

1                   A bill to be entitled  
2           An act relating to biomedical research; providing  
3           legislative intent; amending s. 20.435, F.S.; authorizing  
4           the use of funds in the Biomedical Research Trust Fund for  
5           the purposes of the William G. "Bill" Bankhead, Jr., and  
6           David Coley Cancer Research Program; amending s. 215.5601,  
7           F.S.; providing for deposit of certain proceeds of the  
8           Lawton Chiles Endowment Fund into the Biomedical Research  
9           Trust Fund for purposes of the William G. "Bill" Bankhead,  
10          Jr., and David Coley Cancer Research Program; amending s.  
11          215.5602, F.S.; revising the membership and the method for  
12          appointing members to the Biomedical Research Advisory  
13          Council; requiring the council to award grants for cancer  
14          research through the William G. "Bill" Bankhead, Jr., and  
15          David Coley Cancer Research Program; providing for the  
16          repeal of the James and Esther King Biomedical Research  
17          Program; requiring the Legislature to review the program  
18          prior to the repeal; providing for transition to new  
19          appointments; amending s. 381.855, F.S.; revising the  
20          membership of the advisory council for the Florida Center  
21          for Universal Research to Eradicate Disease; providing for  
22          terms of office and the filling of vacancies; providing  
23          for officers, meetings, and procedures; providing for  
24          transition to new appointments; amending s. 381.921, F.S.;  
25          revising a goal of the Florida Cancer Council; creating s.  
26          381.922, F.S.; establishing the William G. "Bill"  
27          Bankhead, Jr., and David Coley Cancer Research Program

28 | within the Department of Health; providing the purpose of  
29 | the program; requiring the program to provide grants for  
30 | cancer research; providing procedures for awarding cancer  
31 | research grants; providing for peer review panels;  
32 | providing requirements with respect to ethical conduct and  
33 | conflicts of interest; providing for public records and  
34 | meetings; requiring an annual report; providing for the  
35 | repeal of William G. "Bill" Bankhead, Jr., and David Coley  
36 | Cancer Research Program; requiring the Legislature to  
37 | review the program prior to the repeal; amending s.  
38 | 381.98, F.S., revising the purpose, duties, and authority  
39 | of the Florida Public Health Foundation, Inc.; revising  
40 | the membership of the board of directors of the  
41 | corporation; amending s. 430.41, F.S., providing for the  
42 | Governor to certify certain funds for a certain number of  
43 | years; amending s. 561.121, F.S.; redistributing certain  
44 | funds collected from taxes on alcoholic beverages;  
45 | amending s. 1004.445, F.S.; requiring certain information  
46 | in the annual report; requiring an annual operating  
47 | budget; providing procedures for awarding of Alzheimer's  
48 | disease research grants; providing for peer review panels;  
49 | providing requirements with respect to ethical conduct and  
50 | conflicts of interest; providing for public records and  
51 | meetings; providing for the repeal of Johnnie B. Byrd,  
52 | Sr., Alzheimer's Center and Research Institute; requiring  
53 | the Legislature to review the center and institute prior

54 to the repeal; providing appropriations; providing  
55 effective dates.

56  
57 Be It Enacted by the Legislature of the State of Florida:

58  
59 Section 1. It is the intent of the Legislature to provide  
60 funding to support grants for biomedical research in this state  
61 with the anticipation that sustained funding for biomedical  
62 research over a period of years will lead to an alleviation of  
63 human suffering from diseases such as cancer and Alzheimer's  
64 disease. It is the intent of the Legislature to dramatically  
65 reduce this state's inordinately high cancer burden, reducing  
66 both cancer incidence and mortality, while advancing scientific  
67 endeavors in this state, making this state a world-class leader  
68 in cancer research and treatment. Further, it is the intent of  
69 the Legislature to address the debilitating and deadly effects  
70 of Alzheimer's disease by supporting research in Alzheimer's  
71 disease statewide through the awarding of research grants on a  
72 competitive basis. Additionally, it is the intent of the  
73 Legislature to stimulate dramatic economic development,  
74 particularly in the biotechnology industry, through investment  
75 in this state's biomedical research.

