

IN THE
SUPREME COURT OF FLORIDA
Case No. 89,962

ADVISORY OPINION TO THE
ATTORNEY GENERAL
RE: REQUIREMENT FOR ADEQUATE
PUBLIC EDUCATION FUNDING

INITIAL BRIEF OF THE COALITION
TO RECLAIM EDUCATION'S SHARE
IN SUPPORT OF THE INITIATIVE

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STATEMENT OF THE CASE AND FACTS

Pursuant to Article XI, Section 3 of the Florida Constitution, the Coalition to Reclaim Education's Share, a political committee registered with the state under Section 106.03, Florida Statutes (1995), has proposed an initiative amendment to the Florida Constitution for placement on the ballot for the general election to be held in November, 1998. The proposed amendment appears in the initiative petition as follows:

The ballot title of the proposed amendment is "Requirement for Adequate Public Education Funding."

The ballot summary of the initiative reads:

SUMMARY: Adequate provision for funding public education each fiscal year requires appropriation of at least a minimum percentage of total appropriations under Article III, not including lottery or federal funds. That minimum percentage (40%) is based upon education's percentage of appropriations, excluding federal funds, for 1986-87 before state lotteries began. May be suspended in any fiscal year by a bill adopted by 2/3 vote of each legislative house. Effective following third fiscal year after approval.

The Requirement for Adequate Public Education Funding initiative seeks to amend Article IX, Section 1 of the Florida Constitution, by adding an "(a)" before the existing text, and by adding a new subsection (b) to read as follows:

"(b) Adequate provision for funding public education shall be required in each fiscal year, and is defined as the appropriation of at least a minimum percentage (40%) for public education from the total appropriations under Article III in each fiscal year, not including lottery proceeds or federal funds. That minimum percentage (40 %) is based upon the percentage appropriated for public education from total appropriations in fiscal year 1986-87, not including federal funds and prior to the appropriation of funds from Florida lotteries proceeds.

(1) The Legislature may suspend the applicability of this subsection for any one fiscal year, or a portion of one fiscal year, by passage of a separate bill that contains no other subject in which the Legislature finds a compelling public necessity to suspend this subsection. Passage of that bill shall require a vote of approval of two-thirds of the membership of each house.

(2) Upon approval by the electors, this subsection shall take effect immediately following three full fiscal years."

Having received certification from the Secretary of State pursuant to Section 15.21, Florida Statutes (1993) , and under the authority of Article IV, Section 10 of the Florida Constitution and Section 16.061, Florida Statutes (1993), the Attorney General petitioned this Court for an advisory opinion as to whether the initiative petition complied with Article XI, Section 3 of the Florida Constitution and Section 101.161, Florida Statutes (1993). This Court accordingly issued an interlocutory order on March 3, 1997, providing that interested parties should file briefs and setting a date for oral arguments. This brief is submitted on behalf of the Coalition to Reclaim Education's Share, the sponsor of the Requirement for Adequate Public Education Funding initiative.

SUMMARY OF THE ARGUMENT

The Requirement for Adequate Public Education Funding Initiative complies with both the single subject test and the summary/ballot title constraints of Section 101.161, Florida Statutes. Simply put, this initiative attempts to implement a historical funding level as a minimum for funding education in the future. The initiative is a logical extension of the preexisting constitutional right to an adequate education which has been described by the Court as "a fundamental right for the citizens of Florida under our Florida Constitution." Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles, 680 So.2d 400, 410 (Fla. 1996) (Overton, J., concurring).

This initiative does not violate the **single subject** requirements and, thus, is in compliance with Article XI, Section 3, Florida Constitution. The proposal **asks** a single and easily understood question: Should the state fund education at a minimum of 40% of appropriations? The addition of a 40% minimum appropriation for education has only an incremental effect and does not substantially affect multiple functions of government. The minimal impact is accentuated by the following background:

- 1) The historical prominence of education in the Florida Constitution.
- 2) The specific language of Article IX in the Florida Constitution.
- 3) This Court's opinion in Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles, 680 So. 2d

400 (Fla. 1996), which indicated that there is already some minimal requirement for adequacy under Article IX.

- 4) The historical level of education funding by the State which has been well over 40% of appropriations.

This initiative minimizes the impact on state government. There is a phase-in period over three fiscal years in the proposed amendment which allows state government to adapt to an amendment that becomes effective following the third fiscal year after approval. Further, this proposal even has a suspension clause in case of a state emergency.

