

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; creating s. 1004.451, F.S.;
27 creating the Florida State University Center
28 for the Performing Arts Direct Support
29 Organization; providing an appropriation;
30 amending s. 1004.55, F.S.; relocating regional
31 autism centers for certain counties; creating

1 s. 1004.63, F.S.; creating the Florida-Scripps
2 Research Compact; providing an appropriation;
3 providing an effective date.
4

5 Be It Enacted by the Legislature of the State of Florida:
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7 Section 1. Section 1004.225, Florida Statutes, is
8 amended to read:

9 1004.225 Florida Technology Development Act.--

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

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

18 (a) Identifying and pursuing opportunities for
19 university scholars, research center scientists and engineers,
20 and private businesses to form collaborative partnerships to
21 foster and promote the research required to develop
22 commercially promising, advanced, and innovative technologies
23 and to transfer those technologies to commercial sectors.

24 (b) Acquiring and leveraging public and private sector
25 funding to provide the totality of funds, personnel,
26 facilities, equipment, and other resources needed to support
27 the research required to develop commercially promising,
28 advanced, and innovative technologies and to transfer those
29 technologies to commercial sectors.

30 (c) Recruiting and retaining world class scholars,
31 high-performing students, and leading scientists and engineers

1 in technology disciplines to engage in research in this state
2 to develop commercially promising, advanced, and innovative
3 technologies.

4 (d) Enhancing and expanding technology curricula and
5 laboratory resources at universities and research centers in
6 this state.

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

10 (f) Stimulating and supporting the inception, growth,
11 and diversification of technology-based businesses and
12 ventures in Florida and increasing employment opportunities
13 for the workforce needed to support such businesses.

14 (3) ~~Subject to legislative appropriation,~~ The Emerging
15 Technology Commission, or "commission," is created within the
16 Executive Office of the Governor to guide the establishment of
17 centers of excellence.

18 (a) The commission shall consist of five regular
19 members appointed by the Governor, one of whom the Governor
20 shall appoint as chair of the commission; two regular members
21 appointed by the President of the Senate; two regular members
22 appointed by the Speaker of the House of Representatives;
23 ~~before January 7, 2003, the Secretary of Education as an ex~~
24 ~~officio nonvoting member; effective January 7, 2003, the~~
25 Commissioner of Education as an ex officio nonvoting member;
26 and, as ex officio nonvoting members, the member of the Senate
27 and the member of the House of Representatives who serve as
28 members of the Florida Research Consortium, Inc. The regular
29 members shall be business leaders, industrial researchers,
30 academic researchers, scientists, or engineers who have been
31 recognized as leaders in the state's emerging and advanced

1 technology sectors. A regular member of the commission may not
2 serve for more than 4 years. Any vacancy that occurs during
3 the term of a regular member of the commission shall be filled
4 in the same manner as the original appointment. Regular
5 ~~members must be appointed on or before July 1, 2002.~~

6 (b) Members of the commission shall serve without
7 compensation but shall be entitled to receive per diem and
8 travel expenses in accordance with s. 112.061 while in
9 performance of their duties.

10 (c) The Executive Office of the Governor shall provide
11 staff support for the activities of the commission and per
12 diem and travel expenses for commission members.

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

19 (a) Maturity of existing university programs relating
20 to a proposed center of excellence.

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

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

25 (d) Regional economic structure and climate.

26 (e) The degree to which a university proposed to house
27 a center of excellence identifies and seizes opportunities to
28 collaborate with other public or private entities for research
29 purposes.

30 (f) The presence of a comprehensive performance and
31 accountability measurement system.

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

3 (h) The ability of a university proposed to house a
4 center of excellence to raise research funds and leverage
5 public and private investment dollars to support advanced and
6 emerging technological research and development projects.

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

10 (j) The degree to which a university proposed to house
11 a center of excellence stimulates and supports new venture
12 creation.

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

16 (l) The existence of a plan to increase the number,
17 quality, and retention rate of faculty, graduate students, and
18 eminent scholars in advanced and emerging technology-based
19 disciplines.

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

23 (n) Ability to provide capital facilities necessary to
24 support research and development.

25 (5) ~~By September 15, 2002,~~ The commission shall
26 develop and approve criteria for evaluating proposals
27 submitted under this section ~~subsection (6)~~. When developing
28 such criteria, the commission shall consider the report
29 provided by Florida Research Consortium, Inc., under
30 subsection (4) and hold at least two public hearings, at times
31 and locations designated by the chair of the commission, for

1 the purpose of soliciting expert testimony. ~~By October 1,~~
2 ~~2002,~~ The commission shall provide a list of such criteria to
3 each university in the State University System and to the
4 State Technology Office for publishing on the Internet within
5 24 hours after the office's receipt of the list.