76 Section 2. Paragraph (h) of subsection (1) of section  
77 20.435, Florida Statutes, is amended to read:

78 20.435 Department of Health; trust funds.--

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

81 (h) Biomedical Research Trust Fund.

82 1. Funds to be credited to the trust fund shall consist of  
 83 funds deposited pursuant to s. 215.5601. Funds shall be used for  
 84 the purposes of the James and Esther King Biomedical Research  
 85 Program and the William G. "Bill" Bankhead, Jr., and David Coley  
 86 Cancer Research Program as specified in ss. 215.5602, ~~and~~  
 87 288.955, and 381.922. The trust fund is exempt from the service  
 88 charges imposed by s. 215.20.

89 2. Notwithstanding the provisions of s. 216.301 and  
 90 pursuant to s. 216.351, any balance in the trust fund at the end  
 91 of any fiscal year shall remain in the trust fund at the end of  
 92 the year and shall be available for carrying out the purposes of  
 93 the trust fund. The department may invest these funds  
 94 independently through the Chief Financial Officer or may  
 95 negotiate a trust agreement with the State Board of  
 96 Administration for the investment management of any balance in  
 97 the trust fund.

98 3. Notwithstanding s. 216.301 and pursuant to s. 216.351,  
 99 any balance of any appropriation from the Biomedical Research  
 100 Trust Fund which is not disbursed but which is obligated  
 101 pursuant to contract or committed to be expended may be  
 102 certified by the Governor for up to 3 years following the  
 103 effective date of the original appropriation.

104 4. The trust fund shall, unless terminated sooner, be  
 105 terminated on July 1, 2008.

106 Section 3. Paragraph (a) of subsection (5) of section  
 107 215.5601, Florida Statutes, is amended to read:

108 | 215.5601 Lawton Chiles Endowment Fund.--

109 | (5) AVAILABILITY OF FUNDS; USES.--

110 | (a) Funds from the endowment which are available for  
 111 | legislative appropriation shall be transferred by the board to  
 112 | the Department of Financial Services Tobacco Settlement Clearing  
 113 | Trust Fund, created in s. 17.41, and disbursed in accordance  
 114 | with the legislative appropriation.

115 | 1. Appropriations by the Legislature to the Department of  
 116 | Health from endowment earnings from the principal set aside for  
 117 | biomedical research shall be from a category called the James  
 118 | and Esther King Biomedical Research Program and a category  
 119 | called the William G. "Bill" Bankhead, Jr., and David Coley  
 120 | Cancer Research Program and shall be deposited into the  
 121 | Biomedical Research Trust Fund in the Department of Health  
 122 | established in s. 20.435.

123 | 2. Appropriations by the Legislature to the Department of  
 124 | Children and Family Services, the Department of Health, or the  
 125 | Department of Elderly Affairs from endowment earnings for health  
 126 | and human services programs shall be deposited into each  
 127 | department's respective Tobacco Settlement Trust Fund as  
 128 | appropriated.

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

132 | 215.5602 James and Esther King Biomedical Research  
 133 | Program.--

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

136 (a) The council shall consist of 11 ~~nine~~ members,  
 137 including: the chief executive officer of the Florida Division  
 138 of the American Cancer Society, or a designee; the chief  
 139 executive officer of the Florida/Puerto Rico Affiliate of the  
 140 American Heart Association, or a designee; and the chief  
 141 executive officer of the American Lung Association of Florida,  
 142 or a designee. ~~The Governor shall appoint the remaining~~ eight  
 143 ~~six~~ members of the council shall be appointed, as follows:

144 1. The Governor shall appoint four members, two members  
 145 with expertise in the field of biomedical research, one member  
 146 from a research university in the state, and one member  
 147 representing the general population of the state.

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

152 3. The Speaker of the House of Representatives shall  
 153 appoint two members, one member from a professional medical  
 154 organization and one representative from a cancer program  
 155 approved by the American College of Surgeons.

