

By Senator Pruitt

28-1171-03

1 A bill to be entitled
2 An act relating to marine biotechnology;
3 creating the Florida Marine Biotechnology
4 Consortium; providing for the organization,
5 purpose, and duties of the consortium;
6 providing for the appointment of a board of
7 trustees; providing for the establishment of a
8 facility to house the offices and activities of
9 the consortium; providing for appropriations;
10 providing for the consortium to submit an
11 operating plan and a strategic plan; providing
12 an appropriation; providing for interim
13 staffing by the Statewide Board of Governors;
14 providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Florida Marine Biotechnology Consortium;
19 creation; organization; purpose; duties.--

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

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

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 business person 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. Three of such members shall serve for a term of
23 4 years, and two shall serve for terms of 3 years.

24 (b) Vacancies on the board, including vacancies among
25 the initial appointees, shall be filled by majority vote of
26 the remaining members of the board, using qualifications and
27 criteria established by the board. Members elected to the
28 board under this paragraph shall serve for terms of 4 years
29 and may be reelected. Members appointed under paragraph (a)
30 may be reelected as provided in this paragraph.

31 (c) Each member shall have one vote.

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

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

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

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

13 (c) An organization that the Statewide Board of
14 Governors, after review, has certified to be operating in a
15 manner consistent with the goals of the consortium and in the
16 best interests of the state.

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

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

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

25 (5) The consortium shall:

26 (a) Serve as the principal clearinghouse for
27 information and activities on marine biotechnology.

28 (b) Provide academic, scientific, and business
29 expertise on marine biotechnology to increase understanding of
30 marine biotechnology.

31

1 (c) Conduct basic and applied research in marine
2 biotechnology through the talents of leading scientists,
3 researchers, technicians, and graduate and post doctoral
4 students from around the world.

5 (d) Facilitate the development and commercialization
6 of marine technologies, including, but not limited to,
7 technologies leading to the production of diagnostic devices,
8 medicines, chemicals, construction materials, food, drinking
9 water, and energy from marine resources, as well as
10 technologies leading to improvements in public health and
11 safety, environmental cleanup and restoration, and management
12 of marine resources.

13 (e) Integrate and coordinate the activities of public
14 organizations and private organizations in the state involved
15 in marine biotechnology research and commercialization.

16 (f) Market and advocate the marine biotechnology
17 interests of the state to the private and public sectors in
18 this country and in other countries.

19 (g) Secure nonstate funds to support the programs and
20 operations of the consortium or other marine biotechnology
21 activities in the state.

22 (h) Promote the state, in cooperation with Enterprise
23 Florida, Inc., as a location for businesses having operations
24 related to marine biotechnology.

25 (i) Promote the state as a location for marine
26 biotechnology projects or activities of agencies of the
27 Federal Government or foreign governments.

28 (j) Assist educational institutions in the state to
29 enhance marine-science curricula and resources and to
30 encourage students to pursue careers in marine science.

31

1 (k) Identify problems and implement solutions on
2 issues affecting marine science and marine environments,
3 including, but not limited to, transportation, public
4 security, public health and safety, food production, and
5 commerce issues.

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

8 (a) Life sciences, including, but not limited to,
9 genomics, proteomics, aquaculture, fisheries, disease control,
10 and biotoxins.

11 (b) Medicine, including, but not limited to, clinical
12 diagnostics, therapeutics, immunological products, reagents,
13 and veterinary medicines.

14 (c) Engineering, including, but not limited to,
15 sensors, arrays, robotics, holographics, desalination, and
16 security devices.

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

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

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

23 1. Research laboratories;

24 2. Training centers or classrooms;

25 3. A library; and

26 4. Meeting and conference rooms with leading
27 communications technology.

28 (b) By February 1, 2004, the consortium shall submit
29 an initial plan for the facility to the Governor, the
30 President of the Senate, the Speaker of the House of
31

1 Representatives, and the chairman of the Statewide Board of
2 Governors, which plan must include:

3 1. Recommended functional and design requirements for
4 the facility, including, but not limited to, details relating
5 to its proposed size, operations, and location.

