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A bill to be entitled

An act relating to the establishment of a biomedical research institution and campus; creating s. 288.955, F.S.; providing definitions; creating the Scripps Florida Funding Corporation to facilitate the establishment and operation of a biomedical research institution for the purposes of enhancing education and research and promoting economic development and diversity; providing for its board of directors; prohibiting conflicts of interest; providing penalties; providing powers and duties of the corporation; providing for investment of funds; requiring an operating plan; requiring the corporation and Scripps Florida or another entity operating such an institution to enter into a contract; providing for disbursement and reinvestment of funds; requiring reports, audits, and evaluations; limiting the use of funds; providing that the appropriation of funds does not constitute a debt of the state or a subdivision of the state nor does it subject the state or a subdivision to liability; providing for extension of certain deadlines in certain situations in which the grantee cannot meet contract conditions with limitations; providing for resumption of such deadlines; requiring the office to contract with the corporation to transfer certain funds under certain circumstances; providing contract requirements; providing for contract rescission under certain circumstances; requiring the office to report quarterly to the Legislative Budget Commission; requiring the Legislative Budget Commission to make a continuing appropriation determination under certain circumstances; amending s. 403.973, F.S.;

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31 specifying that projects that are part of the biomedical
 32 research institution and campus are eligible for the
 33 expedited permitting process; providing for challenges to
 34 state agency action in expedited permitting related to the
 35 institution and campus; providing an effective date.
 36

37 Be It Enacted by the Legislature of the State of Florida:
 38

39 Section 1. Section 288.955, Florida Statutes, is created
 40 to read:

41 288.955 Scripps Florida Funding Corporation.--

42 (1) DEFINITIONS.--As used in this section, the term:

43 (a) "Contract" means the contract executed between the
 44 corporation and the grantee under this section.

45 (b) "Corporation" means the Scripps Florida Funding
 46 Corporation created under this section.

47 (c) "Grantee" means Scripps Florida, a not-for-profit
 48 entity, or a division, subsidiary, affiliate, or entity formed
 49 by The Scripps Research Institute to establish a state-of-the-
 50 art biomedical research institution and campus in this state.

51 (2) CREATION.--

52 (a) There is created a not-for-profit corporation known as
 53 the Scripps Florida Funding Corporation, which shall be
 54 registered, incorporated, organized, and operated under chapter
 55 617.

56 (b) The corporation is not a unit or entity of state
 57 government. However, the corporation is subject to the
 58 provisions of s. 24, Art. I of the State Constitution and
 59 chapter 119, relating to public meetings and records, and the

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60 provisions of chapter 286 relating to public meetings and
61 records.

62 (c) The corporation must establish at least one corporate
63 office in this state and appoint a registered agent.

64 (d) The corporation shall hire or contract for all staff
65 necessary to the proper execution of its powers and duties
66 within the funds appropriated to implement this section and
67 shall require that all officers, directors, and employees of the
68 corporation comply with the code of ethics for public officers
69 and employees under part III of chapter 112. In no case may the
70 corporation expend more than \$400,000 in the first year and
71 \$200,000 per year thereafter for staffing and necessary
72 administrative expenditures using funds appropriated to
73 implement this section.

74 (e) The Office of Tourism, Trade, and Economic Development
75 shall provide routine or incidental administrative support to
76 the corporation as requested by the corporation.

77 (3) PURPOSE.--The corporation shall be organized to
78 receive, hold, invest, administer, and disburse funds
79 appropriated by the Legislature for the establishment and
80 operation of a state-of-the-art biomedical research institution
81 and campus in this state by The Scripps Research Institute. The
82 corporation shall safeguard the state's commitment of financial
83 support by ensuring that, as a condition for the receipt of
84 these funds, the grantee meets its contractual obligations. In
85 this manner, the corporation shall facilitate and oversee the
86 state goal and public purpose of providing financial support for
87 the institution and campus in order to expand the amount and
88 prominence of biomedical research conducted in this state,
89 provide an inducement for high-technology businesses to locate

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90 in this state, create educational opportunities through access
 91 to and partnerships with the institution, and promote improved
 92 health care through the scientific outcomes of the institution.

93 (4) BOARD; MEMBERSHIP.--The corporation shall be governed
 94 by a board of directors.