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

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

30 (8) ~~By March 15, 2003,~~ The State Board of Education
31 shall develop and approve a final plan for the establishment

1 of one or more centers of excellence in the state and
2 authorize expenditures for implementation of the plan. The
3 final plan must allocate at least \$10 million to each center
4 of excellence established by the plan. When developing this
5 final plan, the board shall consider the commission's
6 recommended plans submitted under subsection (7) and hold at
7 least one public hearing for the purpose of soliciting expert
8 testimony. The final plan must include performance and
9 accountability measures that can be used to assess the
10 progress of plan implementation and the success of the centers
11 of excellence established under the final plan. ~~By March 22,~~
12 ~~2003,~~ The board shall provide a copy of the final plan to the
13 Governor, the President of the Senate, and the Speaker of the
14 House of Representatives.

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

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

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

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

3 1. In reviewing the report and revising the factors,
4 the consortium shall, at a minimum, consider activities and
5 progress related to the establishment of the centers of
6 excellence designated under section 1004.225, Florida
7 Statutes.

8 2. The consortium also shall ensure that the report
9 addresses factors contributing to the success of an expansion
10 of a center of excellence designated under section 1004.225,
11 Florida Statutes.

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

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

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

29 (3)(a) Concurrent with the provision of the list of
30 criteria under subsection (2), the Emerging Technology
31 Commission shall notify each university in the state, in

1 writing, of the opportunity to submit to the commission a
2 written proposal for establishing a center of excellence under
3 this section or expanding a center of excellence designated
4 under section 1004.225, Florida Statutes. This section does
5 not prevent a university that is the site of a center of
6 excellence designated under section 1004.225, Florida
7 Statutes, from submitting a proposal to establish a new center
8 of excellence or to expand the existing center of excellence
9 designated under that section.

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

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

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

29 (5)(a) By February 15, 2005, the State Board of
30 Education shall develop and approve a final plan for
31 establishing or expanding one or more centers of excellence

1 under this section and shall authorize expenditures for
2 implementing the plan.

3 (b) The plan may provide for:

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

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

9 3. Designating one or more new centers of excellence
10 and expanding one or more of the centers of excellence
11 designated under section 1004.225, Florida Statutes.

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

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

26 Section 3. Section 1004.451, Florida Statutes, is
27 created to read:

28 1004.451 Center for the Performing Arts direct-support
29 organization.--

30 (1) Florida State University shall create a
31 direct-support organization for the Florida State University

1 Center for the Performing Arts for the purposes described in
2 this section. The board of directors of the direct-support
3 organization shall consist of eleven members. The core
4 members of the board of directors shall be the President of
5 Florida State University, the Chair of the Board of Trustees
6 for Florida State University, the Dean of Florida State
7 University School of Theater, the Dean of Florida State
8 University School of Visual Arts and Dance, the Director of
9 Florida State University Conservatory for Actor Training in
10 Sarasota, and two members nominated by Asolo Theater, Inc.,
11 and approved by the President of Florida State University.
12 The seven core members of the board shall appoint two
13 additional members to serve on the board of directors with the
14 approval of the President of Florida State University. The
15 President of Florida State University shall appoint two
16 members from the Sarasota community, or, at the President's
17 discretion, may appoint two members nominated by the Sarasota
18 Ballet, Inc. Upon appointment of all members of the board of
19 directors, the direct-support organization shall develop a
20 charter and bylaws to govern its operation, provided that all
21 decisions by its board of directors shall be taken by at least
22 six-vote majorities. The charter, bylaws, and any
23 modifications of such, shall be subject to approval by Florida
24 State University.

25 (2) The direct-support organization, operating under
26 its charter and bylaws, shall acquire from Florida State
27 University, own and operate the Florida State University
28 Center for the Performing Arts, and shall promote a resident
29 professional repertory program to work in conjunction with,
30 complement and support the Conservatory's graduate educational
31 theater program of Florida State University in Sarasota. It

1 shall engage in fundraising to support its activities and
2 support the independent fundraising efforts of the Asolo and
3 the Conservatory. The direct-support organization shall
4 operate and maintain the building in coordination with the
5 Florida State University Ringling Cultural Center. All
6 agreements between the University and Asolo in force on the
7 effective date of this statute shall remain binding on the
8 parties.

9 (3) The direct-support organization shall provide for
10 an annual financial audit in accordance with s. 1004.28(5),
11 Florida Statutes. The audit shall be addressed to the direct
12 support organization, Florida State University, the Asolo and,
13 if it has members serving on the Board of Directors, the
14 Ballet, each of whom are authorized to require and receive
15 from the direct-support organization, or from its independent
16 auditor, any detail or supplemental data relative to the
17 operation of such organization.

18 (4) An employee or member of the direct-support
19 organization may not receive, nor any member of their
20 immediate family receive, a commission, fee, or financial
21 benefit in connection with services or goods associated with
22 the direct-support organization and may not be a business
23 associate of any individual, firm, or organization involved in
24 the sale or exchange of goods or services within the
25 direct-support organization.

26 (5) In all other respects, the direct-support
27 organization shall act as a direct-support organization
28 authorized and governed by the provisions of s. 1004.28.

29 (6) Florida State University shall transfer the Center
30 for the Performing Arts to the direct-support organization
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1 when Florida State University has approved the charter and
2 bylaws of the direct-support organization.

