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LEGISLATIVE ACTION

Senate	.	House
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Floor: AD/CR	.	
05/08/2009 12:01 PM	.	
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The Conference Committee on CS for SB 1664 recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Paragraph (b) of subsection (2) of section
7 210.20, Florida Statutes, is amended to read:

8 210.20 Employees and assistants; distribution of funds.—

9 (2) As collections are received by the division from such
10 cigarette taxes, it shall pay the same into a trust fund in the
11 State Treasury designated "Cigarette Tax Collection Trust Fund"



881912

12 which shall be paid and distributed as follows:

13 (b)1. Beginning January 1, 1999, and continuing for 10
14 years thereafter, the division shall from month to month certify
15 to the Chief Financial Officer the amount derived from the
16 cigarette tax imposed by s. 210.02, less the service charges
17 provided for in s. 215.20 and less 0.9 percent of the amount
18 derived from the cigarette tax imposed by s. 210.02, which shall
19 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
20 specifying an amount equal to 2.59 percent of the net
21 collections, and that amount shall be paid to the Board of
22 Directors of the H. Lee Moffitt Cancer Center and Research
23 Institute, established under s. 1004.43, by warrant drawn by the
24 Chief Financial Officer upon the State Treasury. These funds are
25 hereby appropriated monthly out of the Cigarette Tax Collection
26 Trust Fund, to be used for the purpose of constructing,
27 furnishing, and equipping a cancer research facility at the
28 University of South Florida adjacent to the H. Lee Moffitt
29 Cancer Center and Research Institute. In fiscal years 1999-2000
30 and thereafter with the exception of fiscal year 2008-2009, the
31 appropriation to the H. Lee Moffitt Cancer Center and Research
32 Institute authorized by this subparagraph shall not be less than
33 the amount that would have been paid to the H. Lee Moffitt
34 Cancer Center and Research Institute for fiscal year 1998-1999
35 had payments been made for the entire fiscal year rather than
36 for a 6-month period thereof.

37 2. Beginning July 1, 2002, and continuing through June 30,
38 2004, the division shall, in addition to the distribution
39 authorized in subparagraph 1., from month to month certify to
40 the Chief Financial Officer the amount derived from the



881912

41 cigarette tax imposed by s. 210.02, less the service charges
42 provided for in s. 215.20 and less 0.9 percent of the amount
43 derived from the cigarette tax imposed by s. 210.02, which shall
44 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
45 specifying an amount equal to 0.2632 percent of the net
46 collections, and that amount shall be paid to the Board of
47 Directors of the H. Lee Moffitt Cancer Center and Research
48 Institute, established under s. 1004.43, by warrant drawn by the
49 Chief Financial Officer. Beginning July 1, 2004, and continuing
50 through June 30, 2020 ~~2016~~, the division shall, in addition to
51 the distribution authorized in subparagraph 1., from month to
52 month certify to the Chief Financial Officer the amount derived
53 from the cigarette tax imposed by s. 210.02, less the service
54 charges provided for in s. 215.20 and less 0.9 percent of the
55 amount derived from the cigarette tax imposed by s. 210.02,
56 which shall be deposited into the Alcoholic Beverage and Tobacco
57 Trust Fund, specifying an amount equal to 1.47 percent of the
58 net collections, and that amount shall be paid to the Board of
59 Directors of the H. Lee Moffitt Cancer Center and Research
60 Institute, established under s. 1004.43, by warrant drawn by the
61 Chief Financial Officer. These funds are appropriated monthly
62 out of the Cigarette Tax Collection Trust Fund, to be used for
63 the purpose of constructing, furnishing, and equipping a cancer
64 research facility at the University of South Florida adjacent to
65 the H. Lee Moffitt Cancer Center and Research Institute. In
66 fiscal years 2004-2005 and thereafter, the appropriation to the
67 H. Lee Moffitt Cancer Center and Research Institute authorized
68 by this subparagraph shall not be less than the amount that
69 would have been paid to the H. Lee Moffitt Cancer Center and



881912

70 Research Institute in fiscal year 2001-2002, had this
71 subparagraph been in effect.

72 Section 2. Subsection (12) of section 215.5602, Florida
73 Statutes, as amended by section 1 of chapter 2009-5, Laws of
74 Florida, is amended to read:

75 215.5602 James and Esther King Biomedical Research
76 Program.—

77 (12) ~~For the 2008-2009 fiscal year and each fiscal year~~
78 ~~thereafter, the sum of \$4.5 million is appropriated annually~~
79 ~~from recurring funds in the General Revenue Fund to the~~
80 ~~Biomedical Research Trust Fund within the Department of Health~~
81 ~~for purposes of the James and Esther King Biomedical Research~~
82 ~~Program pursuant to this section.~~ From these funds appropriated
83 to accomplish the goals of this section, up to \$250,000 shall be
84 available for the operating costs of the Florida Center for
85 Universal Research to Eradicate Disease.

86 (a) Beginning in the 2009-2010 fiscal year and thereafter,
87 5 percent of the revenue deposited into the Health Care Trust
88 Fund pursuant to ss. 210.011(9) and 210.276(7) shall be reserved
89 for research of tobacco-related or cancer-related illnesses;
90 however, the sum of the revenue reserved pursuant to ss.
91 210.011(9) and 210.276(7) may not exceed \$50 million in any
92 fiscal year.

