

Bill No. HB 1027, 1st Eng.

Barcode 050226

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Saunders moved the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. It is the intent of the Legislature to provide funding to support grants for biomedical research in this state with the anticipation that sustained funding for biomedical research over a period of years will lead to an alleviation of human suffering from diseases such as cancer and Alzheimer's disease. It is the intent of the Legislature to dramatically reduce this state's inordinately high cancer burden, reducing both cancer incidence and mortality, while advancing scientific endeavors in this state, making this state a world-class leader in cancer research and treatment. Further, it is the intent of the Legislature to address the debilitating and deadly effects of Alzheimer's disease by supporting research in Alzheimer's disease statewide through the awarding of research grants on a competitive basis. Additionally, it is the intent of the Legislature to stimulate

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1 dramatic economic development, particularly in the  
2 biotechnology industry, through investment in this state's  
3 biomedical research.

4 Section 2. Paragraph (h) of subsection (1) of section  
5 20.435, Florida Statutes, is amended to read:

6 20.435 Department of Health; trust funds.--

7 (1) The following trust funds are hereby created, to  
8 be administered by the Department of Health:

9 (h) Biomedical Research Trust Fund.

10 1. Funds to be credited to the trust fund shall  
11 consist of funds deposited pursuant to s. 215.5601 and any  
12 other funds appropriated by the Legislature. Funds shall be  
13 used for the purposes of the James and Esther King Biomedical  
14 Research Program and the William G. "Bill" Bankhead, Jr., and  
15 David Coley Cancer Research Program as specified in ss.  
16 215.5602, ~~and~~ 288.955, and 381.922. The trust fund is exempt  
17 from the service charges imposed by s. 215.20.

18 2. Notwithstanding the provisions of s. 216.301 and  
19 pursuant to s. 216.351, any balance in the trust fund at the  
20 end of any fiscal year shall remain in the trust fund at the  
21 end of the year and shall be available for carrying out the  
22 purposes of the trust fund. The department may invest these  
23 funds independently through the Chief Financial Officer or may  
24 negotiate a trust agreement with the State Board of  
25 Administration for the investment management of any balance in  
26 the trust fund.

27 3. Notwithstanding s. 216.301 and pursuant to s.  
28 216.351, any balance of any appropriation from the Biomedical  
29 Research Trust Fund which is not disbursed but which is  
30 obligated pursuant to contract or committed to be expended may  
31 be certified by the Governor for up to 3 years following the

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1 effective date of the original appropriation.

2 4. The trust fund shall, unless terminated sooner, be  
3 terminated on July 1, 2008.

4 Section 3. Subsection (3) of section 215.5602, Florida  
5 Statutes, is amended, and subsections (11) through (14) are  
6 added to that section, to read:

7 215.5602 James and Esther King Biomedical Research  
8 Program.--

9 (3) There is created within the Department of Health  
10 the Biomedical Research Advisory Council.

11 (a) The council shall consist of 11 ~~nine~~ members,  
12 including: the chief executive officer of the Florida Division  
13 of the American Cancer Society, or a designee; the chief  
14 executive officer of the Florida/Puerto Rico Affiliate of the  
15 American Heart Association, or a designee; and the chief  
16 executive officer of the American Lung Association of Florida,  
17 or a designee. The ~~Governor shall appoint the~~ remaining eight  
18 ~~six~~ members of the council shall be appointed, as follows:

19 1. The Governor shall appoint four members, two  
20 members with expertise in the field of biomedical research,  
21 one member from a research university in the state, and one  
22 member representing the general population of the state.

23 2. The President of the Senate shall appoint two  
24 members, one member with expertise in the field of behavioral  
25 or social research and one representative from a cancer  
26 program approved by the American College of Surgeons.

27 3. The Speaker of the House of Representatives shall  
28 appoint two members, one member from a professional medical  
29 organization and one representative from a cancer program  
30 approved by the American College of Surgeons.

31 ~~4. One member from a research university in the state.~~

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1 ~~5. One member representing the general population of~~  
2 ~~the state.~~

3  
4 In making these ~~his or her~~ appointments, the Governor, the  
5 President of the Senate, and the Speaker of the House of  
6 Representatives shall select primarily, but not exclusively,  
7 Floridians with biomedical and lay expertise in the general  
8 areas of cancer, cardiovascular disease, stroke, and pulmonary  
9 disease. The ~~Governor's~~ appointments shall be for a 3-year  
10 term and shall reflect the diversity of the state's  
11 population. An appointed ~~A council member appointed by the~~  
12 ~~Governor~~ may not serve more than two consecutive terms.

