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HB 1237, Engrossed 2

2006 Legislature

1 A bill to be entitled
2 An act relating to special postsecondary education
3 programs; creating s. 1004.226, F.S.; creating the 21st
4 Century Technology, Research, and Scholarship Enhancement
5 Act; providing legislative findings and intent; providing
6 definitions; creating the Florida Technology, Research,
7 and Scholarship Board within the Board of Governors of the
8 State University System; providing for members of the
9 board; providing for terms; providing for board members to
10 be reimbursed for per diem and expenses incurred in the
11 performance of their duties; requiring that the Board of
12 Governors of the State University System provide staff
13 support and other support for the board; requiring that
14 the board provide recommendations for the 21st Century
15 World Class Scholars Program and the Centers of Excellence
16 Program; authorizing the board to form committees and
17 consult with certain other entities; providing for the
18 21st Century World Class Scholars Program to provide
19 matching funds to state universities to pay salaries and
20 support research in science and technology; providing
21 guidelines for the board to consider in developing its
22 criteria for an award of matching funds; requiring a
23 minimum investment of private funds; specifying the
24 purposes of the Centers of Excellence; identifying the
25 entities that are eligible to submit proposals for a
26 center of excellence; requiring that the board develop
27 criteria for approving proposals to create or expand a

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28 Center of Excellence; requiring that the board solicit
 29 proposals and notify state universities and research
 30 centers of a call for proposals; requiring that a Center
 31 of Excellence approved under the act report on its
 32 achievement of objectives; requiring certain documentation
 33 if funds are approved for a Center of Excellence in excess
 34 of a specified amount; requiring that the board submit an
 35 annual report to the Governor and Legislature; creating s.
 36 1004.635, F.S.; creating the State University System
 37 Research and Economic Development Investment Program to
 38 provide matching funds to institutions to construct and
 39 acquire facilities and equipment to support research
 40 programs and foster economic development; providing for
 41 administration by the Board of Governors of the State
 42 University System; specifying eligibility criteria for
 43 state university participation; providing for the matching
 44 of appropriated funds; providing appropriations; providing
 45 for future repeal of s. 1004.226, F.S.; creating s.
 46 1004.384, F.S.; authorizing a college of medicine at the
 47 University of Central Florida; creating s. 1004.385, F.S.;
 48 authorizing a college of medicine at Florida International
 49 University; providing an effective date.

50
 51 Be It Enacted by the Legislature of the State of Florida:

52
 53 Section 1. Section 1004.226, Florida Statutes, is created
 54 to read:

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55 1004.226 The 21st Century Technology, Research, and
 56 Scholarship Enhancement Act.--

57 (1) LEGISLATIVE FINDINGS AND INTENT.--

58 (a) The Legislature finds that diversifying this state's
 59 economy requires a focus on building a growing base of high-wage
 60 jobs and on nurturing those technologies and clusters that will
 61 be the foundation of Florida's growing economic diversity and
 62 prosperity.

63 (b) The Legislature further finds that special programs
 64 are needed to facilitate the recruitment of exceptional talent
 65 to Florida's research universities and centers and to provide
 66 the infrastructure and resources that precipitate joint efforts
 67 and coinvestment among state research and development
 68 institutions, private industry, and government. Florida needs
 69 consistent commitment and investment in order to further the
 70 state's strategy of capitalizing on innovative research and
 71 development to build a thriving, technology-rich economy.

72 (2) CREATION.--The 21st Century Technology, Research, and
 73 Scholarship Enhancement Act is created for the purpose of:

74 (a) Investing in programs that attract world class
 75 scholars and building Centers of Excellence as an important
 76 means of increasing technology-based business in this state;

77 (b) Requiring coinvestment as a means of leveraging state
 78 dollars;

79 (c) Aligning research and development efforts with
 80 established, statewide economic-development strategies,
 81 including an emphasis on identified economic clusters;

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82 (d) Facilitating value-added job creation through
83 continuous improvement in university research, as well as
84 entrepreneurship and capital-development programs; and

85 (e) Establishing Florida as a leading state for
86 entrepreneurship and innovation, with continued commitment to
87 university Centers of Excellence and an expanding base of
88 research and development.

