

By Senator Klein

30-1304-04

1 A bill to be entitled
2 An act relating to centers of excellence;
3 amending s. 1004.225, F.S.; deleting obsolete
4 provisions; providing for terms of members
5 appointed to the Emerging Technology
6 Commission; providing for filling any vacancy
7 that occurs during the term of a member of the
8 commission; delaying the expiration of the
9 Florida Technology Development Act; requiring
10 Florida Research Consortium, Inc., to report to
11 the Emerging Technology Commission within a
12 specified timeframe with respect to criteria
13 for reviewing proposals for a center of
14 excellence; requiring the commission to notify
15 state universities and the State Technology
16 Office of approved criteria for submitting a
17 proposal for a center of excellence by a
18 specified date; requiring the Emerging
19 Technology Commission to submit, by a specified
20 date, a recommended plan to the State Board of
21 Education for establishing or expanding one or
22 more centers of excellence; providing a
23 timeframe for the State Board of Education to
24 approve a final plan and report to the Governor
25 and the Legislature; providing appropriations;
26 providing an effective date.

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

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30 Section 1. Section 1004.225, Florida Statutes, is
31 amended to read:

1 1004.225 Florida Technology Development Act.--

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

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

10 (a) Identifying and pursuing opportunities for
11 university scholars, research center scientists and engineers,
12 and private businesses to form collaborative partnerships to
13 foster and promote the research required to develop
14 commercially promising, advanced, and innovative technologies
15 and to transfer those technologies to commercial sectors.

16 (b) Acquiring and leveraging public and private sector
17 funding to provide the totality of funds, personnel,
18 facilities, equipment, and other resources needed to support
19 the research required to develop commercially promising,
20 advanced, and innovative technologies and to transfer those
21 technologies to commercial sectors.

22 (c) Recruiting and retaining world class scholars,
23 high-performing students, and leading scientists and engineers
24 in technology disciplines to engage in research in this state
25 to develop commercially promising, advanced, and innovative
26 technologies.

27 (d) Enhancing and expanding technology curricula and
28 laboratory resources at universities and research centers in
29 this state.

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

4 (f) Stimulating and supporting the inception, growth,
5 and diversification of technology-based businesses and
6 ventures in Florida and increasing employment opportunities
7 for the workforce needed to support such businesses.

8 (3) ~~Subject to legislative appropriation,~~The Emerging
9 Technology Commission, or "commission," is created within the
10 Executive Office of the Governor to guide the establishment of
11 centers of excellence.

12 (a) The commission shall consist of five regular
13 members appointed by the Governor, one of whom the Governor
14 shall appoint as chair of the commission; two regular members
15 appointed by the President of the Senate; two regular members
16 appointed by the Speaker of the House of Representatives;
17 ~~before January 7, 2003, the Secretary of Education as an ex~~
18 ~~officio nonvoting member; effective January 7, 2003, the~~
19 Commissioner of Education as an ex officio nonvoting member;
20 and, as ex officio nonvoting members, the member of the Senate
21 and the member of the House of Representatives who serve as
22 members of the Florida Research Consortium, Inc. The regular
23 members shall be business leaders, industrial researchers,
24 academic researchers, scientists, or engineers who have been
25 recognized as leaders in the state's emerging and advanced
26 technology sectors. A regular member of the commission may not
27 serve for more than 4 years. Any vacancy that occurs during
28 the term of a regular member of the commission shall be filled
29 in the same manner as the original appointment. Regular
30 ~~members must be appointed on or before July 1, 2002.~~

1 (b) Members of the commission shall serve without
2 compensation but shall be entitled to receive per diem and
3 travel expenses in accordance with s. 112.061 while in
4 performance of their duties.

5 (c) The Executive Office of the Governor shall provide
6 staff support for the activities of the commission and per
7 diem and travel expenses for commission members.

8 (4) ~~By August 1, 2002,~~ Florida Research Consortium,
9 Inc., shall provide a report to the commission which describes
10 in detail and prioritizes factors that contribute to the
11 success of the creation of centers of excellence. At a
12 minimum, the report should describe and prioritize the
13 following factors:

14 (a) Maturity of existing university programs relating
15 to a proposed center of excellence.

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

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

20 (d) Regional economic structure and climate.