13 (b) The council shall adopt internal organizational  
14 procedures as necessary for its efficient organization.

15 (c) The department shall provide such staff,  
16 information, and other assistance as is reasonably necessary  
17 to assist the council in carrying out its responsibilities.

18 (d) Members of the council shall serve without  
19 compensation, but may receive reimbursement as provided in s.  
20 112.061 for travel and other necessary expenses incurred in  
21 the performance of their official duties.

22 (11) The council shall award grants for cancer  
23 research through the William G. "Bill" Bankhead, Jr., and  
24 David Coley Cancer Research Program created in s. 381.922.

25 (12) Beginning in fiscal year 2006-2007, the sum of \$6  
26 million is appropriated annually from recurring funds in the  
27 General Revenue Fund to the Biomedical Research Trust Fund  
28 within the Department of Health for purposes of the James and  
29 Esther King Biomedical Research Program pursuant to this  
30 section. From these funds up to \$250,000 shall be available  
31 for the operating costs of the Florida Center for Universal

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1 Research to Eradicate Disease.

2       (13) By June 1, 2009, the Division of Statutory  
3 Revision of the Office of Legislative Services shall certify  
4 to the President of the Senate and the Speaker of the House of  
5 Representatives the language and statutory citation of this  
6 section, which is scheduled to expire January 1, 2011.

7       (14) The Legislature shall review the performance, the  
8 outcomes, and the financial management of the James and Esther  
9 King Biomedical Research Program during the 2010 Regular  
10 Session of the Legislature and shall determine the most  
11 appropriate funding source and means of funding the program  
12 based on its review.

13       (15) This section expires January 1, 2011, unless  
14 reviewed and reenacted by the Legislature before that date.

15       Section 4. All appointments to the Biomedical Research  
16 Advisory Council for the James and Esther King Biomedical  
17 Research Program that were not made in accordance with s.  
18 215.5602, Florida Statutes, as amended by this act, shall  
19 expire June 30, 2006, but such appointees may continue to  
20 serve until their successors are appointed. This section shall  
21 take effect upon this act becoming a law.

22       Section 5. Subsection (5) of section 381.855, Florida  
23 Statutes, is amended, and subsections (6) and (7) are added to  
24 that section, to read:

25       381.855 Florida Center for Universal Research to  
26 Eradicate Disease.--

27       (5) There is established within the center an advisory  
28 council that shall meet at least annually.

29       (a) The council shall consist of one representative  
30 from a Florida not-for-profit institution engaged in basic and  
31 clinical biomedical research and education which receives more

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1 than \$10 million in annual grant funding from the National  
 2 Institutes of Health, to be appointed by the Secretary of  
 3 Health from a different institution each term, and ~~the members~~  
 4 of the board of directors of the Florida Research Consortium  
 5 and at least one representative from and appointed by each of  
 6 the following entities:

- 7       ~~1. The Emerging Technology Commission.~~
- 8       ~~1.2.~~ Enterprise Florida, Inc.
- 9       ~~2.3.~~ BioFlorida.
- 10       ~~3.4.~~ The Biomedical Research Advisory Council.
- 11       ~~4.5.~~ The Florida Medical Foundation.
- 12       ~~5.6.~~ Pharmaceutical Research and Manufacturers of  
 13 America.
- 14       ~~7. The Florida Tri-Agency Coalition on Smoking OR~~  
 15 ~~Health.~~
- 16       ~~6.8.~~ The Florida Cancer Council.
- 17       ~~7.9.~~ The American Cancer Society, Florida Division,  
 18 Inc.
- 19       ~~8.10.~~ The American Heart Association.
- 20       ~~9.11.~~ The American Lung Association of Florida.
- 21       ~~10.12.~~ The American Diabetes Association, South  
 22 Coastal Region.
- 23       ~~11.13.~~ The Alzheimer's Association.
- 24       ~~12.14.~~ The Epilepsy Foundation.
- 25       ~~13.15.~~ The National Parkinson Foundation.
- 26       ~~14.16.~~ The Florida Public Health Foundation, Inc.
- 27       ~~15.17.~~ The Florida Research Consortium ~~Scripps Florida~~  
 28 ~~or the entity formed in this state by The Scripps Research~~  
 29 ~~Institute.~~

30       (b) Members of the council shall serve without  
 31 compensation, and each organization represented shall cover

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1 all expenses of its representative.