89 (3) DEFINITIONS.--As used in this section, the term:

90 (a) "A 21st Century World Class Scholar" means a principal
91 researcher/investigator who has high academic credentials,
92 demonstrated competence, and experience that meets the
93 requirements established by the board for a 21st Century World
94 Class Scholar.

95 (b) "Applicant" means any state university, private
96 university located in this state, or any private or public
97 research center, community college, or training center in this
98 state which coordinates with a state university for purposes of
99 this act.

100 (c) "Board" means the Florida Technology, Research, and
101 Scholarship Board.

102 (d) "Center of Excellence" means an organization of
103 personnel, facilities, and equipment established to accomplish
104 the purposes and objectives of this act.

105 (e) "Community college" means a public community college
106 in this state as defined in s. 1000.21.

107 (f) "Private university" means a baccalaureate degree-
108 granting independent nonprofit university that is accredited by

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109 | the Commission on Colleges of the Southern Association of
 110 | Colleges and Schools and that is located in and chartered as a
 111 | domestic corporation by the state.

112 | (g) "Research center" means an institute, center, or
 113 | clinic that includes research and development or education as a
 114 | principal mission of the organization.

115 | (h) "State university" means a public university in this
 116 | state as defined in s. 1000.21.

117 | (4) FLORIDA TECHNOLOGY, RESEARCH, AND SCHOLARSHIP BOARD.--
 118 | The Florida Technology, Research, and Scholarship Board is
 119 | created within the Board of Governors of the State University
 120 | System to guide the establishment of Centers of Excellence and
 121 | the attraction of world class scholars.

122 | (a) The board shall consist of 11 members. Five members
 123 | shall be appointed by the Governor, one of whom the Governor
 124 | shall appoint as chair of the board, one of whom must be a
 125 | member of the board of directors of Enterprise Florida, Inc.,
 126 | and one of whom must be a member of the Board of Governors of
 127 | the State University System. Three members shall be appointed by
 128 | the President of the Senate and three members shall be appointed
 129 | by the Speaker of the House of Representatives. Appointed
 130 | members must be representative of business leaders, industrial
 131 | researchers, academic researchers, scientists, and leaders in
 132 | the emerging and advanced technology sector. Appointed members
 133 | may not serve for more than 4 years and any vacancy that occurs
 134 | during these appointees' terms shall be filled in the same

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135 manner as the original appointment. A majority of members
136 constitutes a quorum.

137 (b) Members of the board shall serve without compensation,
138 but are entitled to receive reimbursement for per diem and
139 travel expenses in accordance with s. 112.061 while in the
140 performance of their duties.

141 (c) The Board of Governors shall provide staff support for
142 the activities of the board and per diem and travel expenses for
143 board members.

144 (d) The board is charged with recommending criteria to the
145 Board of Governors for the 21st Century World Class Scholars
146 Program and with providing guidance to the Board of Governors
147 regarding the implementation and administration of the Centers
148 of Excellence Program. The board shall recommend to the Board of
149 Governors the qualifications, standards, and requirements for
150 approval of investments in Centers of Excellence under this act.
151 The board may form committees of its members and is encouraged
152 to consult with Enterprise Florida, Inc., the Florida Research
153 Consortium, Bio-Florida, IT Florida, the Florida Aviation
154 Aerospace Alliance, and any other entity whose input may be
155 helpful in determining the requirements and standards for the
156 program.

157 (5) THE 21ST CENTURY WORLD CLASS SCHOLARS PROGRAM.--

158 (a) This act allocates state matching funds to attract
159 21st Century World Class Scholars to state universities.

