



743864

CHAMBER ACTION

Senate

House

.
. .
. .
. .

Floor: WD/2R
4/25/2008 11:39 AM

1 Senators Joyner and Crist moved the following **amendment**:

2
3 **Senate Amendment (with title amendment)**

4 Delete line 84

5 insert:

6 Section 2. Section 1004.445, Florida Statutes, is amended
7 to read:

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

10 1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and
11 Research Institute.--

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



743864

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

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

34 (4) The center's research activities shall be administered
35 by the director of research. The director of research shall be
36 appointed by the president of the University of South Florida
37 from a list of recommended candidates submitted by the research
38 advisory board.

39 (5) The center may fund applications for Alzheimer's
40 disease research submitted from any university or established
41 research institute in the state. All qualified investigators in
42 the state, regardless of institutional affiliation, shall have
43 equal access and opportunity to compete for the research funding
44 awarded by the center in support of its mission. Grants shall be
45 awarded by the center on the basis of scientific merit, as
46 determined by an open, competitive peer review process that
47 ensures objectivity, consistency, and high quality.



743864

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

50 (7) The University of South Florida shall establish a
51 separate account within the university's foundation for
52 charitable donations received for the center's purposes as
53 described in this section.

54 (8) With the exception of charitable donations for the
55 center deposited into the separate account within the University
56 of South Florida's foundation, the University of South Florida
57 shall establish and maintain separate accounts for all other
58 funds appropriated to, dedicated for, or generated by the center.

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

66 (10) The following information is confidential and exempt
67 from s. 119.07(1) and s. 24, Art. I of the State Constitution:

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

73 (b) Medical or health records relating to patients held by
74 the center;

75 (c) Materials that relate to methods of manufacture or
76 production, potential trade secrets, potentially patentable
77 material, actual trade secrets as defined in s. 688.002, or



743864

78 proprietary information received, generated, ascertained, or
79 discovered during the course of research conducted by or through
80 the center and business transactions resulting from such
81 research;

82 (d) The personal identifying information of a donor or
83 prospective donor to the center who wishes to remain anonymous;
84 and

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

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

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

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

105 (13) This section expires January 1, 2013, unless reviewed
106 and reenacted by the Legislature before that date.



743864

107 Section 3. No later than June 1, 2008, the board of
108 directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and
109 Research Institute shall provide a final audit of assets of the
110 not-for-profit corporation as described in s. 1004.445, Florida
111 Statutes, to the President of the University of South Florida and
112 the chair of the Board of Governors to assist in the transfer of
113 the institute to the University of South Florida. This section
114 shall take effect upon becoming a law.

115 Section 4. The board of directors of the Johnnie B. Byrd,
116 Sr., Alzheimer's Center and Research Institute shall transfer all
117 assets and functions of the institute to the University of South
118 Florida by July 1, 2008. Charitable donations shall be deposited
119 into the account established pursuant to s. 1004.445(7). All
120 other funds shall be deposited into appropriate accounts
121 established pursuant to s. 1004.445(8).

122 Section 5. All contracts held by the not-for-profit
123 corporation and any for-profit or not-for-profit corporate
124 subsidiaries as described in s. 1004.445, Florida Statutes, shall
125 be transferred to the University of South Florida by July 1,
126 2008.

127 Section 6. The board of directors of the Johnnie B. Byrd,
128 Sr., Alzheimer's Center and Research Institute and the not-for-
129 profit corporation as described in s. 1004.445, Florida Statutes,
130 are dissolved effective July 1, 2008.

131 Section 7. Except as otherwise expressly provided in this
132 act and except for this section, which shall take effect upon
133 becoming a law, this act shall take effect July 1, 2008.

134
135 ===== T I T L E A M E N D M E N T =====

136 And the title is amended as follows:



743864

137 Delete line 2-15
138 and insert:
139 An act relating to state universities; amending s.
140 1009.24, F.S.; revising requirements for the Board of
141 Governors in establishing tuition and out-of-state fees
142 for graduate and professional programs; revising
143 requirements for the Board of Governors in establishing
144 a uniform maximum undergraduate tuition differential
145 for universities that have research and development
146 expenditures of a specified amount; allowing the
147 university board of trustees to maintain the
148 differential unless otherwise directed by the Board of
149 Governors; providing an exemption from payment of the
150 tuition differential for beneficiaries of a prepaid
151 tuition contract that was in effect on July 1, 2008;
152 amending s. 1004.445, F.S.; establishing the Johnnie B.
153 Byrd, Sr., Alzheimer's Center and Research Institute
154 within the University of South Florida; providing for
155 the administration of the center; creating a research
156 advisory board and providing for a manner of
157 appointment; providing duties; eliminating the board of
158 directors and the council of scientific advisors;
159 revising the grant award process for the center;
160 providing a limitation on expenditures; requiring the
161 university to establish an account for charitable
162 donations and separate accounts for other funds;
163 providing for a report; extending the sunset
164 provisions; providing effective dates.