

Bill No. CS for SB 1278

Amendment No. 1 Barcode 610078

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

1/AD/2R  
04/30/2004 04:00 PM

.  
. .  
. .  
. .  
. .  
. .

The Conference Committee on CS for SB 1278 recommended the following amendment:

**Conference Committee Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Subsection (5) of section 17.41, Florida Statutes, is amended to read:

17.41 Department of Financial Services Tobacco Settlement Clearing Trust Fund.--

(5) The department shall disburse funds, by nonoperating transfer, from the Tobacco Settlement Clearing Trust Fund to the tobacco settlement trust funds of the various agencies or to the Biomedical Research Trust Fund in the Department of Health, as appropriate, in amounts equal to the annual appropriations made from those agencies' trust funds in the General Appropriations Act.

Section 2. Paragraph (h) of subsection (1) of section 20.435, Florida Statutes, as amended by section 2 of chapter 2003-421, Laws of Florida, is amended to read:

Bill No. CS for SB 1278

Amendment No. 1 Barcode 610078

1 20.435 Department of Health; trust funds.--

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

4 (h) Biomedical Research Trust Fund.

5 1. Funds to be credited to the trust fund shall  
6 consist of funds deposited pursuant to s. 215.5601. Funds  
7 shall be used for the purposes of the James and Esther King  
8 Biomedical Research Program as specified in ss. 215.5602 and  
9 288.955. The trust fund is exempt from the service charges  
10 imposed by s. 215.20.

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

20 3. Notwithstanding s. 216.301 and pursuant to s.  
21 216.351, any balance of any appropriation from the Biomedical  
22 Research Trust Fund which is not disbursed but which is  
23 obligated pursuant to contract or committed to be expended may  
24 be certified by the Governor for up to 3 years following the  
25 effective date of the original appropriation.

26 ~~4.3.~~ The trust fund shall, unless terminated sooner,  
27 be terminated on July 1, 2008.

28 Section 3. Paragraph (e) of subsection (5) of section  
29 215.5601, Florida Statutes, is amended to read:

30 215.5601 Lawton Chiles Endowment Fund.--

31 (5) AVAILABILITY OF FUNDS; USES.--

Bill No. CS for SB 1278

Amendment No. 1 Barcode 610078

1 (e) Notwithstanding s. 216.301 and pursuant to s.  
 2 216.351, all unencumbered balances of appropriations from each  
 3 department's respective Tobacco Settlement Trust Fund as of  
 4 June 30 or undisbursed balances as of December 31 shall revert  
 5 to the endowment's principal. Unencumbered balances in the  
 6 Biomedical Research Trust Fund shall be managed as provided in  
 7 s. 20.435(1)(h)2. ~~Unencumbered or undisbursed balances~~  
 8 ~~appropriated for biomedical research shall revert to the~~  
 9 ~~principal in the separately reserved and accounted for portion~~  
 10 ~~of the endowment established for biomedical research~~  
 11 ~~activities.~~

12 Section 4. This act shall take effect July 1, 2004.

15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 Delete everything before the enacting clause

19 and insert:

20 A bill to be entitled

21 An act relating to the Biomedical Research  
 22 Trust Fund in the Department of Health;  
 23 amending s. 17.41, F.S.; requiring the  
 24 Department of Financial Services to disburse  
 25 certain funds from the Tobacco Settlement  
 26 Clearing Trust Fund to the Biomedical Research  
 27 Trust Fund; amending s. 20.435, F.S. ;  
 28 authorizing the Department of Health to provide  
 29 for the investment of funds in the Biomedical  
 30 Research Trust Fund; authorizing the Governor  
 31 to certify undisbursed funds for a specified

CONFERENCE COMMITTEE AMENDMENT

Bill No. CS for SB 1278

Amendment No. 1 Barcode 610078

1 period following appropriation; amending s.  
2 215.5601, F.S.; providing requirements for the  
3 management of unencumbered balances in the  
4 trust fund, to conform; providing an effective  
5 date.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31