160 (b) The 21st Century World Class Scholars Program shall be
161 used as a tool to develop the state's capabilities in science

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162 and high-technology research, emphasizing Florida's identified
163 strengths in science and technology while also recognizing new
164 technologies as they may emerge.

165 (c) The board, in consultation with senior administrators
166 of state universities, state university foundation directors,
167 the Office of Tourism, Trade, and Economic Development, the
168 board of directors of Enterprise Florida, Inc., and leading
169 members of private industry, shall develop and recommend to the
170 Board of Governors criteria for the 21st Century World Class
171 Scholars Program. Such criteria shall address, at a minimum, the
172 following:

173 1. The presence of distinguished faculty members,
174 including whether the university has a substantial history of
175 external funding, along with the strong potential for attracting
176 a scholar of national or international eminence.

177 2. The presence of academically outstanding students,
178 along with the promise and potential for attracting additional
179 highly qualified students.

180 3. The presence of adequate research and scholarly support
181 services.

182 4. The existence of an academic environment having
183 appropriate infrastructure, including buildings, classrooms,
184 libraries, laboratories, and specialized equipment, that is
185 conducive to the conduct of the highest quality of scholarship
186 and research.

187 5. The demonstration of concordance with Florida's
188 strategic plan for economic development or an emphasis on one or

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189 more emerging sciences or technologies that could favorably
 190 impact the state's economic future.

191 (d) A state university must raise a minimum of \$1 million
 192 to be eligible for state matching funds to recruit a 21st
 193 Century World Class Scholar. Funds raised by the university
 194 shall be eligible for a one-to-one match from the state.
 195 Revenues received from state appropriations, student tuition and
 196 fees, and state-funded contracts or grants are not eligible for
 197 state match.

198 (e) Upon the verification by the Board of Governors that a
 199 state university has met the criteria for a 21st Century World
 200 Class Scholar, the Board of Governors shall release matching
 201 funds to the university. Funds shall be used for the purpose of
 202 recruiting a 21st Century World Class Scholar and shall be
 203 expended according to an expenditure plan approved by the Board
 204 of Governors.

205 (f) This act is not intended to replace or obviate
 206 existing programs.

207 (6) CENTERS OF EXCELLENCE.--

208 (a) The purposes and objectives of a Center of Excellence
 209 include:

210 1. Identifying and pursuing opportunities for university
 211 scholars, research center scientists and engineers, and private
 212 businesses to form collaborative partnerships to foster and
 213 promote the research required to develop commercially promising,
 214 advanced, and innovative science and technology and to transfer
 215 those discoveries to commercial sectors.

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216 2. Acquiring and leveraging public-sector and private-
 217 sector funding to provide the totality of funds, personnel,
 218 facilities, equipment, and other resources needed to support the
 219 research required to develop commercially promising, advanced,
 220 and innovative science and technology and to transfer those
 221 discoveries to commercial sectors.

222 3. Recruiting and retaining world class scholars, high-
 223 performing students, and leading scientists and engineers in
 224 technology disciplines to engage in research in this state and
 225 to develop commercially promising, advanced, and innovative
 226 science and technology.

227 4. Enhancing and expanding science and technology
 228 curricula and laboratory resources at universities and research
 229 centers in this state.

230 5. Increasing the number of high-performing students in
 231 science and technology disciplines who graduate from
 232 universities in this state and pursue careers in this state.

233 6. Stimulating and supporting the inception, growth, and
 234 diversification of science and technology-based businesses and
 235 ventures in Florida and increasing employment opportunities for
 236 the workforce needed to support such businesses.

237 (b) The following entities are eligible to submit
 238 proposals for a center of excellence:

239 1. Any state university.

240 2. Any private university.

241 3. The H. Lee Moffitt Cancer Center and Research
 242 Institute.

