

Bill No. SB 2376

Amendment No. 1 Barcode 873410

CHAMBER ACTION

Senate

House

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The Committee on Natural Resources recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Florida Marine Biotechnology Consortium;
creation; organization; purpose; duties.--

(1) The Florida Marine Biotechnology Consortium is created to serve as the principal and preeminent marine biotechnology organization for the state and to serve as a global leader for information exchange and expertise, promotion and advocacy, basic and applied research, and commercial and governmental applications of technology in marine biotechnology.

(2) The consortium is assigned to the Statewide Board of Governors created under Section 7, Article IX of the State Constitution, for administrative purposes and for overall mission oversight, but is otherwise governed by a nine-member board of trustees.

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1 (a) The initial board of trustees shall be comprised
2 of two members appointed by the Governor, one of whom is a
3 private-sector businessperson who has expertise related to
4 marine biotechnology, and one of whom is a scientist or
5 researcher who has expertise related to marine biotechnology;
6 one member appointed by the President of the Senate who has
7 expertise related to marine biotechnology; and one member
8 appointed by the Speaker of the House of Representatives who
9 has expertise related to marine biotechnology. The Governor,
10 the President of the Senate, and the Speaker of the House of
11 Representatives shall make their respective appointments
12 before August 1, 2003.

13 1. One member appointed by the Governor shall serve
14 for a term of 3 years, and one shall serve for a term of 2
15 years.

16 2. Members appointed by the President of the Senate
17 and the Speaker of the House of Representatives each shall
18 serve for a term of 2 years.

19 3. The four initial board members shall, by majority
20 vote before October 1, 2003, elect five additional members, at
21 least three of whom have expertise related to marine
22 biotechnology, from lists of five nominees each submitted by
23 the Governor, the President of the Senate, and the Speaker of
24 the House of Representatives. Three of such members shall
25 serve for terms of 4 years, and two shall serve for terms of 3
26 years.

27 (b) Vacancies on the board, including vacancies among
28 the initial appointees, shall be filled by majority vote of
29 the remaining members of the board from nominees submitted by
30 the Governor, the President of the Senate, and the Speaker of
31 the House of Representatives, using qualifications and

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1 criteria established by the board. Members elected to the
2 board under this paragraph shall serve for terms of 4 years
3 and may be reelected. Members appointed or elected under
4 paragraph (a) may be elected or reelected as provided in this
5 paragraph.

6 (c) Each member shall have one vote.

7 (d) The members shall by majority vote elect a chair
8 from among their membership.

9 (3) To carry out the purpose of the consortium, the
10 board of trustees shall establish a direct-support
11 organization to serve as the staffing and operating unit of
12 the consortium and which is:

13 (a) A corporation not for profit incorporated under
14 chapter 617, Florida Statutes.

15 (b) Organized and operated to request, receive, hold,
16 invest, and administer property and any moneys received from
17 private, local, state, and federal sources and to manage and
18 make expenditures to or for the operations of the consortium.

19 (c) An organization that the Statewide Board of
20 Governors, after review, has certified to be operating in a
21 manner consistent with the goals of the consortium and in the
22 best interests of the state.

23 (d) An organization that is not an agency within the
24 meaning of section 20.03, Florida Statutes.

25 (4)(a) The board of trustees shall serve as the board
26 of directors for the direct-support organization.

27 (b) The direct-support organization shall be
28 administered by a chief executive officer, who is appointed by
29 and serves at the pleasure of the board, which shall establish
30 the powers and duties of the chief executive officer.

