposals
4 related to the creation of centers of
5 excellence; requiring the commission to solicit
6 such proposals from state universities;
7 requiring the commission to submit recommended
8 plans to the State Board of Education for
9 establishing centers of excellence in the
10 state; requiring the State Board of Education
11 to develop and approve a final plan for
12 establishing centers of excellence in the state
13 and to authorize expenditures for plan
14 implementation; providing commission reporting
15 requirements; providing for future repeal;
16 amending s. 240.2605, F.S.; creating an account
17 within the Trust Fund for Major Gifts for the
18 deposit of funds appropriated as state match
19 for qualified sales tax exemptions that a
20 certified business designates for use by state
21 universities and community colleges to support
22 research and development projects requested by
23 the certified business pursuant to s.
24 212.08(5)(j), F.S.; providing an appropriation
25 for commission staff support and certain
26 administrative expenses; providing an
27 appropriation for the other purposes of the
28 Florida Technology Development Act; date.
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