Significantly, any impact on programs or functions is only hypothetical. Whether there is any impact at all is totally within the discretion of the Legislature. Certainly, the Legislature may choose to fund other programs at the same level or revenue may grow. This Court has held that "possible impacts" based on "premature speculation" will not defeat an initiative. Advisory Opinion to the Attorney General re Limited Casinos, 644 So. 2d 71, 74 (Fla. 1994). Advisory Opinion to the Attorney General re Funding for Criminal Justice, 639 So. 2d 972 (Fla. 1994). The Education Funding proposal certainly has a less significant impact on functions of government than the Criminal Justice Funding initiative or the Everglades Sugar Fee initiative, both of which were approved by this Court.

The Criminal Justice Funding initiative required additional taxes, required additional expenditures, created a trust fund and set out purposes for which funds raised could be spent. This

initiative creates no trust fund, requires no new taxation, and sets out no definition of purposes for which education funds are to be spent. It merely requires a minimal percentage be appropriated for education. The Everglades Sugar Fee initiative imposed a fee and designated purposes for which funds raised could be spent. This initiative imposes no tax or fee - that function remains within the Legislature's discretion.

The Requirement for Adequate Public Education Funding initiative does not violate the **ballot summary and title** requirements set out in Section 101.161, Florida Statutes. The summary and **ballot** title are "accurate and informative" while at the same time "objective and free from political rhetoric". See Smith v. American Airlines, 606 So. 2d 618, 621 (Fla. 1992) and Advisory Opinion to the Attorney General re Tax Limitation, 644 So. 2d 486, 490 (Fla. 1994). The information is complete, unambiguous, and imparted in a neutral, unemotional manner.

Accordingly, this Court should uphold the constitutionality of the Requirement for Adequate Public Education Funding initiative.

ARGUMENT

I. **THE EDUCATION FUNDING INITIATIVE PRESENTS A SINGLE, UNIFIED, AND EASILY UNDERSTOOD ISSUE TO THE VOTERS: SHOULD THE STATE FUND EDUCATION AT A MINIMUM OF 40% OF APPROPRIATIONS?**

The Educational Funding proposal has a single dominant theme and a unity of purpose. That purpose is to define a minimal adequate level of education funding. The only goal is to secure a minimum share of the state's budget for education funding. One question alone is presented: Whether to require a minimum designated funding percentage for education? Voters are not required to accept something unpalatable or unrelated to get what they desire if they wish to vote for this amendment. Every aspect of the proposal directly relates to defining this minimum percentage.

In an advisory opinion proceeding under Article IV, Section 10, this Court must resolve two questions. First, whether the initiative "embrace [s] but one subject and matter directly connected therewith," in compliance with Article XI, Section 3. Second, whether the ballot summary and title of the initiative are legally sufficient under Section 101.161, Florida Statutes. See In re Advisory Opinion to the Attorney General - Restricts Laws Related to Discrimination, 632 So. 2d 1018, 1019 (Fla. 1994). This Court has repeatedly stated that it will not "address the wisdom or merit" of a proposed initiative amendment during advisory opinion proceedings. Fine v. Firestone, 448 So. 2d 984, 992 (Fla. 1984).

Article XI, Section 3, of the Florida Constitution reserves to the people the right to amend or revise their constitution through popular initiative, "provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith." The proposed Requirement for Adequate Education Funding amendment seeks, as its sole subject, to define adequacy under Article IX, Section 1, for funding purposes as the appropriation of a minimal percentage of the state budget to public education. This minimal percentage is the single subject of the amendment, and every part of the proposed amendment is "matter directly connected therewith." Fla. Const. Art. XI, § 3.

The "single subject test is functional, not locational." In Re Advisory Opinion to the Attorney General re Tax Limitation (Tax Limitation I), 644 So. 2d 486, 490 (Fla. 1994). The essence of the single subject requirement of Article XI, Section 3, thus means that an initiative amendment may not perform or substantially affect multiple, distinct governmental functions. In re Advisory Opinion to the Attorney General - Save Our Everglades, 636 So. 2d 1336, 1340 (Fla. 1994); Restricts Laws Related to Discrimination, 632 So. 2d 1018; Evans v. Firestone, 457 So. 2d 1351, 1354 (Fla. 1984)); Fine, 448 So. 2d at 990.