95 (a) The board of directors shall consist of nine voting
 96 members, of whom the Governor shall appoint three, the President
 97 of the Senate shall appoint three, and the Speaker of the House
 98 of Representatives shall appoint three. All members must be
 99 appointed no later than November 30, 2003. The director of the
 100 Office of Tourism, Trade, and Economic Development or the
 101 director's designee shall serve as an ex-officio, nonvoting
 102 member of the board of directors.

103 (b) Each member of the board of directors shall serve for
 104 a term of 2 years, except that initially the Governor, the
 105 President of the Senate, and the Speaker of the House of
 106 Representatives each shall appoint one member for a term of 1
 107 year and two members for terms of 2 years to achieve staggered
 108 terms among the members of the board.

109 (c) A member is eligible for reappointment to the board of
 110 directors; however, no member may serve for a total period of
 111 more than 4 years.

112 (d) The Governor, the President of the Senate, or the
 113 Speaker of the House of Representatives, respectively, shall
 114 fill a vacancy on the board of directors, according to who
 115 appointed the member whose vacancy is to be filled or whose term
 116 has expired. A vacancy that occurs before the scheduled
 117 expiration of the term of the member shall be filled for the
 118 remainder of the unexpired term.

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119 (e) Each member of the board of directors who is not
 120 otherwise required to file financial disclosure under s. 8, Art.
 121 II of the State Constitution or s. 112.3144 shall file
 122 disclosure of financial interests under s. 112.3145.

123 (f) A person may not be appointed to the board of
 124 directors if he or she has had any interest, direct or indirect,
 125 in any contract, franchise, privilege, or other benefit granted
 126 by The Scripps Research Institute or any of its affiliate
 127 organizations within 5 years before appointment. A person
 128 appointed to the board of directors must agree to refrain from
 129 having any interest, direct or indirect, in any contract,
 130 franchise, privilege, or other benefit granted by The Scripps
 131 Research Institute or any of its affiliate organizations during
 132 the term of his or her appointment and for 5 years after the
 133 termination of such appointment. It is a misdemeanor of the
 134 first degree, punishable as provided in s. 775.083 or s.
 135 775.084, for a person to accept appointment to the board of
 136 directors in violation of this paragraph or to accept an
 137 interest in any contract, franchise, privilege, or other benefit
 138 granted by the institution or affiliate within 5 years after the
 139 termination of his or her service on the board.

140 (g) Each member of the board of directors shall serve
 141 without compensation but shall receive travel and per diem
 142 expenses as provided in s. 112.061.

143 (h) Each member of the board of directors is accountable
 144 for the proper performance of the duties of office, and each
 145 member owes a fiduciary duty to the people of the state to
 146 ensure that funds provided in furtherance of this section are
 147 disbursed and used as prescribed by law and contract. The
 148 Governor, the President of the Senate, or the Speaker of the

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149 House of Representatives, according to which officer appointed
150 the member, may remove a member for malfeasance, misfeasance,
151 neglect of duty, incompetence, permanent inability to perform
152 official duties, unexcused absence from three consecutive
153 meetings of the board, arrest or indictment for a crime that is
154 a felony or a misdemeanor involving theft or a crime of
155 dishonesty, or pleading nolo contendere to, or being found
156 guilty of, any crime.

157 (5) ORGANIZATION; MEETINGS.--

158 (a)1. The board of directors shall annually elect a
159 chairperson and a vice chairperson from among the board's
160 members. The members, by an affirmative vote of at least seven
161 of the nine members, may remove a member from the position of
162 chairperson or vice chairperson prior to the expiration of his
163 or her term as chairperson or vice chairperson. His or her
164 successor shall be elected to serve for the balance of the
165 removed chairperson's or vice chairperson's term.

166 2. The chairperson is responsible for ensuring that
167 records are kept of the proceedings of the board of directors
168 and is the custodian of all books, documents, and papers filed
169 with the board, the minutes of meetings of the board, and the
170 official seal of the corporation.

171 (b)1. The board of directors shall meet upon the call of
172 the chairperson or at the request of a majority of the members,
173 but no less than three times per calendar year.

174 2. A majority of the voting members of the board of
175 directors constitutes a quorum. Except as otherwise provided in
176 this section, the board may take official action by a majority
177 vote of the members present at any meeting at which a quorum is
178 present. Members may not vote by proxy.

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179 3. A member of the board may participate in a meeting of
 180 the board by telephone or videoconference through which each
 181 member may hear every other member.

