

By the Committees on Education Appropriations; Commerce and Consumer Services; and Senators Alexander, King, Klein, Crist and Lynn

602-2443-06

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

1 for a center of excellence; requiring that the
2 board develop criteria for approving proposals
3 to create or expand a Center of Excellence;
4 requiring that the board solicit proposals and
5 notify state universities and research centers
6 of a call for proposals; requiring that a
7 Center of Excellence approved under the act
8 report on its achievement of objectives;
9 requiring certain documentation if funds are
10 approved for a Center of Excellence in excess
11 of a specified amount; requiring that the board
12 submit an annual report to the Governor and
13 Legislature; providing appropriations;
14 providing for carrying forward certain
15 unexpended balances of an appropriation;
16 providing for the future repeal of the act;
17 providing an effective date.

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

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21 Section 1. Section 1004.226, Florida Statutes, is
22 created to read:

23 1004.226 The 21st Century Technology, Research, and
24 Scholarship Enhancement Act.--

25 (1) LEGISLATIVE FINDINGS AND INTENT.--

26 (a) The Legislature finds that diversifying this
27 state's economy requires a focus on building a growing base of
28 high-wage jobs and on nurturing those technologies and
29 clusters that will be the foundation of Florida's growing
30 economic diversity and prosperity.

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1 (b) The Legislature further finds that special
2 programs are needed to facilitate the recruitment of
3 exceptional talent to Florida's research universities and
4 centers and to provide the infrastructure and resources that
5 precipitate joint efforts and coinvestment among state
6 research and development institutions, private industry, and
7 government. Florida needs consistent commitment and investment
8 in order to further the state's strategy of capitalizing on
9 innovative research and development to build a thriving,
10 technology-rich economy.

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

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

16 (b) Requiring coinvestment as a means of leveraging
17 state dollars;

18 (c) Aligning research and development efforts with
19 established, statewide economic-development strategies,
20 including an emphasis on identified economic clusters;

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

24 (e) Establishing Florida as a leading state for
25 entrepreneurship and innovation, with continued commitment to
26 university Centers of Excellence and an expanding base of
27 research and development.

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

29 (a) "A 21st Century World Class Scholar" means a
30 principal researcher/investigator who has high academic
31 credentials, demonstrated competence, and experience that

1 meets the requirements established by the board for a 21st
2 Century World Class Scholar.

3 (b) "Applicant" means any state university, private
4 university located in this state, or any private or public
5 research center, community college, or training center in this
6 state which coordinates with a state university for purposes
7 of this act.

8 (c) "Board" means the Florida Technology, Research,
9 and Scholarship Board.

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

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

15 (f) "Private university" means a baccalaureate
16 degree-granting independent nonprofit university that is
17 accredited by the Commission on Colleges of the Southern
18 Association of Colleges and Schools and that is located in and
19 chartered as a domestic corporation by the state.

20 (g) "Research center" means an institute, center, or
21 clinic that includes research and development or education as
22 a principal mission of the organization.

23 (h) "State university" means a public university in
24 this state as defined in s. 1000.21.

25 (4) FLORIDA TECHNOLOGY, RESEARCH, AND SCHOLARSHIP
26 BOARD.--The Florida Technology, Research, and Scholarship
27 Board is created within the Board of Governors of the State
28 University System to guide the establishment of Centers of
29 Excellence and the attraction of world class scholars.

30 (a) The board shall consist of 11 members. Five
31 members shall be appointed by the Governor, one of whom the

1 Governor shall appoint as chair of the board, one of whom must
2 be a member of the board of directors of Enterprise Florida,
3 Inc., and one of whom must be a member of the Board of
4 Governors of the State University System. Three members shall
5 be appointed by the President of the Senate and three members
6 shall be appointed by the Speaker of the House of
7 Representatives. Appointed members must be representative of
8 business leaders, industrial researchers, academic
9 researchers, scientists, and leaders in the emerging and
10 advanced technology sector. Appointed members may not serve
11 for more than 4 years and any vacancy that occurs during these
12 appointees' terms shall be filled in the same manner as the
13 original appointment. A majority of members constitutes a
14 quorum.

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

19 (c) The Board of Governors shall provide staff support
20 for the activities of the board and per diem and travel
21 expenses for board members.