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

157 ~~5. One member representing the general population of the~~  
 158 ~~state.~~

159

160 In making these ~~his or her~~ appointments, the Governor, the  
161 President of the Senate, and the Speaker of the House of  
162 Representatives shall select primarily, but not exclusively,  
163 Floridians with biomedical and lay expertise in the general  
164 areas of cancer, cardiovascular disease, stroke, and pulmonary  
165 disease. The ~~Governor's~~ appointments shall be for a 3-year term  
166 and shall reflect the diversity of the state's population. An  
167 appointed ~~A council member appointed by the Governor~~ may not  
168 serve more than two consecutive terms.

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

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

174 (d) Members of the council shall serve without  
175 compensation, but may receive reimbursement as provided in s.  
176 112.061 for travel and other necessary expenses incurred in the  
177 performance of their official duties.

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

181 (12) By June 1, 2009, the Division of Statutory Revision  
182 of the Office of Legislative Services shall certify to the  
183 President of the Senate and the Speaker of the House of  
184 Representatives the language and statutory citation of this  
185 section, which is scheduled to expire January 1, 2011.

186       (13) The Legislature shall review the performance, the  
187 outcomes, and the financial management of the James and Esther  
188 King Biomedical Research Program during the 2010 Regular Session  
189 of the Legislature and shall determine the most appropriate  
190 funding source and means of funding the program based on its  
191 review.

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

194       Section 5. All appointments to the Biomedical Research  
195 Advisory Council for the James and Esther King Biomedical  
196 Research Program that were not made in accordance with s.  
197 215.5602, Florida Statutes, as amended by this act, shall expire  
198 June 30, 2006, but such appointees may continue to serve until  
199 their successors are appointed. This section shall take effect  
200 upon this act becoming a law.

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

204       381.855 Florida Center for Universal Research to Eradicate  
205 Disease.--

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

208       (a) The council shall consist of one representative from a  
209 Florida not-for-profit institution engaged in basic and clinical  
210 biomedical research and education which receives more than \$10  
211 million in annual grant funding from the National Institutes of  
212 Health, to be appointed by the Secretary of Health from a



213 different institution each term, and ~~the members of the board of~~  
214 ~~directors of the Florida Research Consortium and at least one~~  
215 representative from and appointed by each of the following  
216 entities:

- 217 ~~1. The Emerging Technology Commission.~~  
218 ~~1.2.~~ Enterprise Florida, Inc.  
219 ~~2.3.~~ BioFlorida.  
220 ~~3.4.~~ The Biomedical Research Advisory Council.  
221 ~~4.5.~~ The Florida Medical Foundation.  
222 ~~5.6.~~ Pharmaceutical Research and Manufacturers of America.  
223 ~~7. The Florida Tri Agency Coalition on Smoking OR Health.~~  
224 ~~6.8.~~ The Florida Cancer Council.  
225 ~~7.9.~~ The American Cancer Society, Florida Division, Inc.  
226 ~~8.10.~~ The American Heart Association.  
227 ~~9.11.~~ The American Lung Association of Florida.  
228 ~~10.12.~~ The American Diabetes Association, South Coastal  
229 Region.  
230 ~~11.13.~~ The Alzheimer's Association.  
231 ~~12.14.~~ The Epilepsy Foundation.  
232 ~~13.15.~~ The National Parkinson Foundation.  
233 ~~14.16.~~ The Florida Public Health Foundation, Inc.  
234 ~~15.17.~~ The Florida Research Consortium ~~Scripps Florida or~~  
235 ~~the entity formed in this state by The Scripps Research~~  
236 ~~Institute.~~

237 (b) Members of the council shall serve without  
238 compensation, and each organization represented shall cover all  
239 expenses of its representative.

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

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

250       Section 7. All appointments to the advisory council for  
251       the Florida Center for Universal Research to Eradicate Disease  
252       which were not made in accordance with s. 381.855, Florida  
253       Statutes, as amended by this act, shall expire June 30, 2006,  
254       but such appointees may continue to serve until their successors  
255       are appointed. This section shall take effect upon this act  
256       becoming a law.