182 (6) POWERS AND DUTIES.--The corporation is organized to
 183 receive, hold, invest, administer, and disburse funds
 184 appropriated by the Legislature in support of this section and
 185 to disburse any income generated from the investment of these
 186 funds consistent with the purpose and provisions of this
 187 section. In addition to the powers and duties prescribed in
 188 chapter 617 and the articles and bylaws adopted under that
 189 chapter, the corporation:

190 (a) May make and enter into contracts and assume any other
 191 functions that are necessary to carry out the provisions of this
 192 section.

193 (b) May make expenditures, from funds provided by this
 194 state, including any necessary administrative expenditures
 195 consistent with its powers.

196 (c) May enter into leases and contracts for the purchase
 197 of real property and hold notes, mortgages, guarantees, or
 198 security agreements to secure the performance of obligations of
 199 the grantee under the contract.

200 (d) May perform all acts and things necessary or
 201 convenient to carry out the powers expressly granted in this
 202 section and a contract entered into between the corporation and
 203 the grantee.

204 (e) May indemnify, and purchase and maintain insurance on
 205 behalf of, directors, officers, and employees of the corporation
 206 against any personal liability or accountability.

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207 (f) Shall disburse funds pursuant to the provisions of
 208 this section and a contract entered into between the corporation
 209 and the grantee.

210 (g) Shall receive and review reports and financial
 211 documentation provided by the grantee to ensure compliance with
 212 the provisions of this section and provisions of the contract.

213 (h) Shall prepare an annual report as prescribed in
 214 subsection (11).

215 (7) INVESTMENT OF FUNDS.--The corporation must enter into
 216 an agreement with the State Board of Administration under which
 217 funds received by the corporation from the Office of Tourism,
 218 Trade, and Economic Development which are not disbursed to the
 219 grantee shall be invested by the State Board of Administration
 220 on behalf of the corporation in an annuity product or in a
 221 fixed-return investment fund authorized under s. 215.47(1).

222 (8) CONTRACT.--

223 (a) By March 15, 2004, the corporation shall negotiate and
 224 execute a contract with the grantee governing the disbursement
 225 and use of funds under this section. If no contract has been
 226 executed by March 15, 2004, all unexpended funds shall revert
 227 and be returned to the Working Capital Fund of the state. The
 228 corporation may not execute the contract unless the contract is
 229 approved by the affirmative vote of at least seven of the nine
 230 members of the board of directors. At least 14 days before
 231 execution of the contract, The Scripps Research Institute must
 232 submit to the board, the Governor, the President of the Senate,
 233 and the Speaker of the House of Representatives an
 234 organizational plan, in a form and manner prescribed by the
 235 board, for the establishment of a state-of-the-art biomedical
 236 research institution and campus in this state, and the board

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237 must submit a copy of the proposed contract to the Governor, the
 238 President of the Senate, and the Speaker of the House of
 239 Representatives.

240 (b) The contract, at a minimum, must contain provisions:

241 1. Specifying the procedures and schedules that govern the
 242 disbursement of funds under this section and specifying the
 243 conditions or deliverables that the grantee must satisfy before
 244 the release of each disbursement.

245 2. Requiring the grantee to submit to the corporation a
 246 strategic plan in a form and manner prescribed by the
 247 corporation.

248 3. Prohibiting The Scripps Research Institute or the
 249 grantee from establishing other biomedical science or research
 250 facilities in any state other than this state or California for
 251 a period of 15 years from the commencement of the contract.

252 4. Governing the ownership of or security interests in
 253 real property and personal property, including, but not limited
 254 to, research equipment, obtained through the financial support
 255 of state or local government, including a provision that in the
 256 event of a breach of the contract or in the event the grantee
 257 ceases operations in this state, such property purchased with
 258 state funds shall revert to the state and such property
 259 purchased with local funds shall revert to the local governing
 260 authority.

261 5. Requiring the grantee to maintain a policy of awarding
 262 preference in employment to residents of this state, as defined
 263 by law, and to be an equal opportunity employer.

264 6. Requiring the grantee to maintain a policy of making
 265 purchases from vendors in this state, to the extent it is cost-
 266 effective.

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267 7. Requiring the grantee to enter into collaborative
268 partnerships with all the state's public and private
269 postsecondary educational institutions.

270 8. Requiring the grantee to participate in employee-
271 recruitment activities at a minimum of five public or private
272 universities or community colleges in this state every year
273 during the duration of the contract.

274 9. Requiring the grantee to use the Internet-based job-
275 listing system of the Agency for Workforce Innovation in
276 advertising employment opportunities.

277 10. Requiring the grantee to establish accredited science
278 degree programs.

