

By the Committee on Appropriations; and Senators Klein and Atwater

309-2692-04

1 A bill to be entitled

2 An act relating to public postsecondary

3 education and state universities; amending s.

4 1004.225, F.S.; deleting obsolete provisions;

5 providing for terms of members appointed to the

6 Emerging Technology Commission; providing for

7 filling any vacancy that occurs during the term

8 of a member of the commission; delaying the

9 expiration of the Florida Technology

10 Development Act; requiring Florida Research

11 Consortium, Inc., to report to the Emerging

12 Technology Commission within a specified

13 timeframe with respect to criteria for

14 reviewing proposals for a center of excellence;

15 requiring the commission to notify state

16 universities and the State Technology Office of

17 approved criteria for submitting a proposal for

18 a center of excellence by a specified date;

19 requiring the Emerging Technology Commission to

20 submit, by a specified date, a recommended plan

21 to the State Board of Education for

22 establishing or expanding one or more centers

23 of excellence; providing a timeframe for the

24 State Board of Education to approve a final

25 plan and report to the Governor and the

26 Legislature; providing an appropriation;

27 amending s. 1004.55, F.S.; relocating regional

28 autism centers for certain counties; providing

29 an effective date.

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

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

3 1004.225 Florida Technology Development Act.--

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

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

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

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

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

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

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.~~
31

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
31

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
31

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:
31

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
24 nonrecurring general revenue to the Executive Office of the
25 Governor for the purpose of providing staff and administrative
26 support to the Emerging Technology Commission, created under
27 section 1004.225, Florida Statutes, and per diem and travel
28 expenses for commission members during the 2004-2005 fiscal
29 year.

30 Section 4. Subsections (1) and (3) of section 1004.55,
31 Florida Statutes, are amended to read:

1 1004.55 Regional autism centers.--
2 (1) Seven ~~Six~~ regional autism centers are established
3 to provide nonresidential resource and training services for
4 persons of all ages and of all levels of intellectual
5 functioning who have autism, as defined in s. 393.063; who
6 have a pervasive developmental disorder that is not otherwise
7 specified; who have an autistic-like disability; who have a
8 dual sensory impairment; or who have a sensory impairment with
9 other handicapping conditions. Each center shall be
10 operationally and fiscally independent and shall provide
11 services within its geographical region of the state. Each
12 center shall coordinate services within and between state and
13 local agencies and school districts but may not duplicate
14 services provided by those agencies or school districts. The
15 respective locations and service areas of the centers are:
16 (a) The Department of Communication Disorders at
17 Florida State University, which serves Bay, Calhoun, Escambia,
18 Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon,
19 Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla,
20 Walton, and Washington Counties.
21 (b) The College of Medicine at the University of
22 Florida, which serves Alachua, Bradford, Citrus, Columbia,
23 Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Levy, Marion,
24 Putnam, Suwannee, and Union Counties.
25 (c) The University of Florida Health Science Center at
26 Jacksonville, which serves Baker, Clay, Duval, Flagler,
27 Nassau, and St. Johns Counties.
28 (d) The Louis de la Parte Florida Mental Health
29 Institute at the University of South Florida, which serves
30 Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands,
31

1 Hillsborough, ~~Indian River~~, Lee, Manatee, ~~Martin~~, ~~Okeechobee~~,
2 Pasco, Pinellas, Polk, ~~St. Lucie~~, and Sarasota Counties.

3 (e) The Mailman Center for Child Development at the
4 University of Miami, which serves Broward, Dade and, ~~Monroe~~,
5 ~~and Palm Beach~~ Counties.

6 (f) The College of Health and Public Affairs at the
7 University of Central Florida, which serves Brevard, Lake,
8 Orange, Osceola, Seminole, Sumter, and Volusia Counties.

9 (g) The Department of Exceptional Student Education at
10 Florida Atlantic University, which serves Palm Beach, Martin,
11 St. Lucie, Okeechobee, and Indian River Counties.

12 (3) To promote statewide planning and coordination, a
13 conference must be held annually for staff from each of the
14 seven ~~five~~ centers and representatives from each center's
15 constituency board. The purpose of the conference is to
16 facilitate coordination, networking, cross-training, and
17 feedback among the staffs and constituency boards of the
18 centers.

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

21
22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
23 COMMITTEE SUBSTITUTE FOR
24 Senate Bill 1900

25 The committee substitute removes the \$100 million
26 appropriation for the implementation of a plan to be developed
27 by the Emerging Technology Commission to establish one or more
28 additional centers of excellence.

28 The committee substitute establishes the Department of
29 Exceptional Student Education at Florida Atlantic University,
30 which serves Palm Beach, Martin, St. Lucie, Okeechobee, and
31 Indian River Counties, as the seventh regional autism center
in the state.