

By the Committee on Fiscal Policy and Senator Rossin

309-654-00

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A bill to be entitled
An act relating to trust funds; re-creating the
Operations and Maintenance Trust Fund within
the Department of Health without modification;
carrying forward current balances and
continuing current sources and uses thereof;
amending s. 20.435, F.S.; abrogating the future
termination of the trust fund; providing an
effective date.

WHEREAS, the Legislature wishes to extend the life of
the Operations and Maintenance Trust Fund within the
Department of Health, which is otherwise scheduled to be
terminated pursuant to constitutional mandate, and

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

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

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

Section 1. (1) The Operations and Maintenance Trust
Fund within the Department of Health, FLAIR number 64-2-516,
which is to be terminated pursuant to Section 19(f), Article
III of the State Constitution on July 1, 2001, is re-created.

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

1 Section 2. Paragraph (e) of subsection (1) of section
2 20.435, Florida Statutes, is amended to read:

3 20.435 Department of Health; trust funds.--

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

6 (e) Operations and Maintenance Trust Fund.

7 1. Funds to be credited to the trust fund shall
8 consist of receipts from third-party payors of health care
9 services such as Medicare and Medicaid. Funds shall be used
10 for the purpose of providing health care services to
11 department clients and for other such purposes as may be
12 appropriate and shall be expended only pursuant to legislative
13 appropriation or an approved amendment to the department's
14 operating budget pursuant to the provisions of chapter 216.

15 2. Notwithstanding the provisions of s. 216.301 and
16 pursuant to s. 216.351, any balance in the trust fund at the
17 end of any fiscal year shall remain in the trust fund at the
18 end of the year and shall be available for carrying out the
19 purposes of the trust fund.

20 ~~3. The trust fund shall, unless terminated sooner, be~~
21 ~~terminated on July 1, 2001.~~

22 Section 3. This act shall take effect November 4,
23 2000.

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25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
26 COMMITTEE SUBSTITUTE FOR
27 Senate Bill 538

28 The bill repeals the future termination date of July 1, 2001.
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