Other factors to be considered include whether an amendment will cause substantial impact on other sections of the constitution. Tax Limitation I, 644 So. 2d at 490; Fine, 448 So. 2d at 989-90 (noting that it is important to identify sections

substantially affected); but see Advisory Opinion to the Attorney General - Fee on the Everslades Susar Production, 681 So. 2d 1124, 1128 (Fla. 1996) ("the possibility that an amendment might interact with other parts of the Florida Constitution is not sufficient reason to invalidate the proposed amendment"). Overall unity and coherence, or whether an amendment exhibits a "logical and natural oneness of purpose" are also factors. Fine, 448 So. 2d at 990. This Court has explained the standard as being whether a proposal has "a natural relation and connection as component parts of a single dominant plan or scheme. Unity of object and plan is the universal test." Advisory Opinion to the Attorney General re Florida Locally Approved Gaming, 656 So. 2d 1259, 1263 (Fla. 1995) (quoting City of Coral Gables v. Gray, 19 So. 2d 318, 320 (Fla. 1944)) .

The Education Funding proposal meets each of the factors of this Court's single subject analysis. In defining "adequacy" for purposes of education funding, the amendment performs a single function. Only one branch of government, the legislative, is affected by this proposal. The proposal has no impact beyond the setting of a parameter within which the Legislature must operate. Any possible impacts on other governmental functions or sections of the constitution can only be hypothetical, for this amendment does not make any taxing or spending decisions-1 The Legislature,

'There are no multiple disguised, collateral effects of the sort mentioned by Justice Kogan in Restricts Laws Related to Discrimination, or Justice McDonald in Fine. See Restricts Laws Related to Discrimination, 632 So. 2d at 1022 n.6 (Kogan, J., concurring); Fine, 448 So. 2d at 995 (McDonald, J., concurring),

though affected by the initiative, retains its prerogatives, has continuing discretion to raise taxes or not, to freeze spending, or even to refine or alter the definition of education. In no way does this amendment predetermine what the Legislature will do with respect to other functions of Florida government.

With the Education Funding amendment, there can be no question of "cataclysmic" or "precipitous" change in Florida's governmental structure. See Fee on the Everglades Sugar Production, 681 So. 2d at 1127; Save Our Everglades, 636 So. 2d at 1339. First, the parameter set by this initiative is well within levels historically appropriated for public education in Florida.² Second, the changes brought by this proposal will not be precipitous, but measured and incremental, for a three year phase-in provision will cushion the transition, and, in the event of an emergency, a special override provision will insulate Florida's governmental structure from "cataclysm."

The initiative complies with both the letter and spirit of this Court's interpretation of Article XI, Section 3. It offers to the voters a single issue: Whether to require at least 40% of total appropriations for public education. The proposal is limited to that one function. Here there is no "log-rolling" and no voter

Any impacts from this amendment can only result from a decision by the Legislature in the budget process, There are thus no immediate, but only hypothetical effects to be expected from the Education Funding proposal, and these effects are dependent on the legislative process.

² The charts attached to this Brief as Appendix A reflect the historic levels of funding education in Florida from 1978.

will be forced to accept something unpalatable to get another desired change. See Tax Limitation I, 644 so. 2d at 490; Floridians Against Casino Takeover v. Let's Help Florida, 363 So. 2d 337, 339 (Fla. 1978). Those who believe education should receive this traditional level of funding will vote for the proposal, while those who think otherwise will vote against it.

A. **BECAUSE OF THE HISTORICAL PROMINENCE OF EDUCATION IN THE CONSTITUTION, THE SPECIFIC LANGUAGE OF ARTICLE IX AND THE OPINION OF THIS COURT IN *Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles*, THE ADDITION OF A 40% MINIMUM APPROPRIATION FOR EDUCATION PURPOSES HAS ONLY AN INCREMENTAL EFFECT AND DOES NOT SUBSTANTIALLY AFFECT MULTIPLE FUNCTIONS OF STATE GOVERNMENT**

Education **has** always had a special role in Florida, one which reflects the traditional importance of education to Americans generally.³ It has been honored **with** its own separate article in every one of Florida's six constitutions.* In the 1868 constitution, it was the "paramount duty of the **State** to make **ample** provision for education." Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles, 680 So. 2d 400, 405 (Fla. 1996). While this wording was modified, education remains **a** unique function in the Florida Constitution. The obligation of the state

³Justice Overton includes several quotes on the importance of education to democracy in his concurrence in Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles, 680 so. 2d 400, 408-10 (Fla. 1996) (Overton, J., concurring). To this list we might add the statement of De Tocqueville that "[i]t cannot be doubted that in the United States the instruction of the people powerfully contributes to support the democratic republic." Alexis **de Tocqueville, Democracy in America** 279 (J.P. Mayer & Max Lerner, eds. & George Lawrence, trans., Harper & Row, 1966) (1835).