279 11. Requiring the grantee to establish internship programs
280 to create learning opportunities for educators and secondary and
281 postsecondary students, including graduate and doctoral
282 students.

283 12. Requiring the grantee to submit data to the
284 corporation on the activities and performance during each fiscal
285 year and to provide to the corporation an annual accounting of
286 the expenditure of funds disbursed under this section.

287 13. Authorizing the grantee, when feasible, to use
288 information submitted by it to the Federal Government or to
289 other organizations awarding research grants to the grantee to
290 help meet reporting requirements imposed under this section or
291 the contract, if the information satisfies the reporting
292 standards of this section and the contract.

293 14. Requiring the grantee during the first 7 years of the
294 contract to create 545 positions and to acquire associated
295 research equipment for the grantee's facility in this state, and

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296 pay for related maintenance of the equipment, in a total amount
 297 of not less than \$45 million.

298 15. Requiring the grantee to progress in the creation of
 299 the total number of jobs prescribed in subparagraph 14. on the
 300 following schedule: 38 positions in the first year, 168
 301 positions in the second year, 280 positions in the third year,
 302 367 positions in the fourth year, 436 positions in the fifth
 303 year, 500 positions in the sixth year, and 545 positions in the
 304 seventh year. The board may allow the grantee to deviate from
 305 such employee levels by 25 percent in any year, to allow the
 306 grantee flexibility in achieving the objectives set forth in the
 307 business plan provided to the corporation; however, the grantee
 308 must have no fewer than 545 positions by the end of the seventh
 309 year.

310 16. Requiring the grantee to authorize the Auditor General
 311 and the Office of Program Policy Analysis and Government
 312 Accountability to inspect the records of the grantee to audit
 313 the expenditure of funds disbursed to the grantee, evaluate the
 314 compliance of the grantee with law and contract, or otherwise
 315 evaluate the performance of the grantee.

316 17. Requiring the grantee to purchase liability insurance
 317 and governing the coverage level of such insurance.

318 18. Requiring the grantee's expenditure of funds to be
 319 consistent with legislative intent as provided in this section.

320 (c) An amendment to the contract is not effective unless
 321 it is approved by the affirmative vote of at least seven of the
 322 nine members of the board of directors.

323 (9) DISBURSEMENTS.--

324 (a) The corporation shall disburse funds to the grantee
 325 over a period of 7 calendar years starting in the calendar year

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326 beginning January 1, 2004, under the terms and conditions of the
327 contract. The corporation shall complete disbursement of the
328 total amount of funds payable to the grantee under the contract
329 no later than December 31, 2010, unless the grantee fails to
330 satisfy the terms and conditions of the contract. Any funds of
331 the corporation that are not disbursed by December 31, 2010,
332 shall be returned to the state and deposited into the Biomedical
333 Research Trust Fund of the Department of Health.

334 (b) The contract shall provide for a reduction or
335 elimination of funding in any year if:

- 336 1. The grantee is no longer fully operating in this state;
337 2. The grantee has failed to commit in writing to maintain
338 full operations in the state for the succeeding year; or
339 3. The grantee commits a material default or breach of the
340 contract, as defined and governed by the contract.

341 (c) Each disbursement by the corporation to the grantee
342 under this section is conditioned upon the affirmative approval
343 of at least seven of the nine members of the board of directors
344 and upon demonstration by the grantee that the grantee has met
345 the particular contractual deliverables that are the basis for
346 that disbursement.

347 (10) USE OF FUNDS.--

348 (a) Funds appropriated in furtherance of this section may
349 not be disbursed or expended for activities that are not
350 directly related to the establishment or operation of the
351 grantee in this state, except upon approval of the affirmative
352 vote of at least seven of the nine members of the board of
353 directors.

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354 (b) No funds appropriated in furtherance of this section
 355 may be used for the purpose of lobbying any branch or agency of
 356 state government or any political subdivision of this state.

357 (11) ANNUAL REPORT.--By December 1 each year, the
 358 corporation shall prepare a report of the activities and
 359 outcomes under this section for the preceding fiscal year. The
 360 report, at a minimum, must include:

361 (a) A description of the activities of the corporation in
 362 managing and enforcing the contract with the grantee.

363 (b) An accounting of the amount of funds disbursed during
 364 the preceding fiscal year to the grantee and a description of
 365 the satisfaction of contract deliverables by the grantee which
 366 served as the basis for the disbursements.