2 (6) Members shall be appointed to 4-year terms of  
3 office. The members of the advisory council shall annually  
4 elect a chair from among the members of the advisory council.  
5 Any vacancy on the advisory council shall be filled in the  
6 same manner as the original appointment.

7 (7) The advisory council shall meet at least annually,  
8 but may meet as often as it deems necessary to carry out its  
9 duties and responsibilities. The advisory council may take  
10 official action by a majority vote of the members present at  
11 any meeting at which a quorum is present.

12 Section 6. All appointments to the advisory council  
13 for the Florida Center for Universal Research to Eradicate  
14 Disease which were not made in accordance with s. 381.855,  
15 Florida Statutes, as amended by this act, shall expire June  
16 30, 2006, but such appointees may continue to serve until  
17 their successors are appointed. This section shall take effect  
18 upon this act becoming a law.

19 Section 7. Subsection (1) of section 381.921, Florida  
20 Statutes, is amended to read:

21 381.921 Florida Cancer Council mission and  
22 duties.--The council, which shall work in concert with the  
23 Florida Center for Universal Research to Eradicate Disease to  
24 ensure that the goals of the center are advanced, shall  
25 endeavor to dramatically improve cancer research and treatment  
26 in this state through:

27 (1) Efforts to significantly expand cancer research  
28 capacity in the state by:

29 (a) Identifying ways to attract new research talent  
30 and attendant national grant-producing researchers to  
31 Florida-based cancer research facilities in this state;

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1 (b) Implementing a peer-reviewed, competitive process  
2 to identify and fund the best proposals to expand cancer  
3 research institutes in this state;

4 (c) Funding through available resources for those  
5 proposals that demonstrate the greatest opportunity to attract  
6 federal research grants and private financial support;

7 (d) Encouraging the employment of bioinformatics in  
8 order to create a cancer informatics infrastructure that  
9 enhances information and resource exchange and integration  
10 through researchers working in diverse disciplines, to  
11 facilitate the full spectrum of cancer investigations;

12 (e) Facilitating the technical coordination, business  
13 development, and support of intellectual property as it  
14 relates to the advancement of cancer research; and

15 (f) Aiding in other multidisciplinary research-support  
16 activities as they inure to the advancement of cancer  
17 research.

18 Section 8. Section 381.922, Florida Statutes, is  
19 created to read:

20 381.922 William G. "Bill" Bankhead, Jr., and David  
21 Coley Cancer Research Program.--

22 (1) The William G. "Bill" Bankhead, Jr., and David  
23 Coley Cancer Research Program, which may be otherwise cited as  
24 the "Bankhead-Coley Program," is created within the Department  
25 of Health funded by the proceeds of the Lawton Chiles  
26 Endowment Fund pursuant to s. 215.5601. The purpose of the  
27 program shall be to advance progress towards cures for cancer  
28 through grants awarded through a peer-reviewed, competitive  
29 process.

30 (2) The program shall provide grants for cancer  
31 research to further the search for cures for cancer.



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1       (a) Emphasis shall be given to the goals enumerated in  
2 s. 381.921, as those goals support the advancement of such  
3 cures.

4       (b) Preference may be given to grant proposals that  
5 foster collaborations among institutions, researchers, and  
6 community practitioners, as such proposals support the  
7 advancement of cures through basic or applied research,  
8 including clinical trials involving cancer patients and  
9 related networks.

10       (3)(a) Applications for funding for cancer research  
11 may be submitted by any university or established research  
12 institute in the state. All qualified investigators in the  
13 state, regardless of institutional affiliation, shall have  
14 equal access and opportunity to compete for the research  
15 funding. Collaborative proposals, including those that advance  
16 the program's goals enumerated in subsection (2), may be given  
17 preference. Grants shall be awarded by the Secretary of  
18 Health, after consultation with the Biomedical Research  
19 Advisory Council, on the basis of scientific merit, as  
20 determined by an open, competitive peer review process that  
21 ensures objectivity, consistency, and high quality. The  
22 following types of applications shall be considered for  
23 funding:

- 24           1. Investigator-initiated research grants.
- 25           2. Institutional research grants.
- 26           3. Collaborative research grants, including those that  
27 advance the finding of cures through basic or applied  
28 research.

