

Bill No. CS for CS for CS for SB 1826

Barcode 985284

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

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Senator Saunders moved the following amendment:

Senate Amendment (with title amendment)

On page 10, line 7, through page 14, line 27, delete those lines

and insert:

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

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

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

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

Bill No. CS for CS for CS for SB 1826

Barcode 985284

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

Bill No. CS for CS for CS for SB 1826

Barcode 985284

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

Bill No. CS for CS for CS for SB 1826

Barcode 985284

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

Bill No. CS for CS for CS for SB 1826

Barcode 985284

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:

Bill No. CS for CS for CS for SB 1826

Barcode 985284

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

Bill No. CS for CS for CS for SB 1826

Barcode 985284

1 the General Revenue Fund.

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

5 And the title is amended as follows:

6 On page 1, line 26, through page 2, line 28, delete
7 those lines

8

9 and insert:

10 the Florida Cancer Council; creating s.
11 381.922, F.S.; establishing the William G.
12 "Bill" Bankhead, Jr., and David Coley Cancer
13 Research Program within the Department of
14 Health; providing the purpose of the program;
15 requiring the program to provide grants for
16 cancer research; providing procedures for
17 awarding cancer research grants; providing for
18 peer review panels; providing requirements with
19 respect to ethical conduct and conflicts of
20 interest; providing for public records and
21 meetings; requiring an annual report; providing
22 for the repeal of William G. "Bill" Bankhead,
23 Jr., and David Coley Cancer Research Program;
24 requiring the Legislature to review the program
25 prior to the repeal; amending s. 381.98, F.S.,
26 revising the purpose, duties, and authority of
27 the Florida Public Health Foundation, Inc.;
28 revising the membership of the board of
29 directors of the corporation; amending s.
30 430.41, F.S., providing for the Governor to
31 certify certain funds for a certain number of

Bill No. CS for CS for CS for SB 1826

Barcode 985284

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years; amending s. 561.121, F.S.;
redistributing certain funds collected from
taxes on alcoholic beverages; amending s.