21 (e) The degree to which a university proposed to house
22 a center of excellence identifies and seizes opportunities to
23 collaborate with other public or private entities for research
24 purposes.

25 (f) The presence of a comprehensive performance and
26 accountability measurement system.

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

29 (h) The ability of a university proposed to house a
30 center of excellence to raise research funds and leverage
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1 public and private investment dollars to support advanced and
2 emerging technological research and development projects.

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

6 (j) The degree to which a university proposed to house
7 a center of excellence stimulates and supports new venture
8 creation.

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

12 (l) The existence of a plan to increase the number,
13 quality, and retention rate of faculty, graduate students, and
14 eminent scholars in advanced and emerging technology-based
15 disciplines.

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

19 (n) Ability to provide capital facilities necessary to
20 support research and development.

21 (5) ~~By September 15, 2002,~~The commission shall
22 develop and approve criteria for evaluating proposals
23 submitted under this section ~~subsection (6)~~. When developing
24 such criteria, the commission shall consider the report
25 provided by Florida Research Consortium, Inc., under
26 subsection (4) and hold at least two public hearings, at times
27 and locations designated by the chair of the commission, for
28 the purpose of soliciting expert testimony. ~~By October 1,~~
29 ~~2002,~~The commission shall provide a list of such criteria to
30 each university in the State University System and to the
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1 State Technology Office for publishing on the Internet within
2 24 hours after the office's receipt of the list.

3 (6) Concurrent with the provision of the list of
4 criteria to the universities, the commission shall notify each
5 university, in writing, of the opportunity to submit to the
6 commission written proposals for establishing one or more
7 centers of excellence. Proposals must specifically address the
8 evaluation criteria developed by the commission and delineate
9 how funding would be used to develop one or more centers of
10 excellence. ~~Proposals must be submitted to the commission by~~
11 ~~December 1, 2002. Notwithstanding this deadline, the~~
12 ~~commission, upon an affirmative vote of a majority of its~~
13 ~~members, may accept a proposal submitted after the deadline.~~

14 (7) ~~By February 1, 2003,~~The commission shall submit
15 to the State Board of Education a minimum of two, but no more
16 than five, recommended plans for the establishment of one or
17 more centers of excellence in the state. Recommended plans
18 must specifically address the evaluation criteria developed by
19 the commission and delineate how funding would be used to
20 develop one or more centers of excellence. When developing
21 such recommended plans, the commission shall consider the
22 university proposals submitted under subsection (6) and hold
23 at least three public hearings, at times and locations
24 designated by the chair of the commission, for the purpose of
25 soliciting expert testimony including, but not limited to,
26 viewing presentations of university proposals.

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

1 of excellence established by the plan. When developing this
2 final plan, the board shall consider the commission's
3 recommended plans submitted under subsection (7) and hold at
4 least one public hearing for the purpose of soliciting expert
5 testimony. The final plan must include performance and
6 accountability measures that can be used to assess the
7 progress of plan implementation and the success of the centers
8 of excellence established under the final plan. ~~By March 22,~~
9 ~~2003,~~The board shall provide a copy of the final plan to the
10 Governor, the President of the Senate, and the Speaker of the
11 House of Representatives.

12 (9) ~~Beginning June 30, 2003,~~The commission shall
13 report quarterly, in writing, to the Commissioner of Education
14 on the progress of the implementation of the final plan
15 approved under subsection (8) and the success of the centers
16 of excellence established under that plan.

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

18 Section 2. Notwithstanding any provision of law to the
19 contrary, and subject to a specific appropriation by the
20 Legislature for fiscal year 2004-2005, the State Board of
21 Education shall provide for the establishment or expansion of
22 one or more centers of excellence in this state, as defined
23 under section 1004.225, Florida Statutes, in the manner and
24 using the timeframes prescribed in this section.

25 (1)(a) Florida Research Consortium, Inc., shall review
26 the report submitted to the Emerging Technology Commission
27 under section 1004.225, Florida Statutes, and revise the
28 factors contributing to the success of a center of excellence
29 as the consortium considers necessary.

30 1. In reviewing the report and revising the factors,
31 the consortium shall, at a minimum, consider activities and

1 progress related to the establishment of the centers of
2 excellence designated under section 1004.225, Florida
3 Statutes.