⁴See Fla. Const. of 1838, art. XI Fla. Const. of 1861, art. X; Fla. Const. of 1865, art. X; Fla. Const. of 1868, art. VIII; Fla. Const. of 1885, art. XII; Fla. Const. of 1968, art. IX.

is defined in a qualitative way in the text of the Constitution. The system must be adequate, which is not a hollow term. See Coalition for Adequacy, 680 so. 2d at 408-409 (Overton, J., concurring).

1. **The Education Funding Proposal Provides a Logical Extension Of The Definition Of Adequacy In Article IX of The Constitution**

In a recent case, Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles, this Court confronted the issue of education funding. Id. In that case, although rejecting the invitation to declare existing funding levels unconstitutional, there is an indication that the court would find funding unconstitutional at some level that would result in an inadequate educational system. The instant proposal clarifies and specifies the meaning of adequacy, at least with regard to funding criteria. It is, therefore, a logical extension of the opinion in Coalition For Adequacy. This proposal avoids the necessity for adequacy to be defined by overall deterioration of education to a level that would be defined as "inadequate". The fact that the existing constitution may have a funding benchmark, albeit at an unspecified level, means the Education Funding proposal merely specifies and alters a standard which already exists.

In Coalition for Adequacy, this Court heard a challenge by a group of students, parents and school boards against state officials, both executive and legislative, alleging that the State failed to make "adequate provision" for a "uniform system of free public schools," as required by Article IX, Section 1. Coalition

for Adequacy, 680 so. 2d 400 (Fla. 1996). This Court upheld dismissal of the suit by the trial court, finding that the term "adequate provision" has no legal definition, nor is any guidance supplied by the text of the Constitution, and finding that the coalition sought to define adequacy only in terms of funding levels. Id. at 406 (distinguishing "adequacy" from "uniformity," a term that has manageable and definable standards), This Court, in Coalition For Adequacy, accepted the State's arguments that what the coalition wanted "is for the trial court to order the appropriation of more money for education. This means that the judiciary would be intruding into the legislative power of appropriations." Id. at 407. The Court rejected an argument that the coalition only sought a declaration that current levels were inadequate, agreeing with the trial court that "if the Court were to declare present funding levels 'inadequate,' presumably the Plaintiffs would expect the Court to evaluate, and either affirm or set aside, future appropriations decisions . . ." Id.

This Court, in Coalition For Adequacy, also accepted the State's argument that the issue of adequate schools involved a non-judicial, political question. Id. at 408. The Court cited the six criteria from Baker v. Carr, 369 U.S. 186, 82 S. Ct. 691, 7 L.Ed.2d 663 (1962) used to decide if a case involves a political question:

(1) a textually demonstrable commitment of the issue to a coordinate political department; (2) a lack of judicially discoverable and manageable standards for resolving it; (3) the impossibility of deciding without an initial policy determination of a kind clearly for nonjudicial discretion; (4) the impossibility of a court's undertaking independent resolution without expressing a lack of respect due coordinate branches of government; (5) an unusual need for unquestioning adherence to a political decision already made; and lastly (6) the potentiality of embarrassment from multifarious pronouncements by various departments on one question.

Id. (citing Baker v. Carr, 369 U.S. at 209). This Court agreed with the State that the first two of the above-listed criteria had been met, i.e. that "adequacy" was a policy matter committed to the Legislature, and that there were no judicially manageable standards to measure adequacy. Coalition for Adequacy, 680 So. 2d at 408.

Significantly, though this Court declined to find current funding levels **unconstitutional**, the position of the majority of the Court was that, at some undefined point, the levels could be found unconstitutional. Justice Overton, in his concurrence, suggested that a showing of a 30% illiteracy rate in a county would amount to a violation of the current language of Article IX, Section 1. Id. at 409 (Overton, J., concurring). Justices Anstead, Kogan and Shaw indicated their agreement with this statement in their dissent. Id. at 410 (Anstead, J., dissenting).

