

Senate Bill No. 1318

An act relating to trust funds; terminating a specified trust fund within the Department of Veterans' Affairs; providing for disposition of balances in and revenues of such trust fund; prescribing procedures for the termination of the trust fund; repealing ss. 295.18, 295.181, 295.182, 295.183, 295.185, F.S., relating to the Florida World War II Veterans Memorial Act; amending s. 17.61, F.S., relating to investments of trust fund moneys; deleting obsolete provisions; amending s. 20.435, F.S.; removing provisions providing for the future repeal of the Biomedical Research Trust Fund; providing an effective date.

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

Section 1. (1) The Florida World War II Veterans Memorial Matching Trust Fund within the Department of Veterans' Affairs, FLAIR number 50-2-755, is terminated. The current balance remaining in, and all revenues of, the trust fund shall be transferred to the Grants and Donations Trust Fund, FLAIR number 50-2-339.

(2) The Department of Veterans' Affairs shall pay any outstanding debts and obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets and liabilities.

Section 2. Sections 295.18, 295.181, 295.182, 295.183, and 295.185, Florida Statutes, are repealed.

Section 3. Paragraph (c) of subsection (3) of section 17.61, Florida Statutes, is amended to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(3)

(c) Except as provided in this paragraph and except for moneys described in paragraph (d), the following agencies shall not invest trust fund moneys as provided in this section, but shall retain such moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund, pursuant to s. 17.57:

1. The Agency for Health Care Administration, except for the Tobacco Settlement Trust Fund.

2. The Agency for Persons with Disabilities, except for:

a. The Federal Grants Trust Fund.

- b. The Tobacco Settlement Trust Fund.
3. The Department of Children and Family Services, except for:
 - a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.
 - ~~b. The Community Resources Development Trust Fund.~~
 - b.e. The Refugee Assistance Trust Fund.
 - c.d. The Social Services Block Grant Trust Fund.
 - d.e. The Tobacco Settlement Trust Fund.
 - e.f. The Working Capital Trust Fund.
4. The Department of Community Affairs, only for the Operating Trust Fund.
 5. The Department of Corrections.
 6. The Department of Elderly Affairs, except for:
 - a. The Federal Grants Trust Fund.
 - b. The Tobacco Settlement Trust Fund.
 7. The Department of Health, except for:
 - a. The Federal Grants Trust Fund.
 - b. The Grants and Donations Trust Fund.
 - c. The Maternal and Child Health Block Grant Trust Fund.
 - d. The Tobacco Settlement Trust Fund.
 8. The Department of Highway Safety and Motor Vehicles, only for:
 - a. The DUI Programs Coordination Trust Fund.
 - b. The Security Deposits Trust Fund.
 9. The Department of Juvenile Justice.
 10. The Department of Law Enforcement.
 11. The Department of Legal Affairs.
 12. The Department of State, only for:
 - a. The Grants and Donations Trust Fund.
 - b. The Records Management Trust Fund.
 13. The Executive Office of the Governor, only for:

- a. The Economic Development Transportation Trust Fund.
- b. The Economic Development Trust Fund.
14. The Florida Public Service Commission, only for the Florida Public Service Regulatory Trust Fund.
15. The Justice Administrative Commission.
16. The state courts system.

Section 4. Paragraph (h) of subsection (1) of section 20.435, Florida Statutes, is amended to read:

20.435 Department of Health; trust funds.—

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(h) Biomedical Research Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds deposited pursuant to s. 215.5601 and any other funds appropriated by the Legislature. Funds shall be used for the purposes of the James and Esther King Biomedical Research Program and the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program as specified in ss. 215.5602, 288.955, and 381.922. The trust fund is exempt from the service charges imposed by s. 215.20.

2. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund. The department may invest these funds independently through the Chief Financial Officer or may negotiate a trust agreement with the State Board of Administration for the investment management of any balance in the trust fund.

3. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance of any appropriation from the Biomedical Research Trust Fund which is not disbursed but which is obligated pursuant to contract or committed to be expended may be carried forward for up to 3 years following the effective date of the original appropriation.

~~4. The trust fund shall, unless terminated sooner, be terminated on July 1, 2008.~~

Section 5. This act shall take effect July 1, 2007.

Approved by the Governor April 18, 2007.

Filed in Office Secretary of State April 18, 2007.