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CRC ACTION

Commissioner

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Floor: 1/00

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03/19/2018 04:59 PM

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Commissioner Lee moved the following:

CRC Amendment (with title amendment)

Delete line 10

and insert:

Sections 3 and 19 of Article III of the State Constitution
are

After line 50

insert:

SECTION 19. State Budgeting, Planning and Appropriations
Processes.—



143626

12 (a) ANNUAL BUDGETING.

13 (1) General law shall prescribe the adoption of annual
14 state budgetary and planning processes and require that detail
15 reflecting the annualized costs of the state budget and
16 reflecting the nonrecurring costs of the budget requests shall
17 accompany state department and agency legislative budget
18 requests, the governor's recommended budget, and appropriation
19 bills.

20 (2) Unless approved by a three-fifths vote of the
21 membership of each house, appropriations made for recurring
22 purposes from nonrecurring general revenue funds for any fiscal
23 year shall not exceed three percent of the total general revenue
24 funds estimated to be available at the time such appropriation
25 is made.

26 (3) As prescribed by general law, each state department and
27 agency shall be required to submit a legislative budget request
28 that is based upon and that reflects the long-range financial
29 outlook adopted by the joint legislative budget commission or
30 that specifically explains any variance from the long-range
31 financial outlook contained in the request.

32 (4) For purposes of this section, the terms department and
33 agency shall include the judicial branch.

34 (b) APPROPRIATION BILLS FORMAT. Separate sections within
35 the general appropriation bill shall be used for each major
36 program area of the state budget; major program areas shall
37 include: education enhancement "lottery" trust fund items;
38 education (all other funds); human services; criminal justice
39 and corrections; natural resources, environment, growth
40 management, and transportation; general government; and judicial



41 branch. Each major program area shall include an itemization of
42 expenditures for: state operations; state capital outlay; aid to
43 local governments and nonprofit organizations operations; aid to
44 local governments and nonprofit organizations capital outlay;
45 federal funds and the associated state matching funds; spending
46 authorizations for operations; and spending authorizations for
47 capital outlay. Additionally, appropriation bills passed by the
48 legislature shall include an itemization of specific
49 appropriations that exceed one million dollars (\$1,000,000.00)
50 in 1992 dollars. For purposes of this subsection, "specific
51 appropriation," "itemization," and "major program area" shall be
52 defined by law. This itemization threshold shall be adjusted by
53 general law every four years to reflect the rate of inflation or
54 deflation as indicated in the Consumer Price Index for All Urban
55 Consumers, U.S. City Average, All Items, or successor reports as
56 reported by the United States Department of Labor, Bureau of
57 Labor Statistics or its successor. Substantive bills containing
58 appropriations shall also be subject to the itemization
59 requirement mandated under this provision and shall be subject
60 to the governor's specific appropriation veto power described in
61 Article III, Section 8.

62 (c) APPROPRIATIONS PROCESS.

63 (1) No later than September 15 of each year, the joint
64 legislative budget commission shall issue a long-range financial
65 outlook setting out recommended fiscal strategies for the state
66 and its departments and agencies in order to assist the
67 legislature in making budget decisions. The long-range financial
68 outlook must include major workload and revenue estimates. In
69 order to implement this paragraph, the joint legislative budget



70 commission shall use current official consensus estimates and
71 may request the development of additional official estimates.

72 (2) The joint legislative budget commission shall seek
73 input from the public and from the executive and judicial
74 branches when developing and recommending the long-range
75 financial outlook.

76 (3) The legislature shall prescribe by general law
77 conditions under which limited adjustments to the budget, as
78 recommended by the governor or the chief justice of the supreme
79 court, may be approved without the concurrence of the full
80 legislature.

81 (d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. All general
82 appropriation bills, supplemental appropriation bills, and
83 related legislation shall be furnished to each member of the
84 legislature, each member of the cabinet, the governor, and the
85 chief justice of the supreme court at least seventy-two hours
86 before final passage by either house of the legislature of the
87 bill in the form that will be presented to the governor.

88 (e) FINAL BUDGET REPORT. A final budget report shall be
89 prepared as prescribed by general law. The final budget report
90 shall be produced no later than the 120th day after the
91 beginning of the fiscal year, and copies of the report shall be
92 furnished to each member of the legislature, the head of each
93 department and agency of the state, the auditor general, and the
94 chief justice of the supreme court.

95 (f) TRUST FUNDS.

96 (1) No trust fund of the State of Florida or other public
97 body may be created or re-created by law without a three-fifths
98 vote of the membership of each house of the legislature in a



99 separate bill for that purpose only.