367 (c) An accounting of expenditures by the grantee during
 368 the fiscal year of funds disbursed under this section.

369 (d) Information on the number and salary level of jobs
 370 created by the grantee, including the number and salary level of
 371 jobs created for residents of this state.

372 (e) Information on the amount and nature of economic
 373 activity generated through the activities of the grantee.

374 (f) A detailed assessment of the progress in achieving the
 375 return on investment associated with the grantee, as projected
 376 by economists on behalf of the Executive Office of Governor, of
 377 an additional \$3.2 billion in gross state product over a 15-year
 378 period, including an assessment of factors affecting the ability
 379 and likelihood to meet the projected return on investment.

380 (g) A compliance and financial audit of the accounts and
 381 records of the corporation at the end of the preceding fiscal
 382 year conducted by an independent certified public accountant in
 383 accordance with rules of the Auditor General.

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The corporation shall submit the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(12) PROGRAM EVALUATION.--

(a) Before January 1, 2007, the Office of Program Policy Analysis and Government Accountability shall conduct a performance audit of the Office of Tourism, Trade, and Economic Development and the corporation relating to the provisions of this section. The audit shall assess the implementation and outcomes of activities under this section. At a minimum, the audit shall address:

1. Performance of the Office of Tourism, Trade, and Economic Development in providing oversight for funds appropriated under this section.

2. Performance of the corporation in managing and enforcing the contract with the grantee.

3. Compliance by the corporation with the provisions of this section and the provisions of the contract.

4. Performance by the grantee under the contract.

5. Economic activity generated through funds disbursed under the contract, including, but not limited to, the number and salary level of jobs created by the grantee.

6. The nature and level of interaction between the grantee and educational institutions in the state.

(b) Before January 1, 2010, the Office of Program Policy Analysis and Government Accountability shall update the report required under this subsection. In addition to addressing the items prescribed in paragraph (a), the updated report shall

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413 include a recommendation on whether the Legislature should
 414 retain the statutory authority for the corporation.

415
 416 A report of each audit's findings and recommendations shall be
 417 submitted to the Governor, the President of the Senate, and the
 418 Speaker of the House of Representatives. In completing the
 419 performance audits required under this subsection, the Office of
 420 Program Policy Analysis and Government Accountability shall
 421 maximize the use of reports submitted by the grantee to the
 422 Federal Government or to other organizations awarding research
 423 grants to the grantee.

424 (13) LIABILITY.--

425 (a) The appropriation or disbursement of funds under this
 426 section does not constitute a debt, liability, or obligation of
 427 the State of Florida, any political subdivision thereof, or the
 428 corporation, or a pledge of the faith and credit of the state or
 429 of any such political subdivision.

430 (b) The appropriation or disbursement of funds under this
 431 section does not subject the State of Florida, any political
 432 subdivision thereof, or the corporation to liability related to
 433 the research activities and research products of the grantee.

434 (14) FORCE MAJEURE.--Notwithstanding any other provisions
 435 of this section, if the grantee is prevented from timely
 436 achieving any deadlines set forth in this section due to its
 437 inability to occupy its permanent facility in this state within
 438 2 years after entering into the memorandum of agreement pursuant
 439 to s. 403.973 as a result of permitting delays, administrative
 440 or judicial proceedings, acts of God, labor disturbances, or
 441 other similar events beyond the control of the grantee, the
 442 deadline shall be extended by the number of days by which the

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443 grantee was delayed in commencing its occupancy of its permanent
 444 facility in this state. In no event shall the extension be for
 445 more than 4 years. Upon occurrence of a force majeure event, the
 446 corporation shall continue to fund the grantee at a level that
 447 permits the corporation to sustain its current level of
 448 operations until the force majeure event ceases and the grantee
 449 is able to resume the contract schedule which governs
 450 disbursement.

451 Section 2. Continuing oversight.--

452 (1) The Office of Tourism, Trade, and Economic Development
 453 shall contract with the Scripps Florida Funding Corporation to
 454 transfer the funds appropriated by the Legislature for the
 455 purposes of this act. Such contract shall include a provision
 456 that the corporation can only disburse funds in strict
 457 accordance with legislative intent and that any failure to do so
 458 constitutes a rescission of the contract by the corporation
 459 requiring an immediate return by the corporation to the state of
 460 all undisbursed funds of the corporation. In addition, the
 461 contract between the office and the corporation shall provide
 462 for the release of no more than \$400,000 of the total
 463 appropriation until such time as the contract between the
 464 corporation and the grantee is executed. If such contract is not
 465 executed by the required date of March 15, 2004, all unexpended
 466 funds shall revert and be returned to the Working Capital Fund
 467 of the state.

