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A bill to be entitled

An act relating to centers of excellence; amending s. 1004.225, F.S.; deleting obsolete provisions; providing for terms of members appointed to the Emerging Technology Commission; providing for filling any vacancy that occurs during the term of a member of the commission; delaying the expiration of the Florida Technology Development Act; requiring Florida Research Consortium, Inc., to report to the Emerging Technology Commission within a specified timeframe with respect to criteria for reviewing proposals for a center of excellence; requiring the commission to notify state universities and the State Technology Office of approved criteria for submitting a proposal for a center of excellence by a specified date; requiring the Emerging Technology Commission to submit, by a specified date, a recommended plan to the State Board of Education for establishing or expanding one or more centers of excellence; providing a timeframe for the State Board of Education to approve a final plan and report to the Governor and the Legislature; providing appropriations; providing an effective date.

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

Section 1. 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."

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

36 (a) Identifying and pursuing opportunities for university
 37 scholars, research center scientists and engineers, and private
 38 businesses to form collaborative partnerships to foster and
 39 promote the research required to develop commercially promising,
 40 advanced, and innovative technologies and to transfer those
 41 technologies to commercial sectors.

42 (b) Acquiring and leveraging public and private sector
 43 funding to provide the totality of funds, personnel, facilities,
 44 equipment, and other resources needed to support the research
 45 required to develop commercially promising, advanced, and
 46 innovative technologies and to transfer those technologies to
 47 commercial sectors.

48 (c) Recruiting and retaining world class scholars, high-
 49 performing students, and leading scientists and engineers in
 50 technology disciplines to engage in research in this state to
 51 develop commercially promising, advanced, and innovative
 52 technologies.

53 (d) Enhancing and expanding technology curricula and
 54 laboratory resources at universities and research centers in
 55 this state.

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

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59 (f) Stimulating and supporting the inception, growth, and
 60 diversification of technology-based businesses and ventures in
 61 Florida and increasing employment opportunities for the
 62 workforce needed to support such businesses.

63 (3) ~~Subject to legislative appropriation,~~ The Emerging
 64 Technology Commission, or "commission," is created within the
 65 Executive Office of the Governor to guide the establishment of
 66 centers of excellence.

67 (a) The commission shall consist of five regular members
 68 appointed by the Governor, one of whom the Governor shall
 69 appoint as chair of the commission; two regular members
 70 appointed by the President of the Senate; two regular members
 71 appointed by the Speaker of the House of Representatives; ~~before~~
 72 ~~January 7, 2003, the Secretary of Education as an ex officio~~
 73 ~~nonvoting member; effective January 7, 2003, the Commissioner of~~
 74 Education as an ex officio nonvoting member; and, as ex officio
 75 nonvoting members, the member of the Senate and the member of
 76 the House of Representatives who serve as members of the Florida
 77 Research Consortium, Inc. The regular members shall be business
 78 leaders, industrial researchers, academic researchers,
 79 scientists, or engineers who have been recognized as leaders in
 80 the state's emerging and advanced technology sectors. A regular
 81 member of the commission may not serve for more than 4 years.
 82 Any vacancy that occurs during the term of a regular member of
 83 the commission shall be filled in the same manner as the
 84 original appointment. ~~Regular members must be appointed on or~~
 85 ~~before July 1, 2002.~~

86 (b) Members of the commission shall serve without
 87 compensation but shall be entitled to receive per diem and

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88 travel expenses in accordance with s. 112.061 while in
 89 performance of their duties.

90 (c) The Executive Office of the Governor shall provide
 91 staff support for the activities of the commission and per diem
 92 and travel expenses for commission members.

93 (4) ~~By August 1, 2002,~~ Florida Research Consortium, Inc.,
 94 shall provide a report to the commission which describes in
 95 detail and prioritizes factors that contribute to the success of
 96 the creation of centers of excellence. At a minimum, the report
 97 should describe and prioritize the following factors:

98 (a) Maturity of existing university programs relating to a
 99 proposed center of excellence.

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

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

104 (d) Regional economic structure and climate.

105 (e) The degree to which a university proposed to house a
 106 center of excellence identifies and seizes opportunities to
 107 collaborate with other public or private entities for research
 108 purposes.

109 (f) The presence of a comprehensive performance and
 110 accountability measurement system.

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

113 (h) The ability of a university proposed to house a center
 114 of excellence to raise research funds and leverage public and
 115 private investment dollars to support advanced and emerging
 116 technological research and development projects.

