

PCB HCC 08-04

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1 A bill to be entitled
 2 An act relating to trust funds; re-creating the Federal
 3 Grants Trust Fund within the Agency for Persons with
 4 Disabilities without modification; carrying forward
 5 current balances and continuing current sources and uses
 6 thereof; amending s. 20.1971, F.S.; removing the scheduled
 7 termination of the trust fund; providing an effective
 8 date.

9
 10 WHEREAS, the Legislature wishes to extend the life of the
 11 Federal Grants Trust Fund within the Agency for Persons with
 12 Disabilities, which is otherwise scheduled to be terminated
 13 pursuant to constitutional mandate, and

14 WHEREAS, the Legislature has reviewed the trust fund before
 15 its scheduled termination date and has found that it continues
 16 to meet an important public purpose, and

17 WHEREAS, the Legislature has found that existing public
 18 policy concerning the trust fund sets adequate parameters for
 19 its use, NOW, THEREFORE,

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. (1) The Federal Grants Trust Fund within the
 24 Agency for Persons with Disabilities, FLAIR number 67-2-261,
 25 which is to be terminated pursuant to Section 19(f), Article III
 26 of the State Constitution on July 1, 2009, is re-created.

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27 (2) All current balances of the trust fund are carried
 28 forward, and all current sources and uses of the trust fund are
 29 continued.

30 Section 2. Section 20.1971, Florida Statutes, is amended
 31 to read:

32 20.1971 Agency for Persons with Disabilities; trust
 33 funds.--The following trust funds ~~are created and~~ shall be
 34 administered by the Agency for Persons with Disabilities:

35 (1) The Administrative Trust Fund.

36 (a) Funds to be credited to the trust fund shall consist
 37 of federal matching funds provided for the administration of
 38 Medicaid services. Funds shall be used for the purpose of
 39 supporting the agency's administration of Medicaid programs and
 40 for other such purposes as may be appropriate and shall be
 41 expended only pursuant to legislative appropriation or an
 42 approved amendment to the agency's operating budget pursuant to
 43 the provisions of chapter 216.

44 (b) Notwithstanding the provisions of s. 216.301 and
 45 pursuant to s. 216.351, any balance in the trust fund at the end
 46 of any fiscal year shall remain in the trust fund at the end of
 47 the year and shall be available for carrying out the purposes of
 48 the trust fund.

49 (c) In accordance with s. 19(f)(2), Art. III of the State
 50 Constitution, the Administrative Trust Fund shall, unless
 51 terminated earlier, be terminated on July 1, 2009. Before its
 52 scheduled termination, the trust fund shall be reviewed as
 53 provided in s. 215.3206(1) and (2).

54 (2) The Operations and Maintenance Trust Fund.

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55 (a) Funds to be credited to the trust fund shall consist
 56 of receipts from third-party payors of health care services such
 57 as Medicaid. Funds shall be used for the purpose of providing
 58 health care services to agency clients and for other such
 59 purposes as may be appropriate and shall be expended only
 60 pursuant to legislative appropriation or an approved amendment
 61 to the agency's operating budget pursuant to the provisions of
 62 chapter 216.

63 (b) Notwithstanding the provisions of s. 216.301 and
 64 pursuant to s. 216.351, any balance in the trust fund at the end
 65 of any fiscal year shall remain in the trust fund at the end of
 66 the year and shall be available for carrying out the purposes of
 67 the trust fund.

68 (c) In accordance with s. 19(f)(2), Art. III of the State
 69 Constitution, the Operations and Maintenance Trust Fund shall,
 70 unless terminated earlier, be terminated on July 1, 2009. Before
 71 its scheduled termination, the trust fund shall be reviewed as
 72 provided in s. 215.3206(1) and (2).

73 (3) The Social Services Block Grant Trust Fund.

74 (a) Funds to be credited to the trust fund shall consist
 75 of federal social services block grant funds. These shall be
 76 used for the purpose of providing health care and support
 77 services to agency clients and for other such purposes as may be
 78 appropriate and shall be expended only pursuant to legislative
 79 appropriation or an approved amendment to the agency's operating
 80 budget pursuant to the provisions of chapter 216.

81 (b) Notwithstanding the provisions of s. 216.301 and
 82 pursuant to s. 216.351, any balance in the trust fund at the end

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83 of any fiscal year shall remain in the trust fund at the end of
 84 the year and shall be available for carrying out the purposes of
 85 the trust fund.

86 (c) In accordance with s. 19(f)(2), Art. III of the State
 87 Constitution, the Social Services Block Grant Trust Fund shall,
 88 unless terminated earlier, be terminated on July 1, 2009. Before
 89 its scheduled termination, the trust fund shall be reviewed as
 90 provided in s. 215.3206(1) and (2).

91 (4) The Tobacco Settlement Trust Fund.

92 (a) Funds to be credited to the trust fund shall consist
 93 of funds disbursed, by nonoperating transfer, from the
 94 Department of Financial Services Tobacco Settlement Clearing
 95 Trust Fund in amounts equal to the annual appropriations made
 96 from this trust fund.

97 (b) Notwithstanding the provisions of s. 216.301 and
 98 pursuant to s. 216.351, any unencumbered balance in the trust
 99 fund at the end of any fiscal year and any encumbered balance
 100 remaining undisbursed on December 31 of the same calendar year
 101 shall revert to the Department of Financial Services Tobacco
 102 Settlement Clearing Trust Fund.

103 (c) In accordance with s. 19(f)(2), Art. III of the State
 104 Constitution, the Tobacco Settlement Trust Fund shall, unless
 105 terminated earlier, be terminated on July 1, 2009. Before its
 106 scheduled termination, the trust fund shall be reviewed as
 107 provided in s. 215.3206(1) and (2).

108 (5) The Federal Grants Trust Fund.

109 (a) Funds to be credited to the trust fund shall consist
 110 of receipts from federal grants. Funds shall be used for the

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111 | purpose of providing health care services to agency clients and
 112 | for other such purposes as may be appropriate and shall be
 113 | expended only pursuant to legislative appropriation or an
 114 | approved amendment to the agency's operating budget pursuant to
 115 | the provisions of chapter 216.

116 | (b) Notwithstanding the provisions of s. 216.301 and
 117 | pursuant to s. 216.351, any balance in the trust fund at the end
 118 | of any fiscal year shall remain in the trust fund at the end of
 119 | the year and shall be available for carrying out the purposes of
 120 | the trust fund.

121 | ~~(c) In accordance with s. 19(f)(2), Art. III of the State~~
 122 | ~~Constitution, the Federal Grants Trust Fund shall, unless~~
 123 | ~~terminated earlier, be terminated on July 1, 2009. Before its~~
 124 | ~~scheduled termination, the trust fund shall be reviewed as~~
 125 | ~~provided in s. 215.3206(1) and (2).~~

126 | Section 3. This act shall take effect July 1, 2008.