31 (5) The consortium shall:

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- 1 (a) Serve as the principal clearinghouse for
2 information and activities on marine biotechnology.
- 3 (b) Provide academic, scientific, and business
4 expertise on marine biotechnology to increase understanding of
5 marine biotechnology.
- 6 (c) Conduct basic and applied research in marine
7 biotechnology through the talents of leading scientists,
8 researchers, technicians, and graduate and post doctoral
9 students from around the world.
- 10 (d) Facilitate the development and commercialization
11 of marine technologies, including, but not limited to,
12 technologies leading to the production of diagnostic devices,
13 medicines, chemicals, construction materials, food, drinking
14 water, and energy from marine resources, as well as
15 technologies leading to improvements in public health and
16 safety, environmental cleanup and restoration, and management
17 of marine resources.
- 18 (e) Integrate and coordinate the activities of public
19 organizations and private organizations in the state involved
20 in marine biotechnology research and commercialization.
- 21 (f) Market and advocate the marine biotechnology
22 interests of the state to the private and public sectors in
23 this country and in other countries.
- 24 (g) Secure nonstate funds to support the programs and
25 operations of the consortium or other marine biotechnology
26 activities in the state.
- 27 (h) Promote the state, in cooperation with Enterprise
28 Florida, Inc., as a location for businesses having operations
29 related to marine biotechnology.
- 30 (i) Promote the state as a location for marine
31 biotechnology projects or activities of agencies of the

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1 Federal Government or foreign governments.

2 (j) Assist educational institutions in the state to
3 enhance marine-science curricula and resources and to
4 encourage students to pursue careers in marine science.

5 (k) Identify problems and implement solutions on
6 issues affecting marine science and marine environments,
7 including, but not limited to, transportation, public
8 security, public health and safety, food production, and
9 commerce issues.

10 (l) Pursue opportunities to complement the marine
11 biotechnology mission of the consortium with activities
12 related to fresh-water resources which are performed by the
13 consortium or other organizations, in order to promote the
14 advancement of water research and science in general.

15 (6) The programmatic activities of the consortium are
16 organized around the following principal categories:

17 (a) Life sciences, including, but not limited to,
18 genomics, proteomics, aquaculture, fisheries, disease control,
19 and biotoxins.

20 (b) Medicine, including, but not limited to, clinical
21 diagnostics, therapeutics, immunological products, reagents,
22 and veterinary medicines.

23 (c) Engineering, including, but not limited to,
24 sensors, arrays, robotics, holographics, desalination, and
25 security devices.

26 (d) Computer sciences, including, but not limited to,
27 modeling, simulation, software, and technology transfer.

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29 Although the primary mission of the consortium involves marine
30 biotechnology, the consortium may integrate fresh-water
31 science components into each of the programmatic categories

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1 described in this subsection. The consortium shall solicit
2 input from the scientific advisory council created under
3 subsection (8) to identify fresh-water science issues and
4 research opportunities that complement or further the mission
5 of the consortium.

6 (7) The consortium shall plan and supervise the design
7 and construction of a facility to house its offices and
8 activities.

9 (a) The facility shall include, at a minimum:

- 10 1. Research laboratories;
11 2. Training centers or classrooms;
12 3. A library; and
13 4. Meeting and conference rooms with leading
14 communications technology.

15 (b) By February 1, 2004, the consortium shall submit
16 an initial plan for the facility to the Governor, the
17 President of the Senate, the Speaker of the House of
18 Representatives, and the chairman of the Statewide Board of
19 Governors, which plan must include:

- 20 1. Recommended functional and design requirements for
21 the facility, including, but not limited to, details relating
22 to its proposed size, operations, and location.
23 2. Cost estimates based upon the recommended
24 functional and design requirements.
25 3. Identification of models in other states or nations
26 for the facility.
27 4. A recommended process and timeline for siting and
28 completing the facility.
29 5. Identification of potential funding sources and a
30 strategy for securing funds.

31 (8) The board of trustees shall create a scientific

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1 advisory council comprised of scientists, researchers,
2 academicians, businesspersons, and others whom the board
3 determines have scientific expertise that will benefit the
4 consortium.

