

CHAMBER ACTION

1 The Colleges & Universities Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to advanced science and technology
7 research; creating s. 1004.226, F.S.; creating the 21st
8 Century Technology, Research, and Scholarship Enhancement
9 Act; providing legislative findings and intent; providing
10 definitions; creating the Florida Technology, Research,
11 and Scholarship Board within the Board of Governors of the
12 State University System; providing for members of the
13 board; providing for terms; providing for board members to
14 be reimbursed for per diem and expenses incurred in the
15 performance of their duties; requiring that the Board of
16 Governors of the State University System provide staff
17 support and other support for the board; requiring that
18 the board provide recommendations for the 21st Century
19 World Class Scholars Program and the Centers of Excellence
20 Program; authorizing the board to form committees and
21 consult with certain other entities; providing for the
22 21st Century World Class Scholars Program to provide
23 matching funds to state universities; providing guidelines

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24 for the board in the development of criteria for
 25 recommendation to the Board of Governors; requiring a
 26 minimum investment of funds; specifying the purposes of
 27 the Centers of Excellence; requiring the board to
 28 recommend to the Board of Governors criteria for approving
 29 proposals to create or expand a Center of Excellence, to
 30 solicit proposals, and to recommend proposals that meet
 31 such criteria; requiring documentation if funds are
 32 approved for a Center of Excellence in excess of a
 33 specified amount; requiring reports by Centers of
 34 Excellence and the Board of Governors; providing for
 35 expiration of the act; providing appropriations and
 36 authorizing positions; providing for carrying forward
 37 certain unexpended balances; providing an effective date.

38
 39 Be It Enacted by the Legislature of the State of Florida:

40
 41 Section 1. Section 1004.226, Florida Statutes, is created
 42 to read:

43 1004.226 The 21st Century Technology, Research, and
 44 Scholarship Enhancement Act.--

45 (1) LEGISLATIVE FINDINGS AND INTENT.--

46 (a) The Legislature finds that diversifying this state's
 47 economy requires a focus on building a growing base of high-wage
 48 jobs and on nurturing those technologies and clusters that will
 49 be the foundation of Florida's growing economic diversity and
 50 prosperity.

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51 (b) The Legislature further finds that special programs
 52 are needed to facilitate the recruitment of exceptional talent
 53 to Florida's research universities and centers and to provide
 54 the infrastructure and resources that precipitate joint efforts
 55 and coinvestment among state research and development
 56 institutions, private industry, and government. Florida needs
 57 consistent commitment and investment in order to further the
 58 state's strategy of capitalizing on innovative research and
 59 development to build a thriving, technology-rich economy.

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

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

65 (b) Requiring coinvestment as a means of leveraging state
 66 dollars;

67 (c) Aligning research and development efforts with
 68 established, statewide economic-development strategies,
 69 including an emphasis on identified economic clusters;

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

73 (e) Establishing Florida as a leading state for
 74 entrepreneurship and innovation, with continued commitment to
 75 university Centers of Excellence and an expanding base of
 76 research and development.

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

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78 (a) "A 21st Century World Class Scholar" means a principal
 79 researcher/investigator who has high academic credentials,
 80 demonstrated competence, and experience that meets the
 81 requirements established by the board for a 21st Century World
 82 Class Scholar.

83 (b) "Applicant" means any state university, private
 84 university located in this state, or any private or public
 85 research center, community college, or training center in this
 86 state that coordinates with a state university for purposes of
 87 this act.

88 (c) "Board" means the Florida Technology, Research, and
 89 Scholarship Board.

90 (d) "Center of Excellence" means an organization of
 91 personnel, facilities, and equipment established at or in
 92 collaboration with one or more state universities to accomplish
 93 the purposes and objectives of this act.

94 (e) "Research center" means an institute, center, or
 95 clinic that includes research and development or education as a
 96 principal mission of the organization.

97 (f) "State university" means a Florida public university
 98 as defined in s. 1000.21.

99 (4) FLORIDA TECHNOLOGY, RESEARCH, AND SCHOLARSHIP
 100 BOARD.--The Florida Technology, Research, and Scholarship Board
 101 is created within the Board of Governors of the State University
 102 System to guide the establishment of Centers of Excellence and
 103 the attraction of world class scholars.

