

1 Resolution of the Taxation and Budget Reform Commission
 2 A resolution proposing an amendment to Section 19 of
 3 Article III and Section 6 of Article XI of the State
 4 Constitution to change the timing and increase the
 5 frequency of the establishment of future Taxation and
 6 Budget Reform Commissions.

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 8 Be It Resolved by the Taxation and Budget Reform Commission:

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 10 That the following amendment to Section 19 of Article III
 11 and Section 6 of Article XI of the State Constitution is agreed
 12 to and shall be submitted to the electors of this state for
 13 approval or rejection at the next general election or at an
 14 earlier special election specifically authorized by law for that
 15 purpose:

16 ARTICLE III

17 LEGISLATURE

18 SECTION 19. State Budgeting, Planning and Appropriations
 19 Processes.--

20 (a) ANNUAL BUDGETING.

21 (1) General law shall prescribe the adoption of annual
 22 state budgetary and planning processes and require that detail
 23 reflecting the annualized costs of the state budget and
 24 reflecting the nonrecurring costs of the budget requests shall
 25 accompany state department and agency legislative budget
 26 requests, the governor's recommended budget, and appropriation
 27 bills.

28 (2) Unless approved by a three-fifths vote of the
 29 membership of each house, appropriations made for recurring
 30 purposes from nonrecurring general revenue funds for any fiscal

31 year shall not exceed three percent of the total general revenue
32 funds estimated to be available at the time such appropriation
33 is made.

34 (3) As prescribed by general law, each state department
35 and agency shall be required to submit a legislative budget
36 request that is based upon and that reflects the long-range
37 financial outlook adopted by the joint legislative budget
38 commission or that specifically explains any variance from the
39 long-range financial outlook contained in the request.

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

42 (b) APPROPRIATION BILLS FORMAT. Separate sections within
43 the general appropriation bill shall be used for each major
44 program area of the state budget; major program areas shall
45 include: education enhancement "lottery" trust fund items;
46 education (all other funds); human services; criminal justice
47 and corrections; natural resources, environment, growth
48 management, and transportation; general government; and judicial
49 branch. Each major program area shall include an itemization of
50 expenditures for: state operations; state capital outlay; aid to
51 local governments and nonprofit organizations operations; aid to
52 local governments and nonprofit organizations capital outlay;
53 federal funds and the associated state matching funds; spending
54 authorizations for operations; and spending authorizations for
55 capital outlay. Additionally, appropriation bills passed by the
56 legislature shall include an itemization of specific
57 appropriations that exceed one million dollars (\$1,000,000.00)
58 in 1992 dollars. For purposes of this subsection, "specific
59 appropriation," "itemization," and "major program area" shall be
60 defined by law. This itemization threshold shall be adjusted by

61 general law every four years to reflect the rate of inflation or
62 deflation as indicated in the Consumer Price Index for All Urban
63 Consumers, U.S. City Average, All Items, or successor reports as
64 reported by the United States Department of Labor, Bureau of
65 Labor Statistics or its successor. Substantive bills containing
66 appropriations shall also be subject to the itemization
67 requirement mandated under this provision and shall be subject
68 to the governor's specific appropriation veto power described in
69 Article III, Section 8.

70 (c) APPROPRIATIONS PROCESS.

71 (1) No later than September 15 of each year, the joint
72 legislative budget commission shall issue a long-range financial
73 outlook setting out recommended fiscal strategies for the state
74 and its departments and agencies in order to assist the
75 legislature in making budget decisions. The long-range financial
76 outlook must include major workload and revenue estimates. In
77 order to implement this paragraph, the joint legislative budget
78 commission shall use current official consensus estimates and
79 may request the development of additional official estimates.

80 (2) The joint legislative budget commission shall seek
81 input from the public and from the executive and judicial
82 branches when developing and recommending the long-range
83 financial outlook.

84 (3) The legislature shall prescribe by general law
85 conditions under which limited adjustments to the budget, as
86 recommended by the governor or the chief justice of the supreme
87 court, may be approved without the concurrence of the full
88 legislature.

89 (d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. All general
90 appropriation bills shall be furnished to each member of the

91 legislature, each member of the cabinet, the governor, and the
92 chief justice of the supreme court at least seventy-two hours
93 before final passage by either house of the legislature of the
94 bill in the form that will be presented to the governor.