468 (2) As a part of its oversight of the funds appropriated
 469 for the purposes of this act, the office shall report quarterly
 470 to the Legislative Budget Commission.

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471 (3) Upon receipt of the report, the Legislative Budget
 472 Commission shall make a determination as to whether the
 473 legislative intent for the appropriation continues to be met.

474 Section 3. Subsections (3) and (15) of section 403.973,
 475 Florida Statutes, are amended to read:

476 403.973 Expedited permitting; comprehensive plan
 477 amendments.--

478 (3)(a) The Governor, through the office, shall direct the
 479 creation of regional permit action teams, for the purpose of
 480 expediting review of permit applications and local comprehensive
 481 plan amendments submitted by:

- 482 1. Businesses creating at least 100 jobs, or
- 483 2. Businesses creating at least 50 jobs if the project is
 484 located in an enterprise zone, or in a county having a
 485 population of less than 75,000 or in a county having a
 486 population of less than 100,000 which is contiguous to a county
 487 having a population of less than 75,000, as determined by the
 488 most recent decennial census, residing in incorporated and
 489 unincorporated areas of the county, or

490 (b) On a case-by-case basis and at the request of a county
 491 or municipal government, the office may certify as eligible for
 492 expedited review a project not meeting the minimum job creation
 493 thresholds but creating a minimum of 10 jobs. The recommendation
 494 from the governing body of the county or municipality in which
 495 the project may be located is required in order for the office
 496 to certify that any project is eligible for expedited review
 497 under this paragraph. When considering projects that do not meet
 498 the minimum job creation thresholds but that are recommended by
 499 the governing body in which the project may be located, the

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500 office shall consider economic impact factors that include, but
 501 are not limited to:

502 1. The proposed wage and skill levels relative to those
 503 existing in the area in which the project may be located;

504 2. The project's potential to diversify and strengthen the
 505 area's economy;

506 3. The amount of capital investment; and

507 4. The number of jobs that will be made available for
 508 persons served by the welfare transition program.

509 (c) At the request of a county or municipal government,
 510 the office or a Quick Permitting County may certify projects
 511 located in counties where the ratio of new jobs per participant
 512 in the welfare transition program, as determined by Workforce
 513 Florida, Inc., is less than one or otherwise critical, as
 514 eligible for the expedited permitting process. Such projects
 515 must meet the numerical job creation criteria of this
 516 subsection, but the jobs created by the project do not have to
 517 be high-wage jobs that diversify the state's economy.

518 (d) Projects located in a designated brownfield area are
 519 eligible for the expedited permitting process.

520 (e) Projects that are part of the state-of-the-art
 521 biomedical research institution and campus to be established in
 522 this state by the grantee under s. 288.955 are eligible for the
 523 expedited permitting process.

524 (15)(a) Challenges to state agency action in the expedited
 525 permitting process for projects processed under this section are
 526 subject to the summary hearing provisions of s. 120.574, except
 527 that the administrative law judge's decision, as provided in s.
 528 120.574(2)(f), shall be in the form of a recommended order and
 529 shall not constitute the final action of the state agency. In

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530 those proceedings where the action of only one agency of the
 531 state is challenged, the agency of the state shall issue the
 532 final order within 10 working days of receipt of the
 533 administrative law judge's recommended order. In those
 534 proceedings where the actions of more than one agency of the
 535 state are challenged, the Governor shall issue the final order
 536 within 10 working days of receipt of the administrative law
 537 judge's recommended order. The participating agencies of the
 538 state may opt at the preliminary hearing conference to allow the
 539 administrative law judge's decision to constitute the final
 540 agency action. If a participating local government agrees to
 541 participate in the summary hearing provisions of s. 120.574 for
 542 purposes of review of local government comprehensive plan
 543 amendments, s. 163.3184(9) and (10) apply.

544 (b) Challenges to state agency action in the expedited
 545 permitting process for establishment of a state-of-the-art
 546 biomedical research institution and campus in this state by the
 547 grantee under s. 288.955 are subject to the same requirements as
 548 challenges brought under paragraph (a), except that,
 549 notwithstanding s. 120.574, summary proceedings must be
 550 conducted within 30 days after a party files the motion for
 551 summary hearing, regardless of whether the parties agree to the
 552 summary proceeding.

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