S T A T E O F N E W Y O R K

2735

2009-2010 Regular Sessions

I N S E N A T E

February 27, 2009

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the executive law, in relation to establishing the New York state genome institute

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The executive law is amended by adding a new section 209-u to read as follows:

S 209-U. NEW YORK STATE GENOME INSTITUTE. 1. THERE IS HEREBY ESTABLISHED WITHIN THE OFFICE, THE NEW YORK STATE GENOME INSTITUTE. SUCH INSTITUTE SHALL:

A. REVIEW RESEARCH ACTIVITY CONDUCTED AT INSTITUTIONS WITHIN THE STATE REGARDING GENETICS AND THE APPLICATION OF GENETICS FOR MEDICAL TREATMENT OF HUMANS;

B. MAKE RECOMMENDATIONS TO THE OFFICE REGARDING THE PROGRESS OF GENETIC RESEARCH AT INSTITUTIONS WITHIN THE STATE AND THE TRANSFER AND APPLICATION OPPORTUNITIES OF SUCH GENETIC RESEARCH FOR COMMERCIALIZATION AND APPLICATION FOR MEDICAL USES; AND

C. ENSURE THAT WHENEVER EFFORTS ARE MADE TO APPLY FOR AND SECURE FEDERAL GRANTS, THAT SUCH EFFORTS ARE COORDINATED IN SUCH A MANNER TO ENSURE THAT THE STATE IS COMPETITIVE WITH OTHER STATES, AND THAT THE FULL RANGE OF RESEARCH ACTIVITY CONDUCTED IN THE STATE IS INCLUDED IN ANY SUCH FEDERAL GRANT APPLICATION PROCESS.

2. THE MEMBERSHIP OF THE NEW YORK STATE GENOME INSTITUTE SHALL INCLUDE ONE REPRESENTATIVE AND ONE RESEARCHER FROM EACH INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT OFFERS A DOCTORAL DEGREE IN BIOCHEMISTRY OR BIOMEDICAL ENGINEERING, ONE REPRESENTATIVE AND ONE RESEARCHER FROM THE CENTER FOR ADVANCED TECHNOLOGY IN BIOTECHNOLOGY AT THE STATE UNIVERSITY OF NEW YORK AT STONY BROOK AND CORNELL UNIVERSITY, ONE REPRESENTATIVE AND ONE RESEARCHER FROM ANY MEDICAL CENTER THAT HAS RECEIVED FEDERAL

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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FUNDING IN EXCESS OF THREE MILLION DOLLARS FOR BIOMEDICAL RESEARCH AS IT RELATES TO THE STUDY OF GENOMICS AND ONE REPRESENTATIVE AND ONE RESEARCHER FROM ANY FEDERAL FACILITY LOCATED IN THIS STATE THAT CONDUCTS GENOMICS RELATED RESEARCH.

3. THE NEW YORK STATE GENOME INSTITUTE SHALL BE CO-CHAIRED BY THE EXECUTIVE DIRECTOR OF THE OFFICE AND THE CHAIRMAN OF THE STATE UNIVERSITY RESEARCH FOUNDATION. THE CO-CHAIRS SHALL WORK TOGETHER TO MONITOR THE ACTIVITY AND FUNDING OF ANY AND ALL INSTITUTIONS INVOLVED IN GENOMIC RESEARCH.

4. THE CO-CHAIRS, JOINTLY OR INDIVIDUALLY, SHALL, AT THEIR DISCRETION, ADD NEW MEMBERS TO THE NEW YORK STATE GENOME INSTITUTE PROVIDED THAT SUCH NEW MEMBERS SHOW THEIR DIRECT INVOLVEMENT IN GENETIC RESEARCH. SUCH NEW MEMBERS MAY REPRESENT ANY NOT-FOR-PROFIT OR FOR-PROFIT ENTITY PROVIDED THAT SUCH ENTITIES RECORDED ACTIVITY THAT IS CONDUCTED WITHIN NEW YORK STATE AND THAT SUCH ENTITY CAN SHOW THAT IT SPENDS OR RECEIVES IN GRANTS OF THREE MILLION DOLLARS OR MORE A YEAR IN NEW YORK STATE IN GENETICS-RELATED RESEARCH OR DEVELOPMENT OR THAT APPLIES GENETIC TECHNOLOGY TO IMPROVE HUMAN HEALTH OR FIGHT HUMAN DISEASE.

5. THE NEW YORK STATE GENOME INSTITUTE SHALL MEET FOUR TIMES A YEAR AND MAKE A GENERAL REPORT TO THE CO-CHAIRS REGARDING:

A. THE PROGRESS BEING MADE ON GENOMIC RESEARCH;

B. THE POTENTIAL APPLICATION FOR THE RESEARCH;

C. THE CURRENT STATUS OF RESEARCH THAT HAS BEEN ADVANCED BEYOND BASIC RESEARCH;

D. ANY CURRENT AGREEMENTS OR PARTNERSHIPS THAT AN INSTITUTION MAY HAVE ESTABLISHED WITH OTHER PUBLIC OR PRIVATE ORGANIZATIONS BOTH WITHIN AND WITHOUT THE STATE;

E. ANY LICENSING OR ROYALTY AGREEMENTS THAT HAVE BEEN SIGNED BY AN INSTITUTION WITH A FIRM OR COMPANY;

F. ANY APPLICATION FOR GRANTS AT THE FEDERAL OR STATE LEVEL THAT HAVE BEEN SUBMITTED; AND

G. ANY NEW PRIVATE FIRMS THAT HAVE BEEN FORMED THAT ARE THE DIRECT OR INDIRECT RESULT OF GENETIC RESEARCH CONDUCTED AT INSTITUTIONS WITHIN THE STATE.

6. EACH YEAR, ON DECEMBER FIRST, THE CO-CHAIRS SHALL SUBMIT A REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY SETTING FORTH ALL OF THE INFORMATION DESCRIBED IN SUBDIVISION TWO OF THIS SECTION. IN ADDITION, SUCH ANNUAL REPORT SHALL PROVIDE AN OVERALL ANALYSIS AND ASSESSMENT OF THE GENETIC RESEARCH BEING DONE IN NEW YORK STATE AND MAKE RECOMMENDATIONS FOR FUTURE FUNDING AND/OR STATUTORY CHANGES THAT WOULD ENHANCE AND IMPROVE THE ABILITY OF EACH INDIVIDUAL INSTITUTION OR GROUP OF INSTITUTIONS WORKING ON GENETIC RESEARCH IN NEW YORK STATE TO TRANSFER THAT RESEARCH AND TECHNOLOGY FOR COMMERCIAL MEDICAL APPLICATIONS AND TO SUCCESSFULLY APPLY FOR FEDERAL FUNDING IN SUPPORT OF BOTH THE BASIC RESEARCH AND THE TRANSFER OF SUCH RESEARCH IN COMMUNITY MEDICAL APPLICATION.

S 2. This act shall take effect immediately.