

Bill No. HB 691, 1st Eng.

Amendment No. \_\_\_\_ Barcode 151548

CHAMBER ACTION

Senate

House

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Senator Klein moved the following **amendment to amendment**  
(405396):

**Senate Amendment (with title amendment)**

On page 13, between lines 13 and 14,

and insert:

Section 6. Section 1004.225, Florida Statutes, is  
amended to read:

1004.225 Florida Technology Development Act.--

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

(2) "Center of excellence," as used in this section,  
means an organization of personnel, facilities, and equipment  
established at or in collaboration with one or more  
universities in Florida to accomplish the purposes and  
objectives of this section. The purposes and objectives of a  
center of excellence include:

(a) Identifying and pursuing opportunities for  
university scholars, research center scientists and engineers,  
and private businesses to form collaborative partnerships to

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1 foster and promote the research required to develop  
2 commercially promising, advanced, and innovative technologies  
3 and to transfer those technologies to commercial sectors.

4 (b) Acquiring and leveraging public and private sector  
5 funding to provide the totality of funds, personnel,  
6 facilities, equipment, and other resources needed to support  
7 the research required to develop commercially promising,  
8 advanced, and innovative technologies and to transfer those  
9 technologies to commercial sectors.

10 (c) Recruiting and retaining world class scholars,  
11 high-performing students, and leading scientists and engineers  
12 in technology disciplines to engage in research in this state  
13 to develop commercially promising, advanced, and innovative  
14 technologies.

15 (d) Enhancing and expanding technology curricula and  
16 laboratory resources at universities and research centers in  
17 this state.

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

21 (f) Stimulating and supporting the inception, growth,  
22 and diversification of technology-based businesses and  
23 ventures in Florida and increasing employment opportunities  
24 for the workforce needed to support such businesses.

25 (3) ~~Subject to legislative appropriation,~~ The Emerging  
26 Technology Commission, or "commission," is created within the  
27 Executive Office of the Governor to guide the establishment of  
28 centers of excellence.

29 (a) The commission shall consist of five regular  
30 members appointed by the Governor, one of whom the Governor  
31 shall appoint as chair of the commission; two regular members

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1 appointed by the President of the Senate; two regular members  
2 appointed by the Speaker of the House of Representatives;  
3 ~~before January 7, 2003, the Secretary of Education as an ex~~  
4 ~~officio nonvoting member; effective January 7, 2003, the~~  
5 Commissioner of Education as an ex officio nonvoting member;  
6 and, as ex officio nonvoting members, the member of the Senate  
7 and the member of the House of Representatives who serve as  
8 members of the Florida Research Consortium, Inc. The regular  
9 members shall be business leaders, industrial researchers,  
10 academic researchers, scientists, or engineers who have been  
11 recognized as leaders in the state's emerging and advanced  
12 technology sectors. ~~Regular members must be appointed on or~~  
13 ~~before July 1, 2002.~~

14 (b) Members of the commission shall serve without  
15 compensation but shall be entitled to receive per diem and  
16 travel expenses in accordance with s. 112.061 while in  
17 performance of their duties.

18 (c) The Executive Office of the Governor shall provide  
19 staff support for the activities of the commission and per  
20 diem and travel expenses for commission members.

21 (4) By August 1, 2002, Florida Research Consortium,  
22 Inc., shall provide a report to the commission which describes  
23 in detail and prioritizes factors that contribute to the  
24 success of the creation of centers of excellence. At a  
25 minimum, the report should describe and prioritize the  
26 following factors:

27 (a) Maturity of existing university programs relating  
28 to a proposed center of excellence.

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

31 (c) Comprehensiveness and effectiveness of site plans

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1 relating to a proposed center of excellence.

2 (d) Regional economic structure and climate.

3 (e) The degree to which a university proposed to house  
4 a center of excellence identifies and seizes opportunities to  
5 collaborate with other public or private entities for research  
6 purposes.

7 (f) The presence of a comprehensive performance and  
8 accountability measurement system.

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

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

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

18 (j) The degree to which a university proposed to house  
19 a center of excellence stimulates and supports new venture  
20 creation.

21 (k) The existence of a plan to enhance academic  
22 curricula by improving communication between academia and  
23 industry.

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

28 (m) The existence of a plan to increase the likelihood  
29 of faculty, graduate students, and eminent scholars pursuing  
30 private sector careers in the state.

31 (n) Ability to provide capital facilities necessary to

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1 support research and development.