5 (9) The board of trustees shall create a stakeholder
6 advisory council, comprised of representatives from
7 organizations in the state engaged in marine science
8 activities, to promote coordination and cooperation among
9 these organizations, and develop a comprehensive strategic
10 plan for the advancement of marine biotechnology in the state.
11 The council shall include at least one representative from
12 each public university and each private university in the
13 state with a marine science program, which representative is
14 selected by the board of trustees from individuals nominated
15 by the president of each university.

16 (10) By December 1 each year, the consortium shall
17 submit an annual report to the Governor, the President of the
18 Senate, the Speaker of the House of Representatives, and the
19 chairman of the Statewide Board of Governors containing:

20 (a) A detailed description of the activities and
21 accomplishments of the consortium.

22 (b) An annual financial accounting of resources and
23 expenditures conducted by an independent certified public
24 accountant.

25 (c) Any recommendations from the consortium for action
26 by the Legislature or by the agencies of state, county, or
27 municipal governments to foster development of marine
28 biotechnology.

29 (d) Until the consortium's facility is opened, a
30 progress report on the status of the facility.

31 (11) The consortium and its direct-support

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1 organization are subject to chapter 119, Florida Statutes,
2 relating to public records, and chapter 286, Florida Statutes,
3 relating to public meetings.

4 (12) Members of the board of trustees shall serve
5 without compensation but are entitled to per diem and travel
6 expenses pursuant to section 112.061, Florida Statutes, while
7 in the performance of their duties.

8 (13) Appropriations to the Statewide Board of
9 Governors on behalf of the consortium shall be distributed to
10 the consortium under a contract between the Statewide Board of
11 Governors and the consortium.

12 (14) By November 1, 2003, the board of trustees shall
13 submit an operating plan to the Governor, the President of the
14 Senate, the Speaker of the House of Representatives, and the
15 chairman of the Statewide Board of Governors. The operating
16 plan must include:

17 (a) A detailed description of the organizational
18 structure and operating policies and procedures of the
19 consortium, its direct-support organization, and its advisory
20 councils.

21 (b) A policy addressing conflicts of interest for
22 members of the board and the advisory councils.

23 (c) A recommended level of funding for fiscal year
24 2004-2005 for the consortium and a detailed description of the
25 proposed uses of the funds.

26 (d) Any recommendations for statutory revisions
27 governing, or applicable to, the consortium which are
28 important to the operation of the consortium or its goals.

29 (15) By February 1, 2004, the board of trustees shall
30 submit an initial strategic plan to the Governor, the
31 President of the Senate, the Speaker of the House of

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1 Representatives, and the chairman of the Statewide Board of
2 Governors. In developing the strategic plan, the board shall
3 enlist the participation of public and private organizations
4 in the state engaged in marine biotechnology activities or
5 other marine science activities, including, but not limited
6 to, members of the scientific advisory council and the
7 stakeholder advisory council. The strategic plan must include:

- 8 (a) A mission statement.
- 9 (b) Short-term and long-term goals.
- 10 (c) Output and outcome measures to assess progress
11 toward achievement of such goals.
- 12 (d) A schedule and process for regularly updating and
13 revising the strategic plan.

14 Section 2. The Statewide Board of Governors may
15 appoint interim staff to assist the Florida Marine
16 Biotechnology Consortium and the consortium's direct-support
17 organization during their initial phases of organization.

18 Section 3. This act shall take effect July 1, 2003.

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

22 And the title is amended as follows:

23 Delete everything before the enacting clause

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25 and insert:

26 A bill to be entitled

27 An act relating to marine biotechnology;

28 creating the Florida Marine Biotechnology

29 Consortium; providing for the organization,

30 purpose, and duties of the consortium;

31 providing for the appointment of a board of

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1 trustees; providing for the establishment of a
2 facility to house the offices and activities of
3 the consortium; providing for appropriations;
4 providing for the consortium to submit an
5 operating plan and a strategic plan; providing
6 an appropriation; providing for interim
7 staffing by the Statewide Board of Governors;
8 providing an effective date.

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