104 (a) The board shall consist of 11 members. Seven members
 105 shall be appointed by the Governor, one of whom the Governor

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106 shall appoint as chair of the board, one of whom must be a
107 member of the board of directors of Enterprise Florida, Inc.,
108 and one of whom must be a member of the Board of Governors of
109 the State University System. Two members shall be appointed by
110 the President of the Senate and two members shall be appointed
111 by the Speaker of the House of Representatives. Appointed
112 members must be representative of business leaders, industrial
113 researchers, academic researchers, scientists, and leaders in
114 the emerging and advanced technology sector. Appointed members
115 may not serve for more than 4 years and any vacancy that occurs
116 during these appointees' terms shall be filled in the same
117 manner as the original appointment. A majority of members
118 constitutes a quorum.

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

123 (c) The Board of Governors shall provide staff support for
124 the activities of the board and per diem and travel expenses for
125 board members.

126 (d) The board is charged with recommending criteria to the
127 Board of Governors for the 21st Century World Class Scholars
128 Program and with providing guidance to the Board of Governors
129 regarding the implementation and administration of the Centers
130 of Excellence Program. The board shall recommend to the Board of
131 Governors the qualifications, standards, and requirements for
132 approval of investments in Centers of Excellence under this act.
133 The board may form committees of its members and is encouraged

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134 to consult with Enterprise Florida, Inc., the Florida Research
135 Consortium, Bio-Florida, IT Florida, the Florida Aviation and
136 Aerospace Alliance, and any other entity whose input may be
137 helpful in determining the requirements and standards for the
138 program.

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

140 (a) This act allocates state matching funds to attract
141 21st Century World Class Scholars to state universities.

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

147 (c) The board, in consultation with senior administrators
148 of state universities, state university foundation directors,
149 the Office of Tourism, Trade, and Economic Development, the
150 board of directors of Enterprise Florida, Inc., and leading
151 members of private industry, shall develop and recommend to the
152 Board of Governors criteria for the 21st Century World Class
153 Scholars Program. Such criteria shall address, at a minimum, the
154 following:

155 1. The presence of distinguished faculty members,
156 including whether the university has a substantial history of
157 external funding, along with the strong potential for attracting
158 a scholar of national or international eminence.

159 2. The presence of academically outstanding students,
160 along with the promise and potential for attracting additional
161 highly qualified students.

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162 3. The presence of adequate research and scholarly support
163 services.

164 4. The existence of an academic environment having
165 appropriate infrastructure, including buildings, classrooms,
166 libraries, laboratories, and specialized equipment, that is
167 conducive to the conduct of the highest quality of scholarship
168 and research.

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

173 (d) A state university must raise a minimum of \$1 million
174 to be eligible for state matching funds to recruit a 21st
175 Century World Class Scholar. Funds raised by the university
176 shall be eligible for a one-to-one match from the state.
177 Revenues received from state appropriations, student tuition and
178 fees, and state-funded contracts or grants are not eligible for
179 state match.

180 (e) Upon the verification by the Board of Governors that a
181 state university has met the criteria for a 21st Century World
182 Class Scholar, the Board of Governors shall release matching
183 funds to the university. Funds shall be used for the purpose of
184 recruiting a 21st Century World Class Scholar and shall be
185 expended according to an expenditure plan approved by the Board
186 of Governors.

187 (f) Nothing in this act is intended to replace or obviate
188 existing programs.

189 (6) CENTERS OF EXCELLENCE.--

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190 (a) The purposes and objectives of a Center of Excellence
191 include:

192 1. Identifying and pursuing opportunities for university
193 scholars, research center scientists and engineers, and private
194 businesses to form collaborative partnerships to foster and
195 promote the research required to develop commercially promising,
196 advanced, and innovative science and technology and to transfer
197 those discoveries to commercial sectors.

198 2. Acquiring and leveraging public-sector and private-
199 sector funding to provide the totality of funds, personnel,
200 facilities, equipment, and other resources needed to support the
201 research required to develop commercially promising, advanced,
202 and innovative science and technology and to transfer those
203 discoveries to commercial sectors.

204 3. Recruiting and retaining world class scholars, high-
205 performing students, and leading scientists and engineers in
206 technology disciplines to engage in research in this state and
207 to develop commercially promising, advanced, and innovative
208 science and technology.

209 4. Enhancing and expanding science and technology
210 curricula and laboratory resources at universities and research
211 centers in this state.

212 5. Increasing the number of high-performing students in
213 science and technology disciplines who graduate from
214 universities in this state and pursue careers in this state.

215 6. Stimulating and supporting the inception, growth, and
216 diversification of science and technology-based businesses and

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217 ventures in Florida and increasing employment opportunities for
218 the workforce needed to support such businesses.