22 (d) The board is charged with recommending criteria to
23 the Board of Governors for the 21st Century World Class
24 Scholars Program and with providing guidance to the Board of
25 Governors regarding the implementation and administration of
26 the Centers of Excellence Program. The board shall recommend
27 to the Board of Governors the qualifications, standards, and
28 requirements for approval of investments in Centers of
29 Excellence under this act. The board may form committees of
30 its members and is encouraged to consult with Enterprise
31 Florida, Inc., the Florida Research Consortium, Bio-Florida,

1 IT Florida, the Florida Aviation Aerospace Alliance, and any
2 other entity whose input may be helpful in determining the
3 requirements and standards for the program.

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

5 (a) This act allocates state matching funds to attract
6 21st Century World Class Scholars to state universities.

7 (b) The 21st Century World Class Scholars Program
8 shall be used as a tool to develop the state's capabilities in
9 science and high-technology research, emphasizing Florida's
10 identified strengths in science and technology while also
11 recognizing new technologies as they may emerge.

12 (c) The board, in consultation with senior
13 administrators of state universities, state university
14 foundation directors, the Office of Tourism, Trade, and
15 Economic Development, the board of directors of Enterprise
16 Florida, Inc., and leading members of private industry, shall
17 develop and recommend to the Board of Governors criteria for
18 the 21st Century World Class Scholars Program. Such criteria
19 shall address, at a minimum, the following:

20 1. The presence of distinguished faculty members,
21 including whether the university has a substantial history of
22 external funding, along with the strong potential for
23 attracting a scholar of national or international eminence.

24 2. The presence of academically outstanding students,
25 along with the promise and potential for attracting additional
26 highly qualified students.

27 3. The presence of adequate research and scholarly
28 support services.

29 4. The existence of an academic environment having
30 appropriate infrastructure, including buildings, classrooms,
31 libraries, laboratories, and specialized equipment, that is

1 conducive to the conduct of the highest quality of scholarship
2 and research.

3 5. The demonstration of concordance with Florida's
4 strategic plan for economic development or an emphasis on one
5 or more emerging sciences or technologies that could favorably
6 impact the state's economic future.

7 (d) A state university must raise a minimum of \$1
8 million to be eligible for state matching funds to recruit a
9 21st Century World Class Scholar. Funds raised by the
10 university shall be eligible for a one-to-one match from the
11 state. Revenues received from state appropriations, student
12 tuition and fees, and state-funded contracts or grants are not
13 eligible for state match.

14 (e) Upon the verification by the Board of Governors
15 that a state university has met the criteria for a 21st
16 Century World Class Scholar, the Board of Governors shall
17 release matching funds to the university. Funds shall be used
18 for the purpose of recruiting a 21st Century World Class
19 Scholar and shall be expended according to an expenditure plan
20 approved by the Board of Governors.

21 (f) This act is not intended to replace or obviate
22 existing programs.

23 (6) CENTERS OF EXCELLENCE.--

24 (a) The purposes and objectives of a Center of
25 Excellence include:

26 1. Identifying and pursuing opportunities for
27 university scholars, research center scientists and engineers,
28 and private businesses to form collaborative partnerships to
29 foster and promote the research required to develop
30 commercially promising, advanced, and innovative science and
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1 technology and to transfer those discoveries to commercial
2 sectors.

3 2. Acquiring and leveraging public-sector and
4 private-sector funding to provide the totality of funds,
5 personnel, facilities, equipment, and other resources needed
6 to support the research required to develop commercially
7 promising, advanced, and innovative science and technology and
8 to transfer those discoveries to commercial sectors.

9 3. Recruiting and retaining world class scholars,
10 high-performing students, and leading scientists and engineers
11 in technology disciplines to engage in research in this state
12 and to develop commercially promising, advanced, and
13 innovative science and technology.

14 4. Enhancing and expanding science and technology
15 curricula and laboratory resources at universities and
16 research centers in this state.

17 5. Increasing the number of high-performing students
18 in science and technology disciplines who graduate from
19 universities in this state and pursue careers in this state.

20 6. Stimulating and supporting the inception, growth,
21 and diversification of science and technology-based businesses
22 and ventures in Florida and increasing employment
23 opportunities for the workforce needed to support such
24 businesses.

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

27 1. Any state university.

28 2. Any private university.

29 3. The H. Lee Moffitt Cancer Center and Research
30 Institute.

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1 4. The Florida Institute for Human and Machine
2 Cognition, Inc.