29       (b) In order to ensure that all proposals for research  
30 funding are appropriate and are evaluated fairly on the basis  
31 of scientific merit, the Secretary of Health, in consultation

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1 with the council, shall appoint a peer review panel of  
 2 independent, scientifically qualified individuals to review  
 3 the scientific content of each proposal and establish its  
 4 priority score. The priority scores shall be forwarded to the  
 5 council and must be considered in determining which proposals  
 6 shall be recommended for funding.

7 (c) The council and the peer review panel shall  
 8 establish and follow rigorous guidelines for ethical conduct  
 9 and adhere to a strict policy with regard to conflicts of  
 10 interest. A member of the council or panel may not participate  
 11 in any discussion or decision with respect to a research  
 12 proposal by any firm, entity, or agency with which the member  
 13 is associated as a member of the governing body or as an  
 14 employee or with which the member has entered into a  
 15 contractual arrangement. Meetings of the council and the peer  
 16 review panels are subject to chapter 119, s. 286.011, and s.  
 17 24, Art. I of the State Constitution.

18 (4) By December 15 of each year, the Department of  
 19 Health shall submit to the Governor, the President of the  
 20 Senate, and the Speaker of the House of Representatives a  
 21 report indicating progress towards the program's mission and  
 22 making recommendations that further its purpose.

23 (5) Beginning in fiscal year 2006-2007, the sum of \$9  
 24 million is appropriated annually from recurring funds in the  
 25 General Revenue Fund to the Biomedical Research Trust Fund  
 26 within the Department of Health for purposes of the William G.  
 27 "Bill" Bankhead, Jr., and David Coley Cancer Research Program  
 28 and shall be distributed pursuant to this section to provide  
 29 grants to researchers seeking cures for cancer, with emphasis  
 30 given to the goals enumerated in s. 381.921. From the total  
 31 funds appropriated, an amount of up to 10 percent may be used

1 for administrative expenses.

2       (6) By June 1, 2009, the Division of Statutory  
3 Revision of the Office of Legislative Services shall certify  
4 to the President of the Senate and the Speaker of the House of  
5 Representatives the language and statutory citation of this  
6 section, which is scheduled to expire January 1, 2011.

7       (7) The Legislature shall review the performance, the  
8 outcomes, and the financial management of the William G.  
9 "Bill" Bankhead, Jr., and David Coley Cancer Research Program  
10 during the 2010 Regular Session of the Legislature and shall  
11 determine the most appropriate funding source and means of  
12 funding the program based on its review.

13       (8) This section expires January 1, 2011, unless  
14 reviewed and reenacted by the Legislature before that date.

15       Section 9. Subsection (1) of section 381.98, Florida  
16 Statutes, is amended, paragraph (v) is added to subsection (6)  
17 of that section, present subsection (10) of that section is  
18 renumbered as subsection (12), and new subsections (10) and  
19 (11) are added to that section, to read:

20       381.98 The Florida Public Health Foundation, Inc. ;  
21 establishment; purpose; mission; duties; board of directors.--

22       (1) The Florida Public Health Foundation, Inc.,  
23 referred to in this section as "the corporation," is  
24 established for the purpose of disseminating breakthrough  
25 findings in biomedical research and promoting health awareness  
26 in this state and providing services to the Department of  
27 Health.

28       (6) The affairs of the corporation shall be managed by  
29 an executive director appointed by a board of directors  
30 consisting of:

31       (v) A representative of the Florida Association of

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1 Health Plans.

2       (10) The corporation may provide personnel to the  
3 Department of Health for the purpose of performing duties and  
4 responsibilities outlined in private and public grants  
5 received by the Department of Health. These personnel are not  
6 state employees and are not entitled to retirement credit and  
7 other benefits provided to state employees under chapters 110  
8 and 112. These personnel shall perform services pursuant to an  
9 agreement between the corporation and the Department of  
10 Health.