The proposed amendment supplies the answer to the non-judicial, political question concerning the minimal levels of funding for public education as "adequate" under Article IX. As a matter of policy, the instant amendment sets the minimum percentage at the fiscal year 1986-87 funding level, a level that is well

within the historic norms for education **funding**.⁵ In setting this minimum percentage level, the instant initiative affects a single, legislative function. The instant proposal provides a reasonable policy solution to the issue of education funding, and does so in a manner that preserves the fullest measure of legislative discretion and, by its very design, minimizes impacts on other governmental functions.

Because of the historical context and the interpretation of Article IX, the instant proposal is hardly a substantial departure from existing constitutional policy. In fact, the proposed amendment has a minimal impact on the constitutional configuration of the state and clearly does not have a substantial impact on multiple functions of government.

2. The Education Funding Proposal Is Designed To Minimize Any Impacts On State Government

Due to the three year gradual phase-in and the historically logical level of 40%, the facts demonstrate that the proposed change is gradual and rational and in no way the type of cataclysmic change precluded in constitutional initiatives. A historical perspective shows that the 40% level **was** about average for the period 1978-1988.⁶ Additionally, the three year phase-in avoids the necessity for abrupt changes in funding.

⁵The charts attached to this Brief as Appendix A reflect the historic levels of funding education in Florida from 1978 **as** well as the projected levels of funding if the proposed amendment is approved.

⁶See charts attached to this Brief as Appendix A for an overview of education funding levels since 1978 in Florida.

Moreover, the initiative has minimal effect on legislative prerogatives. For example, it does not define "education", specify a level of funding, levy a tax, specify how funds are to be appropriated or define "purposes" for education appropriations. The legislature has all of these powers. The proposal merely sets a base level for funding.

This Court has clearly asserted that an initiative must avoid *substantial* affects on multiple functions of state government. Fee on the Everglades Sugar Production, 681 so. 2d at 1128. (citing Save Our Everglades, 636 So. 2d at 1340). This Court looks to whether the amendment substantially affects a function of more than one branch of government, multiple functions of a single branch, or a function performed by multiple levels of government, e.g., state, county, municipal. See Advisory Opinion to the Attorney General re Funding for Criminal Justice, 639 So. 2d 972, 973 (Fla. 1994); In Re Advisory Opinion to the Attorney General - Save Our Everglades, 636 So. 2d at 1340; Restricts Laws Related to Discrimination, 632 So. 2d at 1020 (citing Fine, 448 So. 2d at 990). An amendment may touch or affect multiple branches of government, so long as this does not work to substantially alter them. Fee on the Everglades Sugar Production, 681 So. 2d at 1128; Advisory Opinion to the Attorney General - Limited Political Terms in Certain Elective Offices, 592 So. 2d 225, 227 (Fla. 1991). Indeed, as this Court has stated, it is "difficult to conceive of a constitutional amendment that would not affect other aspects of

government to some extent." Advisory Opinion to the Attorney General re Limited Casinos, 644 So. 2d 71, 74 (Fla. 1994) (citing Advisory Opinion to the Attorney General English - The Official Language of Florida, 520 So. 2d 11, 12-13 (Fla. 1988)).

As the Attorney General stated in his letter to this Court, "Unlike the Funding for Criminal Justice initiative, the proposed amendment does not impose a tax to fund public education. Thus, the requirement that education be funded at a minimum percentage **may** affect funding available for other governmental programs. This does not, however, necessarily invalidate the proposed amendment." Letter of the Attorney General dated February 26, 1997, p.5.

In fact, any impact on any other governmental program is **hypothetical** since the legislature **may** choose to fund at the **same** level. Additionally, revenue growth may allow continued funding **levels**.⁷ A hypothetical impact cannot be a substantial impact. As the Court made clear in Limited Casinos, the mere "possibility that an amendment might interact with other parts of the Florida Constitution is not sufficient reason to invalidate the proposal." Limited Casinos, 644 So. 2d at 74. See also Advisory Opinion to the Attorney General English -The Official Language of Florida, 520 so. 2d 11, 13 (Fla. 1988). The impact must be substantial, not hypothetical.

⁷In fact projections indicate that the three year phase-in **may** well be funded within projected growth. The current level of funding is 35% of appropriations for public education. Hence, it would only take a 5% change over three years to reach the initiative's minimum of 40%. See chart attached as Appendix A and the data attached as Appendix B regarding projected growth and the amendment's three year phase-in.