93 (b) In the 2009-2010 fiscal year, 2.5 percent, not to
94 exceed \$25 million, of the revenue deposited into the Health
95 Care Trust Fund pursuant to this subsection shall be transferred
96 to the Biomedical Research Trust Fund within the Department of
97 Health for the James and Esther King Biomedical Research
98 Program.



881912

99 Section 3. Paragraph (i) of subsection (3) and subsection
100 (6) of section 381.84, Florida Statutes, are amended to read:

101 381.84 Comprehensive Statewide Tobacco Education and Use
102 Prevention Program.—

103 (3) PROGRAM COMPONENTS AND REQUIREMENTS.—The department
104 shall conduct a comprehensive, statewide tobacco education and
105 use prevention program consistent with the recommendations for
106 effective program components contained in the 1999 Best
107 Practices for Comprehensive Tobacco Control Programs of the CDC,
108 as amended by the CDC. The program shall include the following
109 components, each of which shall focus on educating people,
110 particularly youth and their parents, about the health hazards
111 of tobacco and discouraging the use of tobacco:

112 (i) *AHEC smoking-cessation initiative.*—For the 2009-2010
113 ~~2007-2008 and 2008-2009~~ fiscal year ~~years~~ only, the AHEC network
114 shall expand the AHEC smoking-cessation initiative to each
115 county within the state and perform other activities as
116 determined by the department.

117 (6) CONTRACT REQUIREMENTS.—Contracts or grants for the
118 program components or subcomponents described in paragraphs
119 (3) (a)-(f) shall be awarded by the State Surgeon General, after
120 consultation with the council, on the basis of merit, as
121 determined by an open, competitive, peer-reviewed process that
122 ensures objectivity, consistency, and high quality. The
123 department shall award such grants or contracts no later than
124 October 1 for each fiscal year. A recipient of a contract or
125 grant for the program component described in paragraph (3) (c) is
126 not eligible for a contract or grant award for any other program
127 component described in subsection (3) in the same state fiscal



881912

128 year. A school or college of medicine that is represented on the
129 council is not eligible to receive a contract or grant under
130 this section. For the 2009-2010 ~~2007-2008~~ and ~~2008-2009~~ fiscal
131 year ~~years~~ only, the department shall award a contract or grant
132 in the amount of \$10 million to the AHEC network for the purpose
133 of developing the components described in paragraph (3) (i). The
134 AHEC network may apply for a competitive contract or grant after
135 the 2009-2010 ~~2008-2009~~ fiscal year.

136 Section 4. Subsection (5) of section 381.922, Florida
137 Statutes, as amended by section 2 of chapter 2009-5, Laws of
138 Florida, is amended to read:

139 381.922 William G. "Bill" Bankhead, Jr., and David Coley
140 Cancer Research Program.—

141 (5) Funds appropriated for the ~~2008-2009~~ fiscal year and
142 ~~each fiscal year thereafter, the sum of \$6.75 million is~~
143 ~~appropriated annually from recurring funds in the General~~
144 ~~Revenue Fund to the Biomedical Research Trust Fund within the~~
145 ~~Department of Health for purposes of the William G. "Bill"~~
146 ~~Bankhead, Jr., and David Coley Cancer Research Program and~~ shall
147 be distributed pursuant to this section to provide grants to
148 researchers seeking cures for cancer and cancer-related
149 illnesses, with emphasis given to the goals enumerated in s.
150 381.921. From the total funds appropriated, an amount of up to
151 10 percent may be used for administrative expenses. In the 2009-
152 2010 fiscal year, 2.5 percent, not to exceed \$25 million, of the
153 revenue deposited into the Health Care Trust Fund pursuant to s.
154 215.5602(12) (a) shall be transferred to the Biomedical Research
155 Trust Fund within the Department of Health for the William G.
156 "Bill" Bankhead, Jr., and David Coley Cancer Research Program.



881912

157 Section 5. This act shall take effect July 1, 2009.

158
159 ===== T I T L E A M E N D M E N T =====

160 And the title is amended as follows:

161 Delete everything before the enacting clause
162 and insert:

163 A bill to be entitled
164 An act relating to distribution of funds; amending s.
165 210.20, F.S.; revising the specified dates during
166 which the Division of Alcoholic Beverages and Tobacco
167 within the Department of Business and Professional
168 Regulation is required to certify the amount derived
169 from the cigarette tax which is deposited into the
170 Alcoholic Beverage and Tobacco Trust Fund; amending s.
171 215.5602, F.S.; requiring that revenue deposited into
172 the Health Care Trust Fund within the Agency for
173 Health Care Administration be reserved for certain
174 research beginning in a specified fiscal year and
175 transferred to the Biomedical Research Trust Fund
176 within the Department of Health in a specified fiscal
177 year; prohibiting the amount of revenue transferred or
178 reserved from exceeding certain amounts; amending s.
179 381.84, F.S.; revising provisions limiting certain
180 activities of the Florida Area Health Education
181 Network and the Department of Health to a specified
182 fiscal year; requiring the department to award a
183 contract or grant to the AHEC network for the purpose
184 of developing a smoking-cessation initiative for a
185 specified fiscal year; revising a provision



881912

186 authorizing the AHEC network to apply for a
187 competitive grant during a specified fiscal year;
188 amending s. 381.922, F.S.; requiring that revenue
189 deposited into the Health Care Trust Fund within the
190 Agency for Health Care Administration be transferred
191 to the Biomedical Research Trust Fund within the
192 Department of Health in a specified fiscal year for a
193 certain cancer research program; prohibiting the
194 amount of revenue transferred from exceeding a certain
195 amount; providing an effective date.