95 (e) FINAL BUDGET REPORT. A final budget report shall be
96 prepared as prescribed by general law. The final budget report
97 shall be produced no later than the 120th day after the
98 beginning of the fiscal year, and copies of the report shall be
99 furnished to each member of the legislature, the head of each
100 department and agency of the state, the auditor general, and the
101 chief justice of the supreme court.

102 (f) TRUST FUNDS.

103 (1) No trust fund of the State of Florida or other public
104 body may be created or re-created by law without a three-fifths
105 vote of the membership of each house of the legislature in a
106 separate bill for that purpose only.

107 (2) State trust funds shall terminate not more than four
108 years after the effective date of the act authorizing the
109 initial creation of the trust fund. By law the legislature may
110 set a shorter time period for which any trust fund is
111 authorized.

112 (3) Trust funds required by federal programs or mandates;
113 trust funds established for bond covenants, indentures, or
114 resolutions, whose revenues are legally pledged by the state or
115 public body to meet debt service or other financial requirements
116 of any debt obligations of the state or any public body; the
117 state transportation trust fund; the trust fund containing the
118 net annual proceeds from the Florida Education Lotteries; the
119 Florida retirement trust fund; trust funds for institutions
120 under the management of the Board of Governors, where such trust

121 funds are for auxiliary enterprises and contracts, grants, and
122 donations, as those terms are defined by general law; trust
123 funds that serve as clearing funds or accounts for the chief
124 financial officer or state agencies; trust funds that account
125 for assets held by the state in a trustee capacity as an agent
126 or fiduciary for individuals, private organizations, or other
127 governmental units; and other trust funds authorized by this
128 Constitution, are not subject to the requirements set forth in
129 paragraph (2) of this subsection.

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

133 (g) BUDGET STABILIZATION FUND. Subject to the provisions
134 of this subsection, an amount equal to at least 5% of the last
135 completed fiscal year's net revenue collections for the general
136 revenue fund shall be retained in the budget stabilization fund.
137 The budget stabilization fund's principal balance shall not
138 exceed an amount equal to 10% of the last completed fiscal
139 year's net revenue collections for the general revenue fund. The
140 legislature shall provide criteria for withdrawing funds from
141 the budget stabilization fund in a separate bill for that
142 purpose only and only for the purpose of covering revenue
143 shortfalls of the general revenue fund or for the purpose of
144 providing funding for an emergency, as defined by general law.
145 General law shall provide for the restoration of this fund. The
146 budget stabilization fund shall be comprised of funds not
147 otherwise obligated or committed for any purpose.

148 (h) LONG-RANGE STATE PLANNING DOCUMENT AND DEPARTMENT AND
149 AGENCY PLANNING DOCUMENT PROCESSES. General law shall provide
150 for a long-range state planning document. The governor shall

151 recommend to the legislature biennially any revisions to the
152 long-range state planning document, as defined by law. General
153 law shall require a biennial review and revision of the long-
154 range state planning document and shall require all departments
155 and agencies of state government to develop planning documents
156 that identify statewide strategic goals and objectives,
157 consistent with the long-range state planning document. The
158 long-range state planning document and department and agency
159 planning documents shall remain subject to review and revision
160 by the legislature. The long-range state planning document must
161 include projections of future needs and resources of the state
162 which are consistent with the long-range financial outlook. The
163 department and agency planning documents shall include a
164 prioritized listing of planned expenditures for review and
165 possible reduction in the event of revenue shortfalls, as
166 defined by general law.

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

181 (i) ~~(j)~~ JOINT LEGISLATIVE BUDGET COMMISSION. There is
182 created within the legislature the joint legislative budget
183 commission composed of equal numbers of senate members appointed
184 by the president of the senate and house members appointed by
185 the speaker of the house of representatives. Each member shall
186 serve at the pleasure of the officer who appointed the member. A
187 vacancy on the commission shall be filled in the same manner as
188 the original appointment. From November of each odd-numbered
189 year through October of each even-numbered year, the chairperson
190 of the joint legislative budget commission shall be appointed by
191 the president of the senate and the vice chairperson of the
192 commission shall be appointed by the speaker of the house of
193 representatives. From November of each even-numbered year
194 through October of each odd-numbered year, the chairperson of
195 the joint legislative budget commission shall be appointed by
196 the speaker of the house of representatives and the vice
197 chairperson of the commission shall be appointed by the
198 president of the senate. The joint legislative budget commission
199 shall be governed by the joint rules of the senate and the house
200 of representatives, which shall remain in effect until repealed
201 or amended by concurrent resolution. The commission shall
202 convene at least quarterly and shall convene at the call of the
203 president of the senate and the speaker of the house of
204 representatives. A majority of the commission members of each
205 house plus one additional member from either house constitutes a
206 quorum. Action by the commission requires a majority vote of the
207 commission members present of each house. The commission may
208 conduct its meetings through teleconferences or similar means.
209 In addition to the powers and duties specified in this
210 subsection, the joint legislative budget commission shall