Therefore, the design of the proposed amendment has a minimal impact on state government and does not have a substantial impact on multiple functions of government. In Limited Casinos, this Court recognized that the initiative opponents raised **possible** impacts based on **premature speculation**. Limited Casinos, 644 So. 2d at 74. As in Limited Casinos and English - The Official Language of Florida, the only possible argument against this initiative **as** it relates to multiple functions of government is necessarily based on speculation and **hypotheticals**. This speculative challenge, according to this Court's earlier initiative cases, cannot defeat the instant proposal.

B. THE REQUIREMENT FOR ADEQUATE PUBLIC EDUCATION FUNDING INITIATIVE IS WELL WITHIN THE PRECEDENTS ESTABLISHED IN ***Advisory Opinion to the Attorney General re: Funding for Criminal Justice AND OTHER CASES DEALING WITH PUBLIC FUNDING IN CONSTITUTIONAL AMENDMENTS***

The Requirement for Adequate Public Education Funding amendment may be compared to other initiatives dealing with public funding of governmental functions such as criminal justice and the environment which have been upheld by this Court. The proposed amendment should be upheld for the ballot as were the initiatives in Funding for Criminal Justice and Fee on the Everglades Sugar Production. In fact, the instant initiative has a far lesser impact on the functions of government than either of the above-referenced amendments, both of which were approved by this Court. Funding for Criminal Justice, 539 So. 2d 972 (Fla. 1994); Fee on the Everglades Sugar Production, 681 So. 2d at 1124.

In Funding for Criminal Justice, this Court upheld a proposed initiative that: 1) mandated the raising of taxes; 2) established a trust fund; 3) required that funds be spent in excess of current levels; and 4) set forth the particular purposes for which the funds thus raised could be spent. Funding for Criminal Justice, 639 So. 2d at 973. Describing that initiative, this Court held:

We find that the Criminal Justice Trust Fund amendment meets the single-subject requirement. The amendment affects only the legislative branch of Florida's government. While the amendment creates a trust fund, the funding of the trust and allocation of monies therein remains with the legislature. The legislature's discretion in allocating the funds is limited only by the provision that the funds must be used for criminal justice purposes and may not replace or substitute for funding at a level less than that allocated to the criminal justice system in the 1993-94 fiscal year. Further, the amendment does not augment or detract from any of the legislative powers enumerated in the constitution.

Id. at 973-74. As with Funding for Criminal Justice, this amendment affects only the legislative branch of Florida's government. It does require the appropriation of a minimum (though not a mandatory) percentage to education, but there the instant initiative operates with far greater restraint than Funding for Criminal Justice. No additional taxes are mandated or required by this amendment, purposes for educational expenditures are not defined or specified and the Legislature retains its full discretion to increase or indeed lower taxes, to modify the budget, and to spend education funds in any way it deems fit. No trust fund is created. The Legislature's discretion is affected only by the parameter that at least a certain percentage of the total appropriations be for public education.

In Fee on the Everglades Sugar Production, this Court upheld an initiative that imposed a fee on sugar and designated the general purpose for which funds raised through that fee should be expended. Fee on the Everslades Sugar Production, 681 So. 2d at 1128. Permitting this, the Court noted that both imposition of the fee and designation of its revenue towards Everglades restoration "are two components directly connected to the fundamental policy of requiring first processors to contribute towards ongoing Everglades restoration efforts." Id. at 1128. This Court found that any impact of the Sugar Fee amendment did not substantially affect or alter any governmental functions, nor did it have any substantial effect on any other section of the Florida Constitution. Id. Once more, the instant amendment avoids imposing taxes or fees, and limits itself to setting parameters within which the Legislature is free to act in its discretion.

As was the case with the Sugar Fee, which drew its purpose from the stated environmental policy of Article II, Section 7, so too the Requirement for Adequate Public Education Funding is based on the policy of an existing constitutional provision, Article IX, Section 1, which requires the State to make "adequate provision" for public education. Just as in Fee on the Everglades Sugar Production, the instant proposal does not "substantially affect or alter any governmental function," nor is there any "substantial impact on other sections of the Florida Constitution." Id. at 1128.