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- 243 4. The Florida Institute for Human and Machine Cognition,
 244 Inc.
- 245 5. Any community college, training center, or other public
 246 or private research center in the state which coordinates with a
 247 state university for purposes of this act.
- 248 (c) The board shall recommend to the Board of Governors
 249 criteria for approving proposals to create or expand a Center of
 250 Excellence. Such criteria shall consider:
- 251 1. The maturity of the applicant's existing programs
 252 relating to a proposed Center of Excellence.
- 253 2. The comprehensiveness and effectiveness of site plans
 254 relating to a proposed Center of Excellence.
- 255 3. The existing amount of the applicant's resources
 256 dedicated to activities relating to a proposed Center of
 257 Excellence.
- 258 4. The regional economic structure and climate.
- 259 5. The degree to which the applicant identifies and seizes
 260 opportunities to collaborate with other public or private
 261 entities for research purposes.
- 262 6. The presence of a comprehensive performance and
 263 accountability measurement system.
- 264 7. The use of an integrated research and development
 265 strategy using multiple levels of the educational system.
- 266 8. The ability of the applicant to raise research funds
 267 and leverage public and private investment dollars to support
 268 advanced and emerging scientific and technological research and
 269 development projects.

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270 9. The degree to which the applicant transfers advanced
271 and emerging sciences and technologies from its laboratories to
272 the commercial sector.

273 10. The degree to which the applicant stimulates and
274 supports the creation of new ventures.

275 11. The existence of a plan to enhance academic curricula
276 by improving communication between academia and industry.

277 12. The existence of a plan to increase the number,
278 quality, and retention rate of faculty and graduate students in
279 advancing and emerging science and technology-based disciplines.

280 13. The existence of a plan to increase the likelihood of
281 faculty and graduate students pursuing private-sector careers in
282 the state.

283 14. The ability of the applicant to provide capital
284 facilities necessary to support research and development.

285 (d) To call for proposals, the board shall notify the
286 president or chief executive officer of the eligible entities
287 identified in paragraph (b). The board shall periodically
288 solicit proposals for Centers of Excellence.

289 (e) The board shall recommend to the Board of Governors
290 for approval and funding those proposals that meet the criteria
291 approved by the Board of Governors.

292 (f) If no proposal is judged worthy of approval during a
293 solicitation cycle, an approval need not be made. This act does
294 not establish a limit for an investment amount; however, any
295 approval for a single Center of Excellence exceeding \$20 million
296 must be documented to have superior prospects for success in its

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297 field of research and offer outstanding opportunities to
298 leverage state dollars.

299 (7) ANNUAL REPORT.--The board, in cooperation with the
300 Board of Governors of the State University System and the state
301 universities or research centers receiving investments under
302 this act, shall issue an annual report by December 31 each year
303 of the activities conducted, including the accomplishments and
304 overall economic benefits to the state, the number of 21st
305 Century World Class Scholars attracted, the number of Centers of
306 Excellence created or expanded, the success of collaborations
307 with related industries, and the success of these programs. The
308 annual report shall be presented to the Governor, the President
309 of the Senate, and the Speaker of the House of Representatives.
310 The annual report must include a copy of an independent audit of
311 the board and a review of the progress of programs administered
312 by the board.

313 Section 2. For the 2006-2007 fiscal year, the sum of \$8
314 million is appropriated from general revenue funds to the
315 University of South Florida for the purpose of enhancing
316 graduate programs.

317 Section 3. Section 1004.635, Florida Statutes, is created
318 to read:

319 1004.635 State University System Research and Economic
320 Development Investment Program.--

321 (1) LEGISLATIVE INTENT.--It is the intent of the
322 Legislature to create an investment program in state
323 universities that enhances graduate education and enables state

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324 universities to become nationally competitive in science and
325 technology-based economic development.

326 (2) GENERAL PROVISIONS.--There is created the State
327 University System Research and Economic Development Investment
328 Program to provide matching funds to eligible institutions to
329 construct and acquire cutting-edge, state-of-the-art science and
330 engineering research facilities and specialized equipment to
331 support research programs, foster economic development, and
332 accelerate Florida's innovation economy. The program shall be
333 administered by the Board of Governors of the State University
334 System.

