

1 A proposal to revise
2 ARTICLE III, ss. 8, 19, Fla. Const.; providing
3 guidelines for legislative consideration of
4 veto messages; revising calculation of the
5 72-hour public review period for general
6 appropriation bills.
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8 It is proposed by the Florida Constitution Revision Commission
9 that:
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11 Section 1. Sections 8 and 19 of Article III of the
12 Florida Constitution are revised by amending those sections to
13 read:
14 ARTICLE III
15 LEGISLATURE
16 SECTION 8. Executive approval and veto.--
17 (a) Every bill passed by the legislature shall be
18 presented to the governor for his approval and shall become a
19 law if he approves and signs it, or fails to veto it within
20 seven consecutive days after presentation. If during that
21 period or on the seventh day the legislature adjourns sine die
22 or takes a recess of more than thirty days, he shall have
23 fifteen consecutive days from the date of presentation to act
24 on the bill. In all cases except general appropriation bills,
25 the veto shall extend to the entire bill. The governor may
26 veto any specific appropriation in a general appropriation
27 bill, but may not veto any qualification or restriction
28 without also vetoing the appropriation to which it relates.
29 (b) When a bill or any specific appropriation of a
30 general appropriation bill has been vetoed by the governor, he
31 shall transmit his signed objections thereto to the house in

1 which the bill originated if in session. If that house is not
 2 in session, he shall file them with the secretary of state,
 3 who shall lay them before that house at its next regular or
 4 special session, whichever occurs first,and they shall be
 5 entered on its journal. If the originating house votes to
 6 re-enact a vetoed measure, whether in a regular or special
 7 session, and the other house does not consider or fails to
 8 re-enact the vetoed measure, no further consideration by
 9 either house at any subsequent session may be taken. If a
 10 vetoed measure is presented at a special session and the
 11 originating house does not consider it, the measure will be
 12 available for consideration at any intervening special session
 13 and until the end of the next regular session.

14 (c) If each house shall, by a two-thirds vote,
 15 re-enact the bill or reinstate the vetoed specific
 16 appropriation of a general appropriation bill, the vote of
 17 each member voting shall be entered on the respective
 18 journals, and the bill shall become law or the specific
 19 appropriation reinstated, the veto notwithstanding.

20 SECTION 19. State Budgeting, Planning and
 21 Appropriations Processes.--

22 (a) ANNUAL BUDGETING. Effective July 1, 1994, general
 23 law shall prescribe the adoption of annual state budgetary and
 24 planning processes and require that detail reflecting the
 25 annualized costs of the state budget and reflecting the
 26 nonrecurring costs of the budget requests shall accompany
 27 state department and agency legislative budget requests, the
 28 governor's recommended budget, and appropriation bills. For
 29 purposes of this subsection, the terms department and agency
 30 shall include the judicial branch.

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1 (b) APPROPRIATION BILLS FORMAT. Separate sections
2 within the general appropriation bill shall be used for each
3 major program area of the state budget; major program areas
4 shall include: education enhancement "lottery" trust fund
5 items; education (all other funds); human services; criminal
6 justice and corrections; natural resources, environment,
7 growth management, and transportation; general government; and
8 judicial branch. Each major program area shall include an
9 itemization of expenditures for: state operations; state
10 capital outlay; aid to local governments and nonprofit
11 organizations operations; aid to local governments and
12 nonprofit organizations capital outlay; federal funds and the
13 associated state matching funds; spending authorizations for
14 operations; and spending authorizations for capital outlay.
15 Additionally, appropriation bills passed by the legislature
16 shall include an itemization of specific appropriations that
17 exceed one million dollars (\$1,000,000.00) in 1992 dollars.
18 For purposes of this subsection, "specific appropriation,"
19 "itemization," and "major program area" shall be defined by
20 law. This itemization threshold shall be adjusted by general
21 law every four years to reflect the rate of inflation or
22 deflation as indicated in the Consumer Price Index for All
23 Urban Consumers, U.S. City Average, All Items, or successor
24 reports as reported by the United States Department of Labor,
25 Bureau of Labor Statistics or its successor. Substantive bills
26 containing appropriations shall also be subject to the
27 itemization requirement mandated under this provision and
28 shall be subject to the governor's specific appropriation veto
29 power described in Article III, Section 8. This subsection
30 shall be effective July 1, 1994.
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1 (c) APPROPRIATIONS REVIEW PROCESS. Effective July 1,
2 1993, general law shall prescribe requirements for each
3 department and agency of state government to submit a planning
4 document and supporting budget request for review by the
5 appropriations committees of both houses of the legislature.
6 The review shall include a comparison of the major issues in
7 the planning document and budget requests to those major
8 issues included in the governor's recommended budget. For
9 purposes of this subsection, the terms department and agency
10 shall include the judicial branch.