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

120 (j) The degree to which a university proposed to house a
 121 center of excellence stimulates and supports new venture
 122 creation.

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

125 (l) The existence of a plan to increase the number,
 126 quality, and retention rate of faculty, graduate students, and
 127 eminent scholars in advanced and emerging technology-based
 128 disciplines.

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

132 (n) Ability to provide capital facilities necessary to
 133 support research and development.

134 (5) ~~By September 15, 2002,~~ The commission shall develop
 135 and approve criteria for evaluating proposals submitted under
 136 this section ~~subsection (6)~~. When developing such criteria, the
 137 commission shall consider the report provided by Florida
 138 Research Consortium, Inc., under subsection (4) and hold at
 139 least two public hearings, at times and locations designated by
 140 the chair of the commission, for the purpose of soliciting
 141 expert testimony. ~~By October 1, 2002,~~ The commission shall
 142 provide a list of such criteria to each university in the State
 143 University System and to the State Technology Office for
 144 publishing on the Internet within 24 hours after the office's
 145 receipt of the list.

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146 (6) Concurrent with the provision of the list of criteria
 147 to the universities, the commission shall notify each
 148 university, in writing, of the opportunity to submit to the
 149 commission written proposals for establishing one or more
 150 centers of excellence. Proposals must specifically address the
 151 evaluation criteria developed by the commission and delineate
 152 how funding would be used to develop one or more centers of
 153 excellence. ~~Proposals must be submitted to the commission by~~
 154 ~~December 1, 2002. Notwithstanding this deadline, the commission,~~
 155 ~~upon an affirmative vote of a majority of its members, may~~
 156 ~~accept a proposal submitted after the deadline.~~

157 (7) ~~By February 1, 2003,~~ The commission shall submit to
 158 the State Board of Education a minimum of two, but no more than
 159 five, recommended plans for the establishment of one or more
 160 centers of excellence in the state. Recommended plans must
 161 specifically address the evaluation criteria developed by the
 162 commission and delineate how funding would be used to develop
 163 one or more centers of excellence. When developing such
 164 recommended plans, the commission shall consider the university
 165 proposals submitted under subsection (6) and hold at least three
 166 public hearings, at times and locations designated by the chair
 167 of the commission, for the purpose of soliciting expert
 168 testimony including, but not limited to, viewing presentations
 169 of university proposals.

170 (8) ~~By March 15, 2003,~~ The State Board of Education shall
 171 develop and approve a final plan for the establishment of one or
 172 more centers of excellence in the state and authorize
 173 expenditures for implementation of the plan. The final plan must
 174 allocate at least \$10 million to each center of excellence

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175 established by the plan. When developing this final plan, the
 176 board shall consider the commission's recommended plans
 177 submitted under subsection (7) and hold at least one public
 178 hearing for the purpose of soliciting expert testimony. The
 179 final plan must include performance and accountability measures
 180 that can be used to assess the progress of plan implementation
 181 and the success of the centers of excellence established under
 182 the final plan. ~~By March 22, 2003,~~ The board shall provide a
 183 copy of the final plan to the Governor, the President of the
 184 Senate, and the Speaker of the House of Representatives.

185 (9) ~~Beginning June 30, 2003,~~ The commission shall report
 186 quarterly, in writing, to the Commissioner of Education on the
 187 progress of the implementation of the final plan approved under
 188 subsection (8) and the success of the centers of excellence
 189 established under that plan.

190 (10) This section expires June 30, 2006 ~~July 1, 2004~~.

191 Section 2. Notwithstanding any provision of law to the
 192 contrary, and subject to a specific appropriation by the
 193 Legislature for fiscal year 2004-2005, the State Board of
 194 Education shall provide for the establishment or expansion of
 195 one or more centers of excellence in this state, as defined
 196 under section 1004.225, Florida Statutes, in the manner and
 197 using the timeframes prescribed in this section.

198 (1)(a) Florida Research Consortium, Inc., shall review the
 199 report submitted to the Emerging Technology Commission under
 200 section 1004.225, Florida Statutes, and revise the factors
 201 contributing to the success of a center of excellence as the
 202 consortium considers necessary.

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203 1. In reviewing the report and revising the factors, the
204 consortium shall, at a minimum, consider activities and progress
205 related to the establishment of the centers of excellence
206 designated under section 1004.225, Florida Statutes.

207 2. The consortium also shall ensure that the report
208 addresses factors contributing to the success of an expansion of
209 a center of excellence designated under section 1004.225,
210 Florida Statutes.