3 5. Any community college, training center, or other
4 public or private research center in the state which
5 coordinates with a state university for purposes of this act.

6 (c) The board shall recommend to the Board of
7 Governors criteria for approving proposals to create or expand
8 a Center of Excellence. Such criteria shall consider:

9 1. The maturity of the applicant's existing programs
10 relating to a proposed Center of Excellence.

11 2. The comprehensiveness and effectiveness of site
12 plans relating to a proposed Center of Excellence.

13 3. The existing amount of the applicant's resources
14 dedicated to activities relating to a proposed Center of
15 Excellence.

16 4. The regional economic structure and climate.

17 5. The degree to which the applicant identifies and
18 seizes opportunities to collaborate with other public or
19 private entities for research purposes.

20 6. The presence of a comprehensive performance and
21 accountability measurement system.

22 7. The use of an integrated research and development
23 strategy using multiple levels of the educational system.

24 8. The ability of the applicant to raise research
25 funds and leverage public and private investment dollars to
26 support advanced and emerging scientific and technological
27 research and development projects.

28 9. The degree to which the applicant transfers
29 advanced and emerging sciences and technologies from its
30 laboratories to the commercial sector.

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1 10. The degree to which the applicant stimulates and
2 supports the creation of new ventures.

3 11. The existence of a plan to enhance academic
4 curricula by improving communication between academia and
5 industry.

6 12. The existence of a plan to increase the number,
7 quality, and retention rate of faculty and graduate students
8 in advancing and emerging science and technology-based
9 disciplines.

10 13. The existence of a plan to increase the likelihood
11 of faculty and graduate students pursuing private-sector
12 careers in the state.

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

15 (d) To call for proposals, the board shall notify the
16 president or chief executive officer of the eligible entities
17 identified in paragraph (b). The board shall periodically
18 solicit proposals for Centers of Excellence.

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

22 (f) If no proposal is judged worthy of approval during
23 a solicitation cycle, an approval need not be made. This act
24 does not establish a limit for an investment amount; however,
25 any approval for a single Center of Excellence exceeding \$20
26 million must be documented to have superior prospects for
27 success in its field of research and offer outstanding
28 opportunities to leverage state dollars.

29 (7) ANNUAL REPORT.--The board, in cooperation with the
30 Board of Governors of the State University System and the
31 state universities or research centers receiving investments

1 under this act, shall issue an annual report by December 31
2 each year of the activities conducted, including the
3 accomplishments and overall economic benefits to the state,
4 the number of 21st Century World Class Scholars attracted, the
5 number of Centers of Excellence created or expanded, the
6 success of collaborations with related industries, and the
7 success of these programs. The annual report shall be
8 presented to the Governor, the President of the Senate, and
9 the Speaker of the House of Representatives. The annual report
10 must include a copy of an independent audit of the board and a
11 review of the progress of programs administered by the board.

12 Section 2. For the 2006-2007 fiscal year, the sum of
13 \$100 million is appropriated from nonrecurring general revenue
14 to the Board of Governors of the State University System, of
15 which \$70 million shall be allocated for the 21st Century
16 World Class Scholars Program and \$30 million for the Centers
17 of Excellence Program. Notwithstanding s. 216.301 and pursuant
18 to s. 216.351, Florida Statutes, any unexpended balance from
19 this appropriation shall be carried forward at the end of each
20 fiscal year until the 2009-2010 fiscal year. At the end of the
21 2009-2010 fiscal year, any remaining balance of this
22 appropriation which has not been disbursed by the Board of
23 Governors shall revert unallocated to the General Revenue
24 Fund.

25 Section 3. Section 1004.226, Florida Statutes, shall
26 expire on June 30, 2011.

27 Section 4. This act shall take effect July 1, 2006.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 CS for Senate Bill 2084

4 Revises the number of appointments to the Florida Technology,
5 Research and Scholarship Board, from seven by the Governor and
6 two each by the Speaker of the House and President of the
7 Senate, to five by the Governor and three each by the Speaker
8 and the President. Reduces the appropriation for the 21st
9 Century World Class Scholars Program from \$100 million to \$70
10 million, and reduces the appropriation for Centers of
11 Excellence from \$100 million to \$30 million. Deletes
12 appropriations to the Board of Governors for the purpose of
13 administering the provisions of the bill.
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