100 (2) State trust funds shall terminate not more than four
101 years after the effective date of the act authorizing the
102 initial creation of the trust fund. By law the legislature may
103 set a shorter time period for which any trust fund is
104 authorized.

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

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

126 (g) BUDGET STABILIZATION FUND. Subject to the provisions of
127 this subsection, an amount equal to at least 5% of the last



128 completed fiscal year's net revenue collections for the general
129 revenue fund shall be retained in the budget stabilization fund.
130 The budget stabilization fund's principal balance shall not
131 exceed an amount equal to 10% of the last completed fiscal
132 year's net revenue collections for the general revenue fund. The
133 legislature shall provide criteria for withdrawing funds from
134 the budget stabilization fund in a separate bill for that
135 purpose only and only for the purpose of covering revenue
136 shortfalls of the general revenue fund or for the purpose of
137 providing funding for an emergency, as defined by general law.
138 General law shall provide for the restoration of this fund. The
139 budget stabilization fund shall be comprised of funds not
140 otherwise obligated or committed for any purpose.

141 (h) LONG-RANGE STATE PLANNING DOCUMENT AND DEPARTMENT AND
142 AGENCY PLANNING DOCUMENT PROCESSES. General law shall provide
143 for a long-range state planning document. The governor shall
144 recommend to the legislature biennially any revisions to the
145 long-range state planning document, as defined by law. General
146 law shall require a biennial review and revision of the long-
147 range state planning document and shall require all departments
148 and agencies of state government to develop planning documents
149 that identify statewide strategic goals and objectives,
150 consistent with the long-range state planning document. The
151 long-range state planning document and department and agency
152 planning documents shall remain subject to review and revision
153 by the legislature. The long-range state planning document must
154 include projections of future needs and resources of the state
155 which are consistent with the long-range financial outlook. The
156 department and agency planning documents shall include a



143626

157 prioritized listing of planned expenditures for review and
158 possible reduction in the event of revenue shortfalls, as
159 defined by general law.

160 (i) GOVERNMENT EFFICIENCY TASK FORCE. No later than January
161 of 2007, and each fourth year thereafter, the president of the
162 senate, the speaker of the house of representatives, and the
163 governor shall appoint a government efficiency task force, the
164 membership of which shall be established by general law. The
165 task force shall be composed of members of the legislature and
166 representatives from the private and public sectors who shall
167 develop recommendations for improving governmental operations
168 and reducing costs. Staff to assist the task force in performing
169 its duties shall be assigned by general law, and the task force
170 may obtain assistance from the private sector. The task force
171 shall complete its work within one year and shall submit its
172 recommendations to the joint legislative budget commission, the
173 governor, and the chief justice of the supreme court.

174 (j) JOINT LEGISLATIVE BUDGET COMMISSION. There is created
175 within the legislature the joint legislative budget commission
176 composed of equal numbers of senate members appointed by the
177 president of the senate and house members appointed by the
178 speaker of the house of representatives. Each member shall serve
179 at the pleasure of the officer who appointed the member. A
180 vacancy on the commission shall be filled in the same manner as
181 the original appointment. From November of each odd-numbered
182 year through October of each even-numbered year, the chairperson
183 of the joint legislative budget commission shall be appointed by
184 the president of the senate and the vice chairperson of the
185 commission shall be appointed by the speaker of the house of



186 representatives. From November of each even-numbered year
187 through October of each odd-numbered year, the chairperson of
188 the joint legislative budget commission shall be appointed by
189 the speaker of the house of representatives and the vice
190 chairperson of the commission shall be appointed by the
191 president of the senate. The joint legislative budget commission
192 shall be governed by the joint rules of the senate and the house
193 of representatives, which shall remain in effect until repealed
194 or amended by concurrent resolution. The commission shall
195 convene at least quarterly and shall convene at the call of the
196 president of the senate and the speaker of the house of
197 representatives. A majority of the commission members of each
198 house plus one additional member from either house constitutes a
199 quorum. Action by the commission requires a majority vote of the
200 commission members present of each house. The commission may
201 conduct its meetings through teleconferences or similar means.
202 In addition to the powers and duties specified in this
203 subsection, the joint legislative budget commission shall
204 exercise all other powers and perform any other duties not in
205 conflict with paragraph (c) (3) and as prescribed by general law
206 or joint rule.

207
208 ===== T I T L E A M E N D M E N T =====

209 And the title is amended as follows:

210 Delete lines 2 - 5

211 and insert:

212 Sections 3 and 19 of Article III of the State
213 Constitution to provide that the Legislature convene
214 for regular session on the second Tuesday after the



143626

215 first Monday in January of each even-numbered year and
216 to require that supplemental appropriation bills and
217 related legislation also be subject to the seventy-two
218 hour public review period for general appropriations
219 bills.