11       (11) The corporation may purchase goods, services, and  
12 property for use by the Department of Health. These purchases  
13 are not subject to the provisions of chapters 253, 255, and  
14 287, nor to the control or direction of the Department of  
15 Environmental Protection or the Department of Management  
16 Services.

17       Section 10. Subsection (3) is added to section 430.41,  
18 Florida Statutes, to read:

19       430.41 Grants and Donations Trust Fund.--

20       (3) Notwithstanding s. 216.301 and pursuant to s.  
21 216.351, any balance of any general revenue appropriation to  
22 the Grants and Donations Trust Fund that is not disbursed but  
23 that is obligated pursuant to contract or committed to be  
24 expended may be certified by the Governor for up to 3 years  
25 following the effective date of the original appropriation.

26       Section 11. Subsection (1) of section 561.121, Florida  
27 Statutes, is amended to read:

28       561.121 Deposit of revenue.--

29       (1) All state funds collected pursuant to ss. 563.05,  
30 564.06, and 565.12 shall be paid into the State Treasury and  
31 disbursed in the following manner:

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1           (a)~~1~~. Two percent of monthly collections of the excise  
 2 taxes on alcoholic beverages established in ss. 563.05,  
 3 564.06, and 565.12 shall be deposited into the Alcoholic  
 4 Beverage and Tobacco Trust Fund to meet the division's  
 5 appropriation for the state fiscal year.

6           ~~2. Beginning July 1, 2004, there is annually~~  
 7 ~~distributed \$15 million to the Grants and Donations Trust Fund~~  
 8 ~~within the Department of Elderly Affairs, and these funds are~~  
 9 ~~annually appropriated to support a contract with the Johnnie~~  
 10 ~~B. Byrd, Sr., Alzheimer's Center and Research Institute at the~~  
 11 ~~University of South Florida for the purposes of conducting~~  
 12 ~~research, developing and operating integrated data projects,~~  
 13 ~~and providing assistance to memory disorder clinics as~~  
 14 ~~established in s. 430.502.~~

15           ~~3. Beginning July 1, 2004, there is annually~~  
 16 ~~distributed \$6 million to the Biomedical Research Trust Fund~~  
 17 ~~within the Department of Health, and these funds are annually~~  
 18 ~~appropriated to the James and Esther King Biomedical Research~~  
 19 ~~Program. From these funds, up to \$250,000 shall be available~~  
 20 ~~annually for the operating costs of the Florida Center for~~  
 21 ~~Universal Research to Eradicate Disease.~~

22           ~~4. Beginning July 1, 2004, there is annually~~  
 23 ~~distributed \$9 million to be paid by warrant drawn by the~~  
 24 ~~Chief Financial Officer upon the State Treasury to Florida~~  
 25 ~~State University for the School of Chiropractic Medicine.~~  
 26 ~~Notwithstanding the provisions of chapter 216, until the~~  
 27 ~~School of Chiropractic Medicine is completely staffed and~~  
 28 ~~fully operational, these funds may be used for any purpose by~~  
 29 ~~the university.~~

30           (b) The remainder of the funds collected pursuant to  
 31 ss. 563.05, 564.06, and 565.12 collection shall be credited to

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1 the General Revenue Fund.

2 Section 12. Subsections (2) and (6) of section  
3 1004.445, Florida Statutes, are amended, present subsections  
4 (8), (9), and (10) of that section are renumbered as  
5 subsections (9), (10), and (11), respectively, and new  
6 subsections (8), (12), (13), (14), and (15) are added to that  
7 section, to read:

8 1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and  
9 Research Institute.--

10 (2)(a) The State Board of Education shall enter into  
11 an agreement for the utilization of the facilities on the  
12 campus of the University of South Florida to be known as the  
13 Johnnie B. Byrd, Sr., Alzheimer's Center and Research  
14 Institute, including all furnishings, equipment, and other  
15 chattels used in the operation of those facilities, with a  
16 Florida not-for-profit corporation organized solely for the  
17 purpose of governing and operating the Johnnie B. Byrd, Sr.,  
18 Alzheimer's Center and Research Institute. This not-for-profit  
19 corporation, acting as an instrumentality of the state, shall  
20 govern and operate the Johnnie B. Byrd, Sr., Alzheimer's  
21 Center and Research Institute in accordance with the terms of  
22 the agreement between the State Board of Education and the  
23 not-for-profit corporation. The not-for-profit corporation  
24 may, with the prior approval of the State Board of Education,  
25 create either for-profit or not-for-profit corporate  
26 subsidiaries, or both, to fulfill its mission. The  
27 not-for-profit corporation and its subsidiaries are authorized  
28 to receive, hold, invest, and administer property and any  
29 moneys acquired from private, local, state, and federal  
30 sources, as well as technical and professional income  
31 generated or derived from practice activities of the

1 institute, for the benefit of the institute and the  
2 fulfillment of its mission.

