

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 of the bill in the
17 form that will be presented to the governor.

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

26 (f) TRUST FUNDS.

27 (1) No trust fund of the State of Florida or other
28 public body may be created by law without a three-fifths (3/5
29) vote of the membership of each house of the legislature in a
30 separate bill for that purpose only.

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

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

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

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

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

25 (h) STATE PLANNING DOCUMENT AND DEPARTMENT AND AGENCY
26 PLANNING DOCUMENT PROCESSES. The governor shall recommend to
27 the legislature biennially any revisions to the state planning
28 document, as defined by law. General law shall require a
29 biennial review and revision of the state planning document,
30 shall require the governor to report to the legislature on the
31 progress in achieving the state planning document's goals, and

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