2           (5) By September 15, 2002, the commission shall  
3 develop and approve criteria for evaluating proposals  
4 submitted under this section ~~subsection (6)~~. When developing  
5 such criteria, the commission shall consider the report  
6 provided by Florida Research Consortium, Inc., under  
7 subsection (4) and hold at least two public hearings, at times  
8 and locations designated by the chair of the commission, for  
9 the purpose of soliciting expert testimony. By October 1,  
10 2002, the commission shall provide a list of such criteria to  
11 each university in the State University System and to the  
12 State Technology Office for publishing on the Internet within  
13 24 hours after the office's receipt of the list.

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

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

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1 such recommended plans, the commission shall consider the  
2 university proposals submitted under subsection (6) and hold  
3 at least three public hearings, at times and locations  
4 designated by the chair of the commission, for the purpose of  
5 soliciting expert testimony including, but not limited to,  
6 viewing presentations of university proposals.

7 (8) By March 15, 2003, the State Board of Education  
8 shall develop and approve a final plan for the establishment  
9 of one or more centers of excellence in the state and  
10 authorize expenditures for implementation of the plan. The  
11 final plan must allocate at least \$10 million to each center  
12 of excellence established by the plan. When developing this  
13 final plan, the board shall consider the commission's  
14 recommended plans submitted under subsection (7) 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 (9) 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 (8) and the success of the centers  
27 of excellence established under that plan.

28 (10)(a) Notwithstanding any provision in this section  
29 to the contrary, and subject to appropriation by the  
30 Legislature in the General Appropriations Act for fiscal year  
31 2003-2004, the commission shall, by August 1, 2003, reissue

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1 the list of criteria developed and approved under subsection  
2 (5) to each university in the state and to the State  
3 Technology Office for publishing on the Internet within 24  
4 hours after the office's receipt of the list.

5 (b) Concurrent with the provision of the list of  
6 criteria under paragraph (a), the commission shall notify each  
7 university, in writing, of the opportunity to submit to the  
8 commission written proposals for establishing one center of  
9 excellence under this subsection, which center shall be in  
10 addition to any centers of excellence established under other  
11 provisions of this section. Proposals must specifically  
12 address the evaluation criteria developed by the commission  
13 and delineate how funding would be used to develop the center  
14 of excellence. Proposals must be submitted to the commission  
15 before October 1, 2003.

16 (c) By December 1, 2003, the commission shall submit  
17 to the State Board of Education a recommended plan for the  
18 establishment of one center of excellence under this  
19 subsection. The recommended plan must specifically address the  
20 evaluation criteria developed by the commission and delineate  
21 how funding would be used to develop the center of excellence.  
22 When developing the recommended plan, the commission shall  
23 consider the proposals submitted under this subsection and  
24 hold at least two public hearings, at times and locations  
25 designated by the chair of the commission, for the purpose of  
26 soliciting expert testimony, including, but not limited to,  
27 viewing presentations of university proposals.

28 (d) By February 1, 2004, the State Board of Education  
29 shall develop and approve a final plan for the establishment  
30 of one center of excellence in the state under this subsection  
31 and authorize expenditures for implementation of the plan. The

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1 board shall consider the commission's recommended plan under  
 2 paragraph (c) and hold at least one public hearing for the  
 3 purpose of soliciting expert testimony. The final plan must  
 4 include performance and accountability measures that can be  
 5 used to assess the progress of plan implementation and the  
 6 success of the center of excellence established under the  
 7 final plan. By February 15, 2004, the board shall provide a  
 8 copy of the final plan to the Governor, the President of the  
 9 Senate, and the Speaker of the House of Representatives.

10 (e) Beginning June 30, 2004, the commission shall  
 11 report quarterly, in writing, to the Commissioner of Education  
 12 on the progress of the implementation of the final plan  
 13 approved under paragraph (d) and the success of the center of  
 14 excellence established under that plan.

15 ~~(11)(10)~~ This section expires July 1, 2005 ~~2004~~.

16 Section 7. The sum of \$50,000 is appropriated from the  
 17 General Revenue Fund to the Executive Office of the Governor  
 18 for the purpose of providing staff and administrative support  
 19 to the Emerging Technology Commission and per diem and travel  
 20 expenses for commission members during the 2003-2004 fiscal  
 21 year.

22  
 23 (Redesignate subsequent sections.)

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

27 And the title is amended as follows:

28 On page 14, line 20, after the semicolon

29  
 30 insert:

31 amending s. 1004.225, F.S.; removing historical



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1 provisions; conforming changes; providing for  
2 the designation of an additional center of  
3 excellence; providing application, evaluation,  
4 and designation procedures; extending the  
5 expiration of the Florida Technology  
6 Development Act;

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