335 (3) INSTITUTIONAL ELIGIBILITY CRITERIA.--

336 (a) To be eligible to participate in the State University
337 System Research and Economic Development Investment Program at
338 Funding Level 1, a state university must meet each of the
339 following criteria:

340 1. The number of nonprofessional doctoral degrees awarded
341 each year must exceed 250. For purposes of this section,
342 nonprofessional doctoral degrees do not include degrees awarded
343 in law, medicine, dentistry, and veterinary medicine. At least
344 25 percent of the nonprofessional doctoral degrees must be in a
345 mathematics, science, technology, engineering, or health-related
346 discipline as defined by Classification of Instructional Program
347 codes.

348 2. The number of postdoctoral appointees reported in the
349 most recent NSF/NIH Survey of Graduate Students and
350 Postdoctorates in Science and Engineering must exceed 200.

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351 3. The 4-year undergraduate graduation rate must equal 40
352 percent or higher.

353 4. Expenditures from externally awarded contracts and
354 grants must be a minimum of \$100 million per year.

355 5. The university must have a proven track record of
356 securing patents and licenses leading to products in the
357 marketplace over the last 5 years.

358 6. At least 75 percent of the entering freshmen each
359 academic year who are classified as residents for tuition
360 purposes pursuant to s. 1009.21 must be eligible to receive
361 Florida Bright Futures Scholarships.

362 7. The Basic Classification of the university, according
363 to the 2005 Carnegie Classifications, must be as a research
364 university with very high research activity.

365 (b) To be eligible to participate in the State University
366 System Research and Economic Development Investment Program at
367 Funding Level 2, a state university must meet, at a minimum, the
368 requirements of subparagraphs (a)4. and 7.

369
370 The Board of Governors shall develop uniform guidelines,
371 definitions, and reporting formats for a university to use to
372 demonstrate that it meets each of the criteria described in this
373 subsection. The Board of Governors shall determine the
374 eligibility status of a state university to participate in the
375 program provided that a state university may not participate in
376 both Funding Level 1 and Funding Level 2 simultaneously.

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377 (4) USE OF FUNDS.--Funds appropriated for the State
378 University System Research and Economic Development Investment
379 Program shall be used by the Board of Governors to match funds
380 raised by an eligible university from nonuniversity sources on a
381 one-time dollar-for-dollar basis.

382 Section 4. For the 2006-2007 fiscal year, the sum of
383 \$95,000,000 is appropriated from nonrecurring general revenue
384 funds to the Board of Governors of the State University System
385 of which \$20 million shall be allocated for the 21st Century
386 World Class Scholars Program, \$30 million shall be allocated for
387 the Centers of Excellence Program, \$36.5 million shall be
388 allocated for Funding Level 1 of State University System
389 Research and Economic Development Investment Program, and \$8.5
390 million shall be allocated for Funding Level 2 of the State
391 University System Research and Economic Development Investment
392 Program.

393 Section 5. For the 2006-2007 fiscal year, the sum of \$5
394 million is appropriated from nonrecurring general revenue to the
395 State Board of Education for the Dr. Philip Benjamin Matching
396 Grant Program for Community Colleges to match donations for
397 scholarships for first-generation-in-college students.

398 Section 6. Section 1004.226, Florida Statutes, shall
399 expire on June 30, 2011.

400 Section 7. Section 1004.384, Florida Statutes, is created
401 to read:

402 1004.384 University of Central Florida College of
403 Medicine.--A college of medicine, as approved by the Board of

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404 Governors on March 23, 2006, is authorized at the University of
 405 Central Florida.

406 Section 8. Section 1004.385, Florida Statutes, is created
 407 to read:

408 1004.385 Florida International University College of
 409 Medicine.--A college of medicine, as approved by the Board of
 410 Governors on March 23, 2006, is authorized at Florida
 411 International University.

412 Section 9. This act shall take effect July 1, 2006.