3           (b)~~1~~. The affairs of the not-for-profit corporation  
4 shall be managed by a board of directors who shall serve  
5 without compensation. The board of directors shall consist of  
6 the President of the University of South Florida and the chair  
7 of the State Board of Education, or their designees, five 5  
8 representatives of the state universities, and nine ~~no fewer~~  
9 ~~than 9 nor more than 14~~ representatives of the public who are  
10 neither medical doctors nor state employees. Each director who  
11 is a representative of a state university or of the public  
12 shall be appointed to serve a term of 3 years. The chair of  
13 the board of directors shall be selected by a majority vote of  
14 the directors. Each director shall have only one vote.

15           ~~2. The initial board of directors shall consist of the~~  
16 ~~President of the University of South Florida and the chair of~~  
17 ~~the State Board of Education, or their designees; the~~ Of the  
18 five university representatives, ~~of whom~~ one shall be  
19 appointed by the Governor, two by the President of the Senate,  
20 and two by the Speaker of the House of Representatives; and of  
21 the nine public representatives, ~~of whom~~ three shall be  
22 appointed by the Governor, three by the President of the  
23 Senate, and three by the Speaker of the House of  
24 Representatives. ~~Upon the expiration of the terms of the~~  
25 ~~initial appointed directors, all directors subject to 3-year~~  
26 ~~terms of office under this paragraph shall be appointed by a~~  
27 ~~majority vote of the directors and the board may be expanded~~  
28 ~~to include additional public representative directors up to~~  
29 ~~the maximum number allowed. Any vacancy in office shall be~~  
30 filled in the same manner as the original appointment ~~for the~~  
31 ~~remainder of the term by majority vote of the directors. Any~~

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1 | director may be reappointed.

2 |           (6) The institute shall be administered by a chief  
3 | executive officer, who shall be appointed by and serve at the  
4 | pleasure of the board of directors of the not-for-profit  
5 | corporation, and who shall exercise the following powers and  
6 | duties, subject to the approval of the board of directors:

7 |           (a) The chief executive officer shall establish  
8 | programs that fulfill the mission of the institute in  
9 | research, education, treatment, prevention, and early  
10 | detection of Alzheimer's disease; however, the chief executive  
11 | officer may not establish academic programs for which academic  
12 | credit is awarded and which culminate in the conferring of a  
13 | degree, without prior approval of the State Board of  
14 | Education.

15 |           (b) The chief executive officer shall have control  
16 | over the budget and the moneys appropriated or donated to the  
17 | institute from private, local, state, and federal sources, as  
18 | well as technical and professional income generated or derived  
19 | from practice activities of the institute. However,  
20 | professional income generated by university faculty from  
21 | practice activities at the institute shall be shared between  
22 | the institute and the university as determined by the chief  
23 | executive officer and the appropriate university dean or vice  
24 | president.

25 |           (c) The chief executive officer shall appoint  
26 | representatives of the institute to carry out the research,  
27 | patient care, and educational activities of the institute and  
28 | establish the compensation, benefits, and terms of service of  
29 | such representatives. Representatives of the institute shall  
30 | be eligible to hold concurrent appointments at affiliated  
31 | academic institutions. University faculty shall be eligible to



1 hold concurrent appointments at the institute.

2 (d) The chief executive officer shall have control  
3 over the use and assignment of space and equipment within the  
4 facilities.

5 (e) The chief executive officer shall have the power  
6 to create the administrative structure necessary to carry out  
7 the mission of the institute.

8 (f) The chief executive officer shall have a reporting  
9 relationship to the Commissioner of Education.