257       Section 8. Subsection (1) of section 381.921, Florida  
258       Statutes, is amended to read:

259       381.921 Florida Cancer Council mission and duties.--The  
260       council, which shall work in concert with the Florida Center for  
261       Universal Research to Eradicate Disease to ensure that the goals  
262       of the center are advanced, shall endeavor to dramatically  
263       improve cancer research and treatment in this state through:

264       (1) Efforts to significantly expand cancer research  
265       capacity in the state by:

266 (a) Identifying ways to attract new research talent and  
 267 attendant national grant-producing researchers to ~~Florida-based~~  
 268 cancer research facilities in this state;

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

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

275 (d) Encouraging the employment of bioinformatics in order  
 276 to create a cancer informatics infrastructure that enhances  
 277 information and resource exchange and integration through  
 278 researchers working in diverse disciplines, to facilitate the  
 279 full spectrum of cancer investigations;

280 (e) Facilitating the technical coordination, business  
 281 development, and support of intellectual property as it relates  
 282 to the advancement of cancer research; and

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

285 Section 9. Section 381.922, Florida Statutes, is created  
 286 to read:

287 381.922 William G. "Bill" Bankhead, Jr., and David Coley  
 288 Cancer Research Program.--

289 (1) The William G. "Bill" Bankhead, Jr., and David Coley  
 290 Cancer Research Program, which may be otherwise cited as the  
 291 "Bankhead-Coley Program," is created within the Department of  
 292 Health funded by the proceeds of the Lawton Chiles Endowment

293 Fund pursuant to s. 215.5601. The purpose of the program shall  
294 be to advance progress towards cures for cancer through grants  
295 awarded through a peer-reviewed, competitive process.

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

298 (a) Emphasis shall be given to the goals enumerated in s.  
299 381.921, as those goals support the advancement of such cures.

300 (b) Preference may be given to grant proposals that foster  
301 collaborations among institutions, researchers, and community  
302 practitioners, as such proposals support the advancement of  
303 cures through basic or applied research, including clinical  
304 trials involving cancer patients and related networks.

305 (3)(a) Applications for funding for cancer research may be  
306 submitted by any university or established research institute in  
307 the state. All qualified investigators in the state, regardless  
308 of institutional affiliation, shall have equal access and  
309 opportunity to compete for the research funding. Collaborative  
310 proposals, including those that advance the program's goals  
311 enumerated in subsection (2), may be given preference. Grants  
312 shall be awarded by the Secretary of Health, after consultation  
313 with the Biomedical Research Advisory Council, on the basis of  
314 scientific merit, as determined by an open, competitive peer  
315 review process that ensures objectivity, consistency, and high  
316 quality. The following types of applications shall be considered  
317 for funding:

318 1. Investigator-initiated research grants.

319 2. Institutional research grants.

320       3. Collaborative research grants, including those that  
321 advance the finding of cures through basic or applied research.

322       (b) In order to ensure that all proposals for research  
323 funding are appropriate and are evaluated fairly on the basis of  
324 scientific merit, the Secretary of Health, in consultation with  
325 the council, shall appoint a peer review panel of independent,  
326 scientifically qualified individuals to review the scientific  
327 content of each proposal and establish its priority score. The  
328 priority scores shall be forwarded to the council and must be  
329 considered in determining which proposals shall be recommended  
330 for funding.

331       (c) The council and the peer review panel shall establish  
332 and follow rigorous guidelines for ethical conduct and adhere to  
333 a strict policy with regard to conflicts of interest. A member  
334 of the council or panel may not participate in any discussion or  
335 decision with respect to a research proposal by any firm,  
336 entity, or agency with which the member is associated as a  
337 member of the governing body or as an employee or with which the  
338 member has entered into a contractual arrangement. Meetings of  
339 the council and the peer review panels are subject to chapter  
340 119, s. 286.011, and s. 24, Art. I of the State Constitution.

341       (4) By December 15 of each year, the Department of Health  
342 shall submit to the Governor, the President of the Senate, and  
343 the Speaker of the House of Representatives a report indicating  
344 progress towards the program's mission and making  
345 recommendations that further its purpose.