219 (b) The board shall recommend to the Board of Governors
220 criteria for approving proposals to create or expand a Center of
221 Excellence. Such criteria shall consider:

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

224 2. The comprehensiveness and effectiveness of site plans
225 relating to a proposed Center of Excellence.

226 3. The existing amount of the applicant's resources
227 dedicated to activities relating to a proposed Center of
228 Excellence.

229 4. The regional economic structure and climate.

230 5. The degree to which the applicant identifies and seizes
231 opportunities to collaborate with other public or private
232 entities for research purposes.

233 6. The presence of a comprehensive performance and
234 accountability measurement system.

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

237 8. The ability of the applicant to raise research funds
238 and leverage public and private investment dollars to support
239 advanced and emerging scientific and technological research and
240 development projects.

241 9. The degree to which the applicant transfers advanced
242 and emerging sciences and technologies from its laboratories to
243 the commercial sector.

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244 10. The degree to which the applicant stimulates and
245 supports the creation of new ventures.

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

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

251 13. The existence of a plan to increase the likelihood of
252 faculty and graduate students pursuing private-sector careers in
253 the state.

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

256 (c) The board shall periodically solicit proposals for
257 Centers of Excellence. The board may issue broad solicitations
258 for applicants to establish a Center of Excellence, including
259 entities other than state universities. All applicants must
260 submit and demonstrate coordination with one or more state
261 universities in order to be eligible for funding. The board may
262 solicit proposals for a more defined Center of Excellence that
263 is intended to meet identified needs or capitalize on perceived
264 technology and research opportunities. The board shall notify
265 the president of each state university and applicable research
266 centers in this state of the call for proposals.

267 (d) The board shall recommend to the Board of Governors
268 for approval and funding those proposals that meet the criteria
269 approved by the Board of Governors.

270 (e) If no proposal is judged worthy of approval during a
271 solicitation cycle, an approval need not be made. This act does

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272 not establish a limit for an investment amount; however, any
273 approval for a single Center of Excellence exceeding \$20 million
274 must be documented to have superior prospects for success in its
275 field of research and offer outstanding opportunities to
276 leverage state dollars.

277 (7) ANNUAL REPORT.--

278 (a) Any Center of Excellence receiving funding pursuant to
279 this section shall provide at least annual reports to the board
280 and the Board of Governors concerning its achievement of
281 objectives as identified and presented in the approved proposal.

282 (b) The Board of Governors shall issue an annual report by
283 December 31 each year of the activities conducted, including the
284 accomplishments and overall economic benefits to the state, the
285 number of 21st Century World Class Scholars attracted, the
286 number of Centers of Excellence created or expanded, the success
287 of collaborations with related industries, and the success of
288 these programs. The annual report shall be presented to the
289 Governor, the President of the Senate, and the Speaker of the
290 House of Representatives. The annual report must include a copy
291 of an independent audit of the board and a review of the
292 progress of programs established pursuant to this section.

293 (8) EXPIRATION.--This section shall expire June 30, 2011.

294 Section 2. For the 2006-2007 fiscal year, the sum of \$200
295 million is appropriated from nonrecurring general revenue to the
296 Board of Governors of the State University System, of which \$100
297 million shall be allocated for the 21st Century World Class
298 Scholars Program and \$100 million for the Centers of Excellence
299 Program. Notwithstanding s. 216.301, Florida Statutes, and

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300 pursuant to s. 216.351, Florida Statutes, any unexpended balance
301 from this appropriation shall be carried forward at the end of
302 each fiscal year until the 2010-2011 fiscal year. At the end of
303 the 2010-2011 fiscal year, any remaining balance of this
304 appropriation that has not been disbursed by the Board of
305 Governors shall revert unallocated to the General Revenue Fund.

306 Section 3. The following sums of money and full-time
307 equivalent positions are appropriated to the Board of Governors
308 of the State University System for the 2006-2007 fiscal year for
309 the purpose of administering this act:

310 (1) Two full-time equivalent positions and 130,000 in
311 approved annual salary rate;

312 (2) The sum of \$162,959 from recurring general revenue
313 funds for salaries and benefits;

314 (3) The sum of \$101,892 from recurring general revenue
315 funds for expenses;

316 (4) The sum of \$3,800 from nonrecurring general revenue
317 funds for operating capital outlay; and

318 (5) The sum of \$786 from recurring general revenue funds
319 for transfer to the Department of Management Services for the
320 Human Resource Services Statewide Contract.

321 Section 4. This act shall take effect July 1, 2006.