10 (g) The chief executive officer shall provide a copy  
11 of the institute's annual report to the Governor and Cabinet,  
12 the President of the Senate, the Speaker of the House of  
13 Representatives, and the chair of the State Board of  
14 Education. The annual report shall describe the expenditure of  
15 all funds and shall provide information regarding research  
16 that has been conducted or funded by the center, as well as  
17 the expected and actual results of such research.

18 (h) By August 1 of each year, the chief executive  
19 officer shall develop and submit to the Governor and Cabinet,  
20 the President of the Senate, the Speaker of the House of  
21 Representatives, and the chair of the State Board of Education  
22 an annual operating budget detailing the planned use of state,  
23 federal, and private funds for the fiscal year.

24 (8)(a) Applications for Alzheimer's disease research  
25 funding may be submitted from any university or established  
26 research institute in the state. All qualified investigators  
27 in the state, regardless of institutional affiliation, shall  
28 have equal access and opportunity to compete for the research  
29 funding. Grants shall be awarded by the board of directors of  
30 the not-for-profit corporation on the basis of scientific  
31 merit, as determined by an open, competitive peer review

1 process that ensures objectivity, consistency, and high  
2 quality. The following types of applications shall be  
3 considered for funding:

- 4       1. Investigator-initiated research grants.
- 5       2. Institutional research grants.
- 6       3. Collaborative research grants, including those that  
7 advance the finding of cures through basic or applied  
8 research.

9       (b) Preference may be given to grant proposals that  
10 foster collaboration among institutions, researchers, and  
11 community practitioners because these proposals support the  
12 advancement of cures through basic or applied research,  
13 including clinical trials involving Alzheimer's patients and  
14 related networks.

15       (c) To ensure that all proposals for research funding  
16 are appropriate and are evaluated fairly on the basis of  
17 scientific merit, the board of directors of the not-for-profit  
18 corporation, in consultation with the council of scientific  
19 advisors, shall appoint a peer review panel of independent,  
20 scientifically qualified individuals to review the scientific  
21 content of each proposal and establish its scientific priority  
22 score. The priority scores shall be forwarded to the council  
23 and must be considered by the board of directors of the  
24 not-for-profit corporation in determining which proposals  
25 shall be recommended for funding.

26       (d) The council of scientific advisors and the peer  
27 review panel shall establish and follow rigorous guidelines  
28 for ethical conduct and adhere to a strict policy with regard  
29 to conflict of interest. All employees, members of the board  
30 of directors, and affiliates of the not-for-profit corporation  
31 shall follow the same rigorous guidelines for ethical conduct

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1 and shall adhere to the same strict policy with regard to  
 2 conflict of interest. A member of the council or panel may not  
 3 participate in any discussion or decision with respect to a  
 4 research proposal by any firm, entity, or agency with which  
 5 the member is associated as a member of the governing body or  
 6 as an employee or with which the member has entered into a  
 7 contractual arrangement. Meetings of the council and the peer  
 8 review panels are subject to chapter 119, s. 286.011, and s.  
 9 24, Art. I of the State Constitution.

10 (12) Beginning in fiscal year 2006-2007, the sum of  
 11 \$15 million is appropriated annually from recurring funds in  
 12 the General Revenue Fund to the Grants and Donations Trust  
 13 Fund within the Department of Elderly Affairs for the Johnnie  
 14 B. Byrd, Sr., Alzheimer's Center and Research Institute at the  
 15 University of South Florida for the purposes as provided under  
 16 paragraph (6)(a), conducting and supporting research,  
 17 providing institutional research grants and  
 18 investigator-initiated research grants, developing and  
 19 operating integrated data projects, and providing assistance  
 20 to statutorily designated memory disorder clinics as provided  
 21 under s. 430.502. Not less than 80 percent of the appropriated  
 22 funds shall be expended for these purposes and not less than  
 23 20 percent of the appropriated funds shall be expended for  
 24 peer-reviewed investigator-initiated research grants.

25 (13) By June 1, 2009, the Division of Statutory  
 26 Revision of the Office of Legislative Services shall certify  
 27 to the President of the Senate and the Speaker of the House of  
 28 Representatives the language and statutory citation of this  
 29 section, which is scheduled to expire January 1, 2011.