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

351       (6) The Legislature shall review the performance, the  
352 outcomes, and the financial management of the William G. "Bill"  
353 Bankhead, Jr., and David Coley Cancer Research Program during  
354 the 2010 Regular Session of the Legislature and shall determine  
355 the most appropriate funding source and means of funding the  
356 program based on its review.

357       (7) This section expires January 1, 2011, unless reviewed  
358 and reenacted by the Legislature before that date.

359       Section 10. Subsection (1) of section 381.98, Florida  
360 Statutes, is amended, paragraph (v) is added to subsection (6),  
361 present subsection (10) is renumbered as subsection (12), and  
362 new subsections (10) and (11) are added to that section, to  
363 read:

364       381.98 The Florida Public Health Foundation, Inc.;  
365 establishment; purpose; mission; duties; board of directors.--

366       (1) The Florida Public Health Foundation, Inc., referred  
367 to in this section as "the corporation," is established for the  
368 purpose of disseminating breakthrough findings in biomedical  
369 research and promoting health awareness in this state and  
370 providing services to the Department of Health.

371 (6) The affairs of the corporation shall be managed by an  
372 executive director appointed by a board of directors consisting  
373 of:

374 (v) A representative of the Florida Association of Health  
375 Plans.

376 (10) The corporation may provide personnel to the  
377 Department of Health for the purpose of performing duties and  
378 responsibilities outlined in private and public grants received  
379 by the Department of Health. These personnel are not state  
380 employees and are not entitled to retirement credit and other  
381 benefits provided to state employees under chapters 110 and 112.  
382 These personnel shall perform services pursuant to an agreement  
383 between the corporation and the Department of Health.

384 (11) The corporation may purchase goods, services, and  
385 property for use by the Department of Health. These purchases  
386 are not subject to the provisions of chapters 253, 255, and 287,  
387 nor to the control or direction of the Department of  
388 Environmental Protection or the Department of Management  
389 Services.

390 Section 11. Subsection (3) is added to section 430.41,  
391 Florida Statutes, to read:

392 430.41 Grants and Donations Trust Fund.--

393 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,  
394 any balance of any general revenue appropriation to the Grants  
395 and Donations Trust Fund that is not disbursed but that is  
396 obligated pursuant to contract or committed to be expended may

397 be certified by the Governor for up to 3 years following the  
 398 effective date of the original appropriation.

399 Section 12. Subsection (1) of section 561.121, Florida  
 400 Statutes, is amended to read:

401 561.121 Deposit of revenue.--

402 (1) All state funds collected pursuant to ss. 563.05,  
 403 564.06, and 565.12 shall be paid into the State Treasury and  
 404 disbursed in the following manner:

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

410 ~~2. Beginning July 1, 2004, there is annually distributed~~  
 411 ~~\$15 million to the Grants and Donations Trust Fund within the~~  
 412 ~~Department of Elderly Affairs, and these funds are annually~~  
 413 ~~appropriated to support a contract with the Johnnie B. Byrd,~~  
 414 ~~Sr., Alzheimer's Center and Research Institute at the University~~  
 415 ~~of South Florida for the purposes of conducting research,~~  
 416 ~~developing and operating integrated data projects, and providing~~  
 417 ~~assistance to memory disorder clinics as established in s.~~  
 418 ~~430.502.~~

419 ~~3. Beginning July 1, 2004, there is annually distributed~~  
 420 ~~\$6 million to the Biomedical Research Trust Fund within the~~  
 421 ~~Department of Health, and these funds are annually appropriated~~  
 422 ~~to the James and Esther King Biomedical Research Program. From~~  
 423 ~~these funds, up to \$250,000 shall be available annually for the~~



424 ~~operating costs of the Florida Center for Universal Research to~~  
 425 ~~Eradicate Disease.~~

426 ~~4. Beginning July 1, 2004, there is annually distributed~~  
 427 ~~\$9 million to be paid by warrant drawn by the Chief Financial~~  
 428 ~~Officer upon the State Treasury to Florida State University for~~  
 429 ~~the School of Chiropractic Medicine. Notwithstanding the~~  
 430 ~~provisions of chapter 216, until the School of Chiropractic~~  
 431 ~~Medicine is completely staffed and fully operational, these~~  
 432 ~~funds may be used for any purpose by the university.~~

433 (b) The remainder of the funds collected pursuant to ss.  
 434 563.05, 564.06, and 565.12 ~~collection~~ shall be credited to the  
 435 General Revenue Fund.