211 (b) By August 1, 2004, the consortium shall submit a
212 revised report to the commission.

213 (2)(a) By September 1, 2004, the Emerging Technology
214 Commission shall approve criteria for evaluating proposals for
215 establishing or expanding one or more centers of excellence
216 under this section. The commission shall consider the criteria
217 developed under section 1004.225, Florida Statutes, and the
218 revised report submitted by Florida Research Consortium, Inc.,
219 under subsection (1). The commission shall hold at least one
220 public hearing, at a time and location designated by the chair
221 of the commission, for the purpose of receiving expert testimony
222 on the evaluation criteria.

223 (b) By September 15, 2004, the commission shall provide a
224 list of the approved criteria to each university in the state
225 and to the State Technology Office for publishing on the
226 Internet within 24 hours after the office's receipt of the list.

227 (3)(a) Concurrent with the provision of the list of
228 criteria under subsection (2), the Emerging Technology
229 Commission shall notify each university in the state, in
230 writing, of the opportunity to submit to the commission a
231 written proposal for establishing a center of excellence under

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232 this section or expanding a center of excellence designated
 233 under section 1004.225, Florida Statutes. This section does not
 234 prevent a university that is the site of a center of excellence
 235 designated under section 1004.225, Florida Statutes, from
 236 submitting a proposal to establish a new center of excellence or
 237 to expand the existing center of excellence designated under
 238 that section.

239 (b) A proposal from a university must be submitted to the
 240 commission before November 1, 2004.

241 (c) A proposal must specifically address the evaluation
 242 criteria developed by the commission and specify how funding
 243 would be used to establish or expand a center of excellence.

244 (4) By January 1, 2005, the Emerging Technology Commission
 245 shall submit to the State Board of Education a recommended plan
 246 for establishing or expanding one or more centers of excellence
 247 under this section. The recommended plan must specifically
 248 address the evaluation criteria developed by the commission and
 249 specify how funding would be used to establish or expand each
 250 center of excellence. When developing the recommended plan, the
 251 commission shall consider the proposals submitted under this
 252 section and hold at least two public hearings, at times and
 253 locations designated by the chair of the commission, for the
 254 purpose of receiving expert testimony, including, but not
 255 limited to, viewing presentations of university proposals.

256 (5)(a) By February 15, 2005, the State Board of Education
 257 shall develop and approve a final plan for establishing or
 258 expanding one or more centers of excellence under this section
 259 and shall authorize expenditures for implementing the plan.

260 (b) The plan may provide for:

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261 1. Designating one or more centers of excellence, which
262 shall be in addition to any centers of excellence designated
263 under section 1004.225, Florida Statutes;

264 2. Expanding one or more of the centers of excellence
265 designated under section 1004.225, Florida Statutes; or

266 3. Designating one or more new centers of excellence and
267 expanding one or more of the centers of excellence designated
268 under section 1004.225, Florida Statutes.

269 (c) The final plan must include performance and
270 accountability measures that can be used to assess the progress
271 of plan implementation and the success of each center of
272 excellence that receives funding under the final plan. By March
273 1, 2005, the State Board of Education shall provide a copy of
274 the final plan to the Governor, the President of the Senate, and
275 the Speaker of the House of Representatives.

276 (6) Beginning July 1, 2005, the Emerging Technology
277 Commission, as part of the report submitted under section
278 1004.225(9), Florida Statutes, shall report quarterly, in
279 writing, to the Commissioner of Education on the progress in
280 implementing the final plan approved under subsection (5) and
281 the success of each center of excellence that receives funding
282 under that plan.

283 Section 3. The sum of \$50,000 is appropriated from the
284 General Revenue Fund to the Executive Office of the Governor for
285 the purpose of providing staff and administrative support to the
286 Emerging Technology Commission, created under section 1004.225,
287 Florida Statutes, and per diem and travel expenses for
288 commission members during the 2004-2005 fiscal year.

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289 Section 4. The sum of \$100 million is appropriated from
290 the General Revenue Fund to the Department of Education during
291 the 2004-2005 fiscal year for the purpose of establishing one or
292 more additional centers of excellence or expanding one or more
293 existing centers of excellence as provided in this act. The
294 final plan approved by the State Board of Education for the
295 establishment or expansion of one or more centers of excellence
296 must allocate at least \$10 million to each center of excellence
297 established or expanded under the plan.

298 Section 5. This act shall take effect upon becoming a law.