30 (14) The Legislature shall review the performance, the  
 31 outcomes, and the financial management of the Johnnie B. Byrd,

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1 Sr., Alzheimer's Center and Research Institute during the 2010  
 2 Regular Session of the Legislature and shall determine the  
 3 most appropriate funding source and means of funding the  
 4 center and institute based on its review.

5 (15) This section expires January 1, 2011, unless  
 6 reviewed and reenacted by the Legislature before that date.

7 Section 13. All appointments to the board of directors  
 8 of the not-for-profit corporation for the Johnnie B. Byrd,  
 9 Sr., Alzheimer's Center and Research Institute that were not  
 10 made in accordance with s. 1004.445, Florida Statutes, as  
 11 amended by this act, shall expire June 30, 2006, but such  
 12 appointees may continue to serve until their successors are  
 13 appointed. This section shall take effect upon this act  
 14 becoming a law.

15 Section 14. Except as otherwise expressly provided in  
 16 this act and except for this section, which shall take effect  
 17 upon this act becoming a law, this act shall take effect July  
 18 1, 2006.

19  
 20

21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete everything before the enacting clause

24

25 and insert:

26 A bill to be entitled  
 27 An act relating to biomedical research;  
 28 providing legislative intent; amending s.  
 29 20.435, F.S.; authorizing the use of funds in  
 30 the Biomedical Research Trust Fund for the  
 31 purposes of the William G. "Bill" Bankhead,

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1 Jr., and David Coley Cancer Research Program;  
2 amending s. 215.5602, F.S.; revising the  
3 membership and the method for appointing  
4 members to the Biomedical Research Advisory  
5 Council; requiring the council to award grants  
6 for cancer research through the William G.  
7 "Bill" Bankhead, Jr., and David Coley Cancer  
8 Research Program; providing for the repeal of  
9 the James and Esther King Biomedical Research  
10 Program; requiring the Legislature to review  
11 the program prior to the repeal; providing for  
12 transition to new appointments; amending s.  
13 381.855, F.S.; revising the membership of the  
14 advisory council for the Florida Center for  
15 Universal Research to Eradicate Disease;  
16 providing for terms of office and the filling  
17 of vacancies; providing for officers, meetings,  
18 and procedures; providing for transition to new  
19 appointments; amending s. 381.921, F.S.;  
20 revising a goal of the Florida Cancer Council;  
21 creating s. 381.922, F.S.; establishing the  
22 William G. "Bill" Bankhead, Jr., and David  
23 Coley Cancer Research Program within the  
24 Department of Health; providing the purpose of  
25 the program; requiring the program to provide  
26 grants for cancer research; providing  
27 procedures for awarding cancer research grants;  
28 providing for peer review panels; providing  
29 requirements with respect to ethical conduct  
30 and conflicts of interest; providing for public  
31 records and meetings; requiring an annual

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1 report; providing for the repeal of William G.  
2 "Bill" Bankhead, Jr., and David Coley Cancer  
3 Research Program; requiring the Legislature to  
4 review the program prior to the repeal;  
5 amending s. 381.98, F.S., revising the purpose,  
6 duties, and authority of the Florida Public  
7 Health Foundation, Inc.; revising the  
8 membership of the board of directors of the  
9 corporation; amending s. 430.41, F.S.,  
10 providing for the Governor to certify certain  
11 funds for a certain number of years; amending  
12 s. 561.121, F.S.; redistributing certain funds  
13 collected from taxes on alcoholic beverages;  
14 amending s. 1004.445, F.S.; revising the method  
15 of appointing and filling vacancies on the  
16 Johnnie B. Byrd, Sr., Alzheimer's Center and  
17 Research Institute board of directors;  
18 requiring certain information in the annual  
19 report; requiring an annual operating budget;  
20 providing procedures for awarding of  
21 Alzheimer's disease research grants; providing  
22 for peer review panels; providing requirements  
23 with respect to ethical conduct and conflicts  
24 of interest; providing for public records and  
25 meetings; providing for the repeal of Johnnie  
26 B. Byrd, Sr., Alzheimer's Center and Research  
27 Institute; requiring the Legislature to review  
28 the center and institute prior to the repeal;  
29 providing appropriations; providing for the  
30 transition of new appointments to the board of  
31 directors of the not-for-profit corporation for

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1 the Johnnie B. Byrd, Sr., Alzheimer's Center  
2 and Research Institute; providing effective  
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