436 Section 13. Subsection (6) of section 1004.445, Florida  
 437 Statutes, is amended, present subsections (8), (9), and (10) are  
 438 renumbered as subsections (9), (10), and (11), respectively, and  
 439 new subsections (8), (12), (13), and (14) are added to that  
 440 section, to read:

441 1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and  
 442 Research Institute.--

443 (6) The institute shall be administered by a chief  
 444 executive officer, who shall be appointed by and serve at the  
 445 pleasure of the board of directors of the not-for-profit  
 446 corporation, and who shall exercise the following powers and  
 447 duties, subject to the approval of the board of directors:

448 (a) The chief executive officer shall establish programs  
 449 that fulfill the mission of the institute in research,  
 450 education, treatment, prevention, and early detection of

451 Alzheimer's disease; however, the chief executive officer may  
452 not establish academic programs for which academic credit is  
453 awarded and which culminate in the conferring of a degree,  
454 without prior approval of the State Board of Education.

455 (b) The chief executive officer shall have control over  
456 the budget and the moneys appropriated or donated to the  
457 institute from private, local, state, and federal sources, as  
458 well as technical and professional income generated or derived  
459 from practice activities of the institute. However, professional  
460 income generated by university faculty from practice activities  
461 at the institute shall be shared between the institute and the  
462 university as determined by the chief executive officer and the  
463 appropriate university dean or vice president.

464 (c) The chief executive officer shall appoint  
465 representatives of the institute to carry out the research,  
466 patient care, and educational activities of the institute and  
467 establish the compensation, benefits, and terms of service of  
468 such representatives. Representatives of the institute shall be  
469 eligible to hold concurrent appointments at affiliated academic  
470 institutions. University faculty shall be eligible to hold  
471 concurrent appointments at the institute.

472 (d) The chief executive officer shall have control over  
473 the use and assignment of space and equipment within the  
474 facilities.

475 (e) The chief executive officer shall have the power to  
476 create the administrative structure necessary to carry out the  
477 mission of the institute.

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

480 (g) The chief executive officer shall provide a copy of  
481 the institute's annual report to the Governor and Cabinet, the  
482 President of the Senate, the Speaker of the House of  
483 Representatives, and the chair of the State Board of Education.  
484 The annual report shall describe the expenditure of all funds  
485 and shall provide information regarding research that has been  
486 conducted or funded by the center, as well as the expected and  
487 actual results of such research.

488 (h) By August 1 of each year, the chief executive officer  
489 shall develop and submit to the Governor and Cabinet, the  
490 President of the Senate, the Speaker of the House of  
491 Representatives, and the chair of the State Board of Education  
492 an annual operating budget detailing the planned use of state,  
493 federal, and private funds for the fiscal year.

494 (8)(a) Applications for Alzheimer's disease research  
495 funding may be submitted from any university or established  
496 research institute in the state. All qualified investigators in  
497 the state, regardless of institutional affiliation, shall have  
498 equal access and opportunity to compete for the research  
499 funding. Grants shall be awarded by the board of directors of  
500 the not-for-profit corporation on the basis of scientific merit,  
501 as determined by an open, competitive peer review process that  
502 ensures objectivity, consistency, and high quality. The  
503 following types of applications shall be considered for funding:

504 1. Investigator-initiated research grants.

505       2. Institutional research grants.

506       3. Collaborative research grants, including those that  
507 advance the finding of cures through basic or applied research.

508       (b) Preference may be given to grant proposals that foster  
509 collaboration among institutions, researchers, and community  
510 practitioners because these proposals support the advancement of  
511 cures through basic or applied research, including clinical  
512 trials involving Alzheimer's patients and related networks.