11. THE EDUCATION FUNDING AMENDMENT FAIRLY AND ACCURATELY SETS FORTH THE SUBSTANCE OF THE AMENDMENT IN THE BALLOT SUMMARY AND TITLE, COMPLYING WITH SECTION 101.161, FLORIDA STATUTES

In the advisory opinion proceeding under Article IV, Section 10, the Court also examines the ballot title and summary for compliance with Section 101.161, Florida Statutes. The substance of an amendment is to be articulated in an "explanatory statement, not exceeding seventy-five words in length, of the chief purpose." Fla. Stat. § 101.161(1) (1995). There must also be a ballot title of not more than fifteen words in length "by which the measure is commonly referred to or spoken of." Id. The purpose of this Court's review is to ensure that "the electorate is advised of the true meaning, and ramifications of an amendment." Tax Limitation I, 644 So. 2d at 490; Askew v. Firestone, 421 So. 2d 151, 156 (Fla. 1982). A voter "must be able to comprehend the sweep of each proposal from a fair notification in the proposition itself that it is neither less nor more extensive than it appears to be." Askew, 421 So. 2d at 155 (quoting Smathers v. Smith, 338 So. 2d 825, 829 (Fla. 1976)).

This Court has required the summary and ballot title of a proposed initiative to be: (1) "accurate and informative," Smith v. American Airlines, 606 so. 2d 618, 621 (Fla. 1992); and (2) "objective and free from political rhetoric," sloganeering or emotional language. Tax Limitation, 644 So. 2d at 490; cf. Save Our Everslades, 636 So, 2d at 1341; Evans, 457 So. 2d at 1355.

This Court has said that its "duty is to uphold the proposal unless it can be shown to be 'clearly and conclusively defective.'" Advisory Opinion to the Attorney General Re Tax Limitation (Tax Limitation II), 673 So. 2d 864, 867 (Fla. 1996) (quoting Floridians Against Casino Takeover v. Let's Help Florida, 363 So. 2d 377, 339 (Fla. 1978)). The title and summary are not required to "include all possible effects" of a proposed amendment. Tax Limitation II, 673 So. 2d at 868 (citing Grose v. Firestone, 422 So. 2d 303, 305 (Fla. 1982)). "[I]t is sufficient that the ballot summary clearly and accurately sets forth the general rule to be applied and informs the voters of the chief purpose of the proposal so that an informed decision is possible." Id.

This initiative complies with both the technical and substantive requirements of Section 101.161. It simply states the chief purpose of the proposed amendment in a **way** that is informative, but neutrally so. Accordingly, the ballot title and summary both give "the public . . . 'fair notice' of the meaning and effect of the proposed amendment," doing so both accurately and neutrally, in full compliance with Section 101.161, Florida Statutes. Restricts Laws Related to Discrimination, 632 So. 2d at 1021. The term "adequate", as used in the title is indispensable, as it is that term that this amendment seeks to define. The date used, fiscal year 1986-87, is the basis for the minimum percentage, and its significance is explained as being immediately before the state lotteries began.

Voters reading the title and summary of the proposed amendment "will learn the chief purpose of the initiative and be able to make an informed decision about whether to approve or reject the amendment." Fee on the Everslades Sugar Production, 681 So. 2d at 1130. The summary also explains both the three year phase-in provision and the emergency override provision of the amendment. The information is complete, unambiguous, and imparted in a neutral, unemotional manner. Accordingly, the summary and title both comply with the requirements of Section 101.161, Florida Statutes.

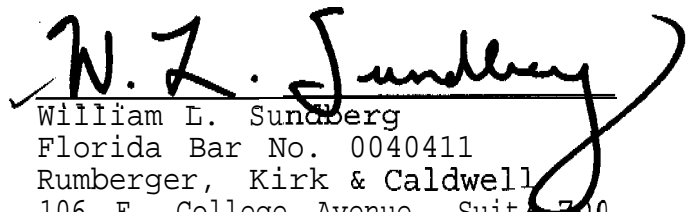
CONCLUSION

The proposed Requirement for Adequate Public Education Funding amendment presents only a single subject to the voters: Should the constitution set a minimum percentage of appropriations for education? Hence, this Court should find that the amendment complies with the single subject requirement of Article XI, Section 3. Further, because the ballot title and summary are both clear and accurate, giving the voters fair notice of proposed changes, the proposed amendment complies with the standards set forth in Section 101.161, Florida Statutes. For these reasons, this Court should uphold the proposed amendment and allow the voters to decide whether to include it in their Constitution.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished by
u. s. Mail to **ROBERT BUTTERWORTH**, Attorney General, Plaza Level,
Room 1, The Capitol, Tallahassee, Florida 32399-1050, this 24th
day of March, 1997.