3 Section 4. The sum of \$50,000 is appropriated from
4 nonrecurring general revenue to the Executive Office of the
5 Governor for the purpose of providing staff and administrative
6 support to the Emerging Technology Commission, created under
7 section 1004.225, Florida Statutes, and per diem and travel
8 expenses for commission members during the 2004-2005 fiscal
9 year.

10 Section 5. Subsections (1) and (3) of section 1004.55,
11 Florida Statutes, are amended to read:

12 1004.55 Regional autism centers.--

13 (1) Seven ~~Six~~ regional autism centers are established
14 to provide nonresidential resource and training services for
15 persons of all ages and of all levels of intellectual
16 functioning who have autism, as defined in s. 393.063; who
17 have a pervasive developmental disorder that is not otherwise
18 specified; who have an autistic-like disability; who have a
19 dual sensory impairment; or who have a sensory impairment with
20 other handicapping conditions. Each center shall be
21 operationally and fiscally independent and shall provide
22 services within its geographical region of the state. Each
23 center shall coordinate services within and between state and
24 local agencies and school districts but may not duplicate
25 services provided by those agencies or school districts. The
26 respective locations and service areas of the centers are:

27 (a) The Department of Communication Disorders at
28 Florida State University, which serves Bay, Calhoun, Escambia,
29 Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon,
30 Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla,
31 Walton, and Washington Counties.

1 (b) The College of Medicine at the University of
 2 Florida, which serves Alachua, Bradford, Citrus, Columbia,
 3 Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Levy, Marion,
 4 Putnam, Suwannee, and Union Counties.

5 (c) The University of Florida Health Science Center at
 6 Jacksonville, which serves Baker, Clay, Duval, Flagler,
 7 Nassau, and St. Johns Counties.

8 (d) The Louis de la Parte Florida Mental Health
 9 Institute at the University of South Florida, which serves
 10 Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands,
 11 Hillsborough, ~~Indian River~~, Lee, Manatee, ~~Martin, Okeechobee~~,
 12 Pasco, Pinellas, Polk, ~~St. Lucie~~, and Sarasota Counties.

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

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

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

22 (3) To promote statewide planning and coordination, a
 23 conference must be held annually for staff from each of the
 24 seven ~~five~~ centers and representatives from each center's
 25 constituency board. The purpose of the conference is to
 26 facilitate coordination, networking, cross-training, and
 27 feedback among the staffs and constituency boards of the
 28 centers.

29 Section 6. Section 1004.63, Florida Statutes, is
 30 created to read:

31 1004.63 Florida-Scripps Research Compact.--

1 (1) There is created the Florida-Scripps Research
2 Compact. The purpose of the compact is to explore facilitating
3 and maximizing Florida's postsecondary collaboration with the
4 Scripps Research Institute, including the feasibility and
5 planning of a physical presence constituting a fully
6 operational State of Florida-Scripps Research Campus over a
7 multiyear phase-in. Such plans may include, but need not be
8 limited to, the creation of research and graduate education
9 facilities for faculty, support staff, and students of the
10 state universities, the state's historically black colleges
11 and universities, the University of Miami, and any other
12 accredited medical school in this state to collaborate with
13 the Scripps Research Institute; the acquisition of land,
14 facilities, and equipment; the potential for placement of a
15 research hospital on the campus; the placement of a
16 public-private research incubator on the campus; and any other
17 public-private partnerships and necessary physical resources
18 that would enhance the state's relationship with the Scripps
19 Research Institute. By December 31, 2004, the compact shall
20 submit a report to the Office of the Governor, the Senate, and
21 the House of Representatives outlining the potential and
22 feasibility of a Florida-Scripps Research Campus, including
23 plans for governance, operation, and phased-in budget.

24 (2) For purposes of administration and fiscal agency,
25 the compact shall be hosted by Florida Atlantic University and
26 chaired by the President of Florida Atlantic University.
27 Functions of the compact shall be overseen by a board of
28 directors whose composition shall be determined by the
29 Governor, in consultation with the Scripps Research Institute.

30 (3) A Compact Research Advisory Committee shall serve
31 as a standing committee of the board of directors. The

1 committee shall be comprised of all members of the Florida
2 Research Consortium and other members as determined by the
3 Governor. The purpose of the Compact Research Advisory
4 Committee shall be to facilitate the report as well as the
5 future collaboration and coordination among Florida's
6 postsecondary institutions and the Scripps Research Institute.
7 Such coordination shall be for purposes of communication,
8 efficiency, priority, and nonduplication rather than as a
9 restriction on any Florida postsecondary institution and its
10 relationship with the Scripps Research Institute.

11 Section 7. There is appropriated from the General
12 Revenue Fund to the State Board of Education the sum of
13 \$250,000 in nonrecurring funds for the 2004-2005 fiscal year.
14 These funds shall be administered by the Board of Governors of
15 the State University System to support the activities of the
16 Florida-Scripps Research Compact and the Compact Research
17 Advisory Committee.

18 Section 8. This act shall take effect upon becoming a
19 law.

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