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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/19/2008	.	
	.	
	.	

1 The Committee on Higher Education (Justice) recommended the
 2 following **amendment**:

Senate Amendment (with title amendment)

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Section 1004.445, Florida Statutes, is amended
8 to read:

9 (Substantial rewording of section. See
10 s. 1004.445, F.S., for present text.)

11 1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and
12 Research Institute.-

13 (1) The Johnnie B. Byrd, Sr., Alzheimer's Center and
14 Research Institute is established within the University of South
15 Florida. The center shall work in collaboration with other state
16 universities on programs directly relating to research,

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17 education, treatment, prevention, and early detection of
18 Alzheimer's disease.

19 (2) The center shall be administered by a director of
20 operations, who shall be appointed by and serve at the pleasure
21 of the president of the University of South Florida.

22 (3) A research advisory board is created, to be comprised
23 of seven members, of leading researchers, physicians, and
24 scientists. The members of the board shall be appointed as
25 follows: one member appointed by the Governor, two members
26 appointed by the President of the Senate, two members appointed
27 by the Speaker of the House of Representatives, and two members
28 appointed by the president of the University of South Florida.
29 Each member must have significant scientific research experience
30 in order to be appointed. Each member of the board shall be
31 appointed to serve a 2-year term and may be reappointed to the
32 board.

33 (a) The board shall review programs and recommend research
34 priorities and initiatives to maximize the state's investment in
35 the center.

36 (b) The board shall oversee the administration of the
37 center's research activities by the director of research.

38 (4) The center's research activities shall be administered
39 by the director of research. The director of research shall be
40 appointed by the president of the University of South Florida
41 based on the recommendation of the research advisory board.

42 (5) The center may fund applications for Alzheimer's
43 disease research submitted from any university or established
44 research institute in the state. All qualified investigators in
45 the state, regardless of institutional affiliation, shall have
46 equal access and opportunity to compete for the research funding



47 awarded by the center in support of its mission. Grants shall be
48 awarded by the center on the basis of scientific merit, as
49 determined by an open, competitive peer review process that
50 ensures objectivity, consistency, and high quality.

51 (6) The center may not expend more than 20 percent of the
52 funds appropriated for administrative purposes.

53 (7) The University of South Florida shall establish a
54 separate account within the university's foundation for the
55 center's purposes as described in this section.

56 (8) The center shall provide an annual report to the
57 Governor and Cabinet, the President of the Senate, the Speaker of
58 the House of Representatives, and the chair of the Board of
59 Governors. The annual report shall describe the expenditure of
60 all funds and shall provide information regarding research that
61 has been conducted or funded by the center, as well as the
62 expected and actual results of such research.

63 (9) The following information is confidential and exempt
64 from s. 119.07(1) and s. 24, Art. I of the State Constitution:

65 (a) Personal identifying information relating to clients of
66 programs created or funded through the Johnnie B. Byrd, Sr.,
67 Alzheimer's Center and Research Institute that is held by the
68 center, the University of South Florida, the Board of Governors,
69 or the State Board of Education;

70 (b) Medical or health records relating to patients held by
71 the center;

72 (c) Materials that relate to methods of manufacture or
73 production, potential trade secrets, potentially patentable
74 material, actual trade secrets as defined in s. 688.002, or
75 proprietary information received, generated, ascertained, or
76 discovered during the course of research conducted by or through

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77 the center and business transactions resulting from such
78 research;

79 (d) The personal identifying information of a donor or
80 prospective donor to the center who wishes to remain anonymous;
81 and

82 (e) Any information received by the center from a person
83 from another state or nation or the Federal Government that is
84 otherwise confidential and exempt pursuant to the laws of that
85 state or nation or pursuant to federal law.

86
87 Any governmental entity that demonstrates a need to access such
88 confidential and exempt information in order to perform its
89 duties and responsibilities shall have access to such
90 information.

91 (10) By June 1, 2011, the Division of Statutory Revision of
92 the Office of Legislative Services shall certify to the President
93 of the Senate and the Speaker of the House of Representatives the
94 language and statutory citation of this section, which is
95 scheduled to expire January 1, 2013.

96 (11) The Legislature shall review the performance, the
97 outcomes, and financial management of the Johnnie B. Byrd, Sr.,
98 Alzheimer's Center and Research Institute during the 2010 Regular
99 Session of the Legislature and shall determine the most
100 appropriate funding source and means of funding the center based
101 on its review.

102 (12) This section expires January 1, 2013, unless reviewed
103 and reenacted by the Legislature before that date.

104 Section 2. No later than June 1, 2008, the board of
105 directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and
106 Research Institute shall provide a final audit of assets of the



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107 not-for-profit corporation as described in s. 1004.445, to the
108 President of the University of South Florida and the chair of the
109 Board of Governors to assist in the transfer of the institute to
110 the University of South Florida.

111 Section 3. The board of directors of the Johnnie B. Byrd,
112 Sr., Alzheimer's Center and Research Institute shall transfer all
113 assets and functions of the institute to the University of South
114 Florida by July 1, 2008.

115 Section 4. All contracts held by the not-for-profit
116 corporation and any for-profit or not-for-profit corporate
117 subsidiaries as described in s. 1004.445, shall be transferred to
118 the University of South Florida by July 1, 2008.

119 Section 5. The board of directors of the Johnnie B. Byrd,
120 Sr., Alzheimer's Center and Research Institute and the not-for-
121 profit corporation as described in s. 1004.445, are dissolved
122 effective July 1, 2008.

123 Section 6. Unless otherwise specified, this act shall take
124 effect upon becoming law.
125
126

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

128 And the title is amended as follows:

129 Delete everything before the enacting clause
130 and insert:

131
132 A bill to be entitled
133 An act relating to the Johnnie B. Byrd, Sr., Alzheimer's
134 Center and Research Institute; amending s. 1004.445, F.S.;
135 establishing the center within the University of South
136 Florida; providing for the administration of the center;



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137 | creating a research advisory board and providing for a
138 | manner of appointment; providing duties; eliminating the
139 | board of directors and the council of scientific advisors;
140 | revising the grant award process for the center; providing
141 | a limitation on expenditures; authorizing an account for
142 | center purposes; providing for a report; extending the
143 | sunset provisions; providing an effective date.