211 exercise all other powers and perform any other duties not in
 212 conflict with paragraph (c)(3) and as prescribed by general law
 213 or joint rule.

214 ARTICLE IX

215 AMENDMENTS

216 SECTION 6. Taxation and budget reform commission.—

217 (a) Beginning in 2020 ~~2007~~ and each tenth ~~twentieth~~ year
 218 thereafter, there shall be established a taxation and budget
 219 reform commission composed of the following members:

220 (1) eleven members selected by the governor, none of whom
 221 shall be a member of the legislature at the time of appointment.

222 (2) seven members selected by the speaker of the house of
 223 representatives and seven members selected by the president of
 224 the senate, none of whom shall be a member of the legislature at
 225 the time of appointment.

226 (3) four non-voting ex officio members, all of whom shall
 227 be members of the legislature at the time of appointment. Two of
 228 these members, one of whom shall be a member of the minority
 229 party in the house of representatives, shall be selected by the
 230 speaker of the house of representatives, and two of these
 231 members, one of whom shall be a member of the minority party in
 232 the senate, shall be selected by the president of the senate.

233 (b) Vacancies in the membership of the commission shall be
 234 filled in the same manner as the original appointments.

235 (c) At its initial meeting, the members of the commission
 236 shall elect a member who is not a member of the legislature to
 237 serve as chair and the commission shall adopt its rules of
 238 procedure. Thereafter, the commission shall convene at the call
 239 of the chair. An affirmative vote of two thirds of the full
 240 commission shall be necessary for any revision of this

241 constitution or any part of it to be proposed by the commission.

242 (d) The commission shall examine the state budgetary
 243 process, the revenue needs and expenditure processes of the
 244 state, the appropriateness of the tax structure of the state,
 245 and governmental productivity and efficiency; review policy as
 246 it relates to the ability of state and local government to tax
 247 and adequately fund governmental operations and capital
 248 facilities required to meet the state's needs during the next
 249 twenty year period; determine methods favored by the citizens of
 250 the state to fund the needs of the state, including alternative
 251 methods for raising sufficient revenues for the needs of the
 252 state; determine measures that could be instituted to
 253 effectively gather funds from existing tax sources; examine
 254 constitutional limitations on taxation and expenditures at the
 255 state and local level; ~~and~~ review the state's comprehensive
 256 planning, budgeting, and needs assessment processes to determine
 257 whether the resulting information adequately supports a
 258 strategic decision-making ~~decisionmaking~~ process; and develop
 259 recommendations for improving governmental operations and
 260 reducing costs.

261 (e) The commission shall hold public hearings as it deems
 262 necessary to carry out its responsibilities under this section.
 263 The commission shall issue a report of the results of the review
 264 carried out, and propose to the legislature any recommended
 265 statutory changes related to the taxation or budgetary laws of
 266 the state. Not later than one hundred eighty days prior to the
 267 general election in the second year following the year in which
 268 the commission is established, the commission shall file with
 269 the custodian of state records its proposal, if any, of a
 270 revision of this constitution or any part of it dealing with

271 taxation or the state budgetary process.

272 BE IT FURTHER RESOLVED that the following statement be
273 placed on the ballot:

274 CONSTITUTIONAL AMENDMENT

275 ARTICLE III, SECTION 19

276 ARTICLE XI, SECTION 6

277 TAXATION AND BUDGET REFORM COMMISSION.--This proposed
278 amendment to the State Constitution changes the duration and
279 increases the frequency of the establishment of future Taxation
280 and Budget Reform Commissions. Under the amendment, the next
281 Taxation and Budget Reform Commission will be established in
282 2020. Future Commissions will be established every ten years
283 thereafter. The amendment repeals a provision creating the
284 Government Efficiency Task Force, but substantially provides for
285 its functions to be performed by Taxation and Budget Reform
286 Commissions.