11 (d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. Effective
12 November 4, 1992, all general appropriation bills shall be
13 furnished to each member of the legislature, each member of
14 the cabinet, the governor, and the chief justice of the
15 supreme court at least seventy-two hours before final passage
16 thereof, by ~~either house of~~ the legislature. Final passage,
17 for the purpose of the seventy-two-hour public review period,
18 means the action, by either house, of taking the last vote
19 necessary which results in the same general appropriation bill
20 being passed by both houses.

21 (e) FINAL BUDGET REPORT. Effective November 4, 1992,
22 a final budget report shall be prepared as prescribed by
23 general law. The final budget report shall be produced no
24 later than the 90th day after the beginning of the fiscal
25 year, and copies of the report shall be furnished to each
26 member of the legislature, the head of each department and
27 agency of the state, the auditor general, and the chief
28 justice of the supreme court.

29 (f) TRUST FUNDS.

30 (1) No trust fund of the State of Florida or other
31 public body may be created by law without a three-fifths (3/5

1) vote of the membership of each house of the legislature in a
2 separate bill for that purpose only.

3 (2) State trust funds in existence before the
4 effective date of this subsection shall terminate not more
5 than four years after the effective date of this subsection.
6 State trust funds created after the effective date of this
7 subsection shall terminate not more than four years after the
8 effective date of the act authorizing the creation of the
9 trust fund. By law the legislature may set a shorter time
10 period for which any trust fund is authorized.

11 (3) Trust funds required by federal programs or
12 mandates; trust funds established for bond covenants,
13 indentures, or resolutions, whose revenues are legally pledged
14 by the state or public body to meet debt service or other
15 financial requirements of any debt obligations of the state or
16 any public body; the state transportation trust fund; the
17 trust fund containing the net annual proceeds from the Florida
18 Education Lotteries; the Florida retirement trust fund; trust
19 funds for institutions under the management of the Board of
20 Regents, where such trust funds are for auxiliary enterprises
21 and contracts, grants, and donations, as those terms are
22 defined by general law; trust funds that serve as clearing
23 funds or accounts for the comptroller or state agencies; trust
24 funds that account for assets held by the state in a trustee
25 capacity as an agent or fiduciary for individuals, private
26 organizations, or other governmental units; and other trust
27 funds authorized by this Constitution, are not subject to the
28 requirements set forth in paragraph (2) of this subsection.

29 (4) All cash balances and income of any trust funds
30 abolished under this subsection shall be deposited into the
31 general revenue fund.

(5) The provisions of this subsection shall be effective November 4, 1992.

(g) BUDGET STABILIZATION FUND. Beginning with the 1994-1995 fiscal year, at least 1% of an amount equal to the last completed fiscal year's net revenue collections for the general revenue fund shall be retained in a budget stabilization fund. The budget stabilization fund shall be increased to at least 2% of said amount for the 1995-1996 fiscal year, at least 3% of said amount for the 1996-1997 fiscal year, at least 4% of said amount for the 1997-1998 fiscal year, and at least 5% of said amount for the 1998-1999 fiscal year. Subject to the provisions of this subsection, the budget stabilization fund shall be maintained at an amount equal to at least 5% of the last completed fiscal year's net revenue collections for the general revenue fund. The budget stabilization fund's principal balance shall not exceed an amount equal to 10% of the last completed fiscal year's net revenue collections for the general revenue fund. The legislature shall provide criteria for withdrawing funds from the budget stabilization fund in a separate bill for that purpose only and only for the purpose of covering revenue shortfalls of the general revenue fund or for the purpose of providing funding for an emergency, as defined by general law. General law shall provide for the restoration of this fund. The budget stabilization fund shall be comprised of funds not otherwise obligated or committed for any purpose.

(h) STATE PLANNING DOCUMENT AND DEPARTMENT AND AGENCY PLANNING DOCUMENT PROCESSES. The governor shall recommend to the legislature biennially any revisions to the state planning document, as defined by law. General law shall require a biennial review and revision of the state planning document,

1 shall require the governor to report to the legislature on the
2 progress in achieving the state planning document's goals, and
3 shall require all departments and agencies of state government
4 to develop planning documents consistent with the state
5 planning document. The state planning document and department
6 and agency planning documents shall remain subject to review
7 and revision by the legislature. The department and agency
8 planning documents shall include a prioritized listing of
9 planned expenditures for review and possible reduction in the
10 event of revenue shortfalls, as defined by general law. To
11 ensure productivity and efficiency in the executive,
12 legislative, and judicial branches, a quality management and
13 accountability program shall be implemented by general law.
14 For the purposes of this subsection, the terms department and
15 agency shall include the judicial branch. This subsection
16 shall be effective July 1, 1993.