4 2. The consortium also shall ensure that the report
5 addresses factors contributing to the success of an expansion
6 of a center of excellence designated under section 1004.225,
7 Florida Statutes.

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

10 (2)(a) By September 1, 2004, the Emerging Technology
11 Commission shall approve criteria for evaluating proposals for
12 establishing or expanding one or more centers of excellence
13 under this section. The commission shall consider the criteria
14 developed under section 1004.225, Florida Statutes, and the
15 revised report submitted by Florida Research Consortium, Inc.,
16 under subsection (1). The commission shall hold at least one
17 public hearing, at a time and location designated by the chair
18 of the commission, for the purpose of receiving expert
19 testimony on the evaluation criteria.

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

25 (3)(a) Concurrent with the provision of the list of
26 criteria under subsection (2), the Emerging Technology
27 Commission shall notify each university in the state, in
28 writing, of the opportunity to submit to the commission a
29 written proposal for establishing a center of excellence under
30 this section or expanding a center of excellence designated
31 under section 1004.225, Florida Statutes. This section does

1 not prevent a university that is the site of a center of
2 excellence designated under section 1004.225, Florida
3 Statutes, from submitting a proposal to establish a new center
4 of excellence or to expand the existing center of excellence
5 designated under that section.

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

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

12 (4) By January 1, 2005, the Emerging Technology
13 Commission shall submit to the State Board of Education a
14 recommended plan for establishing or expanding one or more
15 centers of excellence under this section. The recommended plan
16 must specifically address the evaluation criteria developed by
17 the commission and specify how funding would be used to
18 establish or expand each center of excellence. When developing
19 the recommended plan, the commission shall consider the
20 proposals submitted under this section and hold at least two
21 public hearings, at times and locations designated by the
22 chair of the commission, for the purpose of receiving expert
23 testimony, including, but not limited to, viewing
24 presentations of university proposals.

25 (5)(a) By February 15, 2005, the State Board of
26 Education shall develop and approve a final plan for
27 establishing or expanding one or more centers of excellence
28 under this section and shall authorize expenditures for
29 implementing the plan.

30 (b) The plan may provide for:
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1 1. Designating one or more centers of excellence,
2 which shall be in addition to any centers of excellence
3 designated under section 1004.225, Florida Statutes;

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

6 3. Designating one or more new centers of excellence
7 and expanding one or more of the centers of excellence
8 designated under section 1004.225, Florida Statutes.

9 (c) The final plan must include performance and
10 accountability measures that can be used to assess the
11 progress of plan implementation and the success of each center
12 of excellence that receives funding under the final plan. By
13 March 1, 2005, the State Board of Education shall provide a
14 copy of the final plan to the Governor, the President of the
15 Senate, and the Speaker of the House of Representatives.

16 (6) Beginning July 1, 2005, the Emerging Technology
17 Commission, as part of the report submitted under section
18 1004.225(9), Florida Statutes, shall report quarterly, in
19 writing, to the Commissioner of Education on the progress in
20 implementing the final plan approved under subsection (5) and
21 the success of each center of excellence that receives funding
22 under that plan.

23 Section 3. The sum of \$50,000 is appropriated from the
24 General Revenue Fund to the Executive Office of the Governor
25 for the purpose of providing staff and administrative support
26 to the Emerging Technology Commission, created under section
27 1004.225, Florida Statutes, and per diem and travel expenses
28 for commission members during the 2004-2005 fiscal year.

29 Section 4. The sum of \$100 million is appropriated
30 from the General Revenue Fund to the Department of Education
31 during the 2004-2005 fiscal year for the purpose of

1 establishing one or more additional centers of excellence or
2 expanding one or more existing centers of excellence as
3 provided in this act. The final plan approved by the State
4 Board of Education for the establishment or expansion of one
5 or more centers of excellence must allocate at least \$10
6 million to each center of excellence established or expanded
7 under the plan.

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

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12 SENATE SUMMARY

13 Specifies terms of 4 years for the appointed members of
14 the Emerging Technology Commission. Delays the expiration
15 of the Florida Technology Development Act until June 30,
16 2006. Provides a timeframe for establishing or expanding
17 one or more centers of excellence. Provides
18 appropriations. (See bill for details.)
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