513       (c) To ensure that all proposals for research funding are  
514 appropriate and are evaluated fairly on the basis of scientific  
515 merit, the board of directors of the not-for-profit corporation,  
516 in consultation with the council of scientific advisors, shall  
517 appoint a peer review panel of independent, scientifically  
518 qualified individuals to review the scientific content of each  
519 proposal and establish its scientific priority score. The  
520 priority scores shall be forwarded to the council and must be  
521 considered by the board of directors of the not-for-profit  
522 corporation in determining which proposals shall be recommended  
523 for funding.

524       (d) The council of scientific advisors and the peer review  
525 panel shall establish and follow rigorous guidelines for ethical  
526 conduct and adhere to a strict policy with regard to conflict of  
527 interest. All employees, members of the board of directors, and  
528 affiliates of the not-for-profit corporation shall follow the  
529 same rigorous guidelines for ethical conduct and shall adhere to  
530 the same strict policy with regard to conflict of interest. A  
531 member of the council or panel may not participate in any

532 discussion or decision with respect to a research proposal by  
533 any firm, entity, or agency with which the member is associated  
534 as a member of the governing body or as an employee or with  
535 which the member has entered into a contractual arrangement.  
536 Meetings of the council and the peer review panels are subject  
537 to chapter 119, s. 286.011, and s. 24, Art. I of the State  
538 Constitution.

539 (12) By June 1, 2009, the Division of Statutory Revision  
540 of the Office of Legislative Services shall certify to the  
541 President of the Senate and the Speaker of the House of  
542 Representatives the language and statutory citation of this  
543 section, which is scheduled to expire January 1, 2011.

544 (13) The Legislature shall review the performance, the  
545 outcomes, and the financial management of the Johnnie B. Byrd,  
546 Sr., Alzheimer's Center and Research Institute during the 2010  
547 Regular Session of the Legislature and shall determine the most  
548 appropriate funding source and means of funding the center and  
549 institute based on its review.

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

552 Section 14. (1) The sum of \$6 million is appropriated  
553 from recurring general revenue funds to the Biomedical Research  
554 Trust Fund within the Department of Health for fiscal year 2006-  
555 2007 for purposes of the James and Esther King Biomedical  
556 Research Program pursuant to s. 215.5602, Florida Statutes. From  
557 these funds up to \$250,000 shall be available for the operating

558 costs of the Florida Center for Universal Research to Eradicate  
559 Disease.

560 (2) The sum of \$9 million is appropriated from recurring  
561 general revenue funds to the Biomedical Research Trust Fund  
562 within the Department of Health for purposes of the William G.  
563 "Bill" Bankhead, Jr., and David Coley Cancer Research Program  
564 for the 2006-2007 fiscal year, and shall be distributed pursuant  
565 to s. 381.922, Florida Statutes, to provide grants to  
566 researchers seeking cures for cancer, with emphasis given to the  
567 goals enumerated in s. 381.921, Florida Statutes. From the total  
568 funds appropriated, an amount of up to 10 percent may be used  
569 for administrative expenses.

570 (3) The sum of \$15 million is appropriated from recurring  
571 general revenue funds to the Grants and Donations Trust Fund  
572 within the Department of Elderly Affairs for the Johnnie B.  
573 Byrd, Sr., Alzheimer's Center and Research Institute at the  
574 University of South Florida for fiscal year 2006-2007 for the  
575 purposes as provided under s. 1004.445(6)(a), Florida Statutes,  
576 conducting and supporting research, providing institutional  
577 research grants and investigator-initiated research grants,  
578 developing and operating integrated data projects, and providing  
579 assistance to statutorily designated memory disorder clinics as  
580 provided under s. 430.502, Florida Statutes. Not less than 80  
581 percent of the appropriated funds shall be expended for these  
582 purposes and not less than 20 percent of the appropriated funds  
583 shall be expended for peer-reviewed investigator-initiated  
584 research grants.

585           Section 15. Except as otherwise expressly provided in this  
586 act and except for this section, which shall take effect upon  
587 this act becoming a law, this act shall take effect July 1,  
588 2006.