6 2. Cost estimates based upon the recommended
7 functional and design requirements.

8 3. A recommended process and timeline for siting and
9 completing the facility.

10 5. Identification of potential funding sources and a
11 strategy for securing funds.

12 (8) The board of trustees shall create a scientific
13 advisory council comprised of scientists, researchers,
14 academicians, businesspersons, and others whom the board
15 determines have scientific expertise that will benefit the
16 consortium.

17 (9) The board of trustees shall create a stakeholder
18 advisory council, comprised of representatives from
19 organizations in the state engaged in marine science
20 activities, to promote coordination and cooperation among
21 these organizations, and develop a comprehensive strategic
22 plan for the advancement of marine biotechnology in the state.
23 The council shall include at least one representative from
24 each public university and each private university in the
25 state with a marine science program, which representative is
26 selected by the board of trustees from individuals nominated
27 by the president of each university.

28 (10) By December 1 each year, the consortium shall
29 submit an annual report to the Governor, the President of the
30 Senate, the Speaker of the House of Representatives, and the
31 chairman of the Statewide Board of Governors containing:

1 (a) A detailed description of the activities and
2 accomplishments of the consortium.

3 (b) An annual financial accounting of resources and
4 expenditures conducted by an independent certified public
5 accountant.

6 (c) Any recommendations from the consortium for action
7 by the Legislature or by the agencies of state, county, or
8 municipal governments to foster development of marine
9 biotechnology.

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

12 (11) The consortium and its direct-support
13 organization are subject to chapter 119, Florida Statutes,
14 relating to public records, and chapter 286, Florida Statutes,
15 relating to public meetings.

16 (12) The board members shall serve without
17 compensation but are entitled to per diem and travel expenses
18 pursuant to section 112.061, Florida Statutes, while in the
19 performance of their duties.

20 (13) Appropriations to the Statewide Board of
21 Governors on behalf of the consortium shall be distributed to
22 the consortium under a contract between the Statewide Board of
23 Governors and the consortium.

24 (14) By November 1, 2003, the board of trustees shall
25 submit an operating plan to the Governor, the President of the
26 Senate, the Speaker of the House of Representatives, and the
27 chairman of the Statewide Board of Governors. The operating
28 plan must include:

29 (a) A detailed description of the organizational
30 structure and operating policies and procedures of the
31

1 consortium, its direct-support organization, and its advisory
2 councils.

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

5 (c) A recommended level of funding for fiscal year
6 2004-2005 for the consortium and a detailed description of the
7 proposed uses of the funds.

8 (d) Any recommendations for statutory revisions
9 governing, or applicable to, the consortium which are
10 important to the operation of the consortium or its goals.

11 (15) By February 1, 2004, the board of trustees shall
12 submit an initial strategic plan to the Governor, the
13 President of the Senate, the Speaker of the House of
14 Representatives, and the chairman of the Statewide Board of
15 Governors. In developing the strategic plan, the board shall
16 enlist the participation of public and private organizations
17 in the state engaged in marine biotechnology activities or
18 other marine science activities, including, but not limited
19 to, members of the scientific advisory council and the
20 stakeholder advisory council. The strategic plan must include:

21 (a) A mission statement.

22 (b) Short-term and long-term goals.

23 (c) Output and outcome measures to assess progress
24 toward achievement of such goals.

25 (d) A schedule and process for regularly updating and
26 revising the strategic plan.

27 Section 2. (1) There is appropriated from the General
28 Revenue Fund to the Statewide Board of Governors \$750,000 to
29 fund the activities of the Florida Marine Biotechnology
30 Consortium for fiscal year 2003-2004.

31

1 (2) The Statewide Board of Governors may appoint
2 interim staff to assist the Florida Marine Biotechnology
3 Consortium and the consortium's direct-support organization
4 during their initial phases of organization.

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

6
7 *****

8 SENATE SUMMARY

9 Creates the Florida Marine Biotechnology Consortium.
10 Provides for its organization, powers, and duties.
11 Provides appropriations. Requires reports. (See bill for
12 details.)
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31