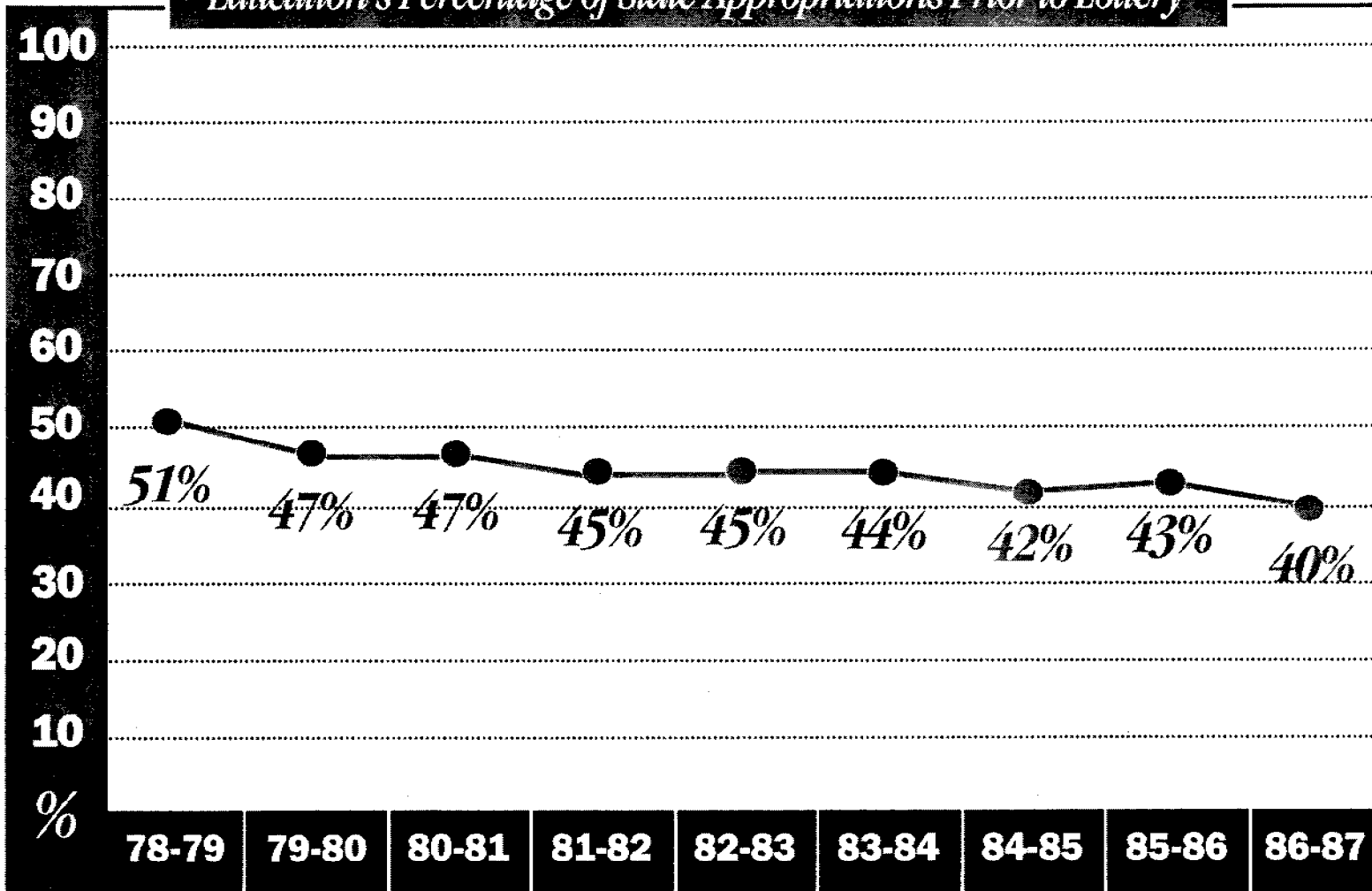

WILLIAM L. SUNDBERG

APPENDIX A

Chart on Historic Education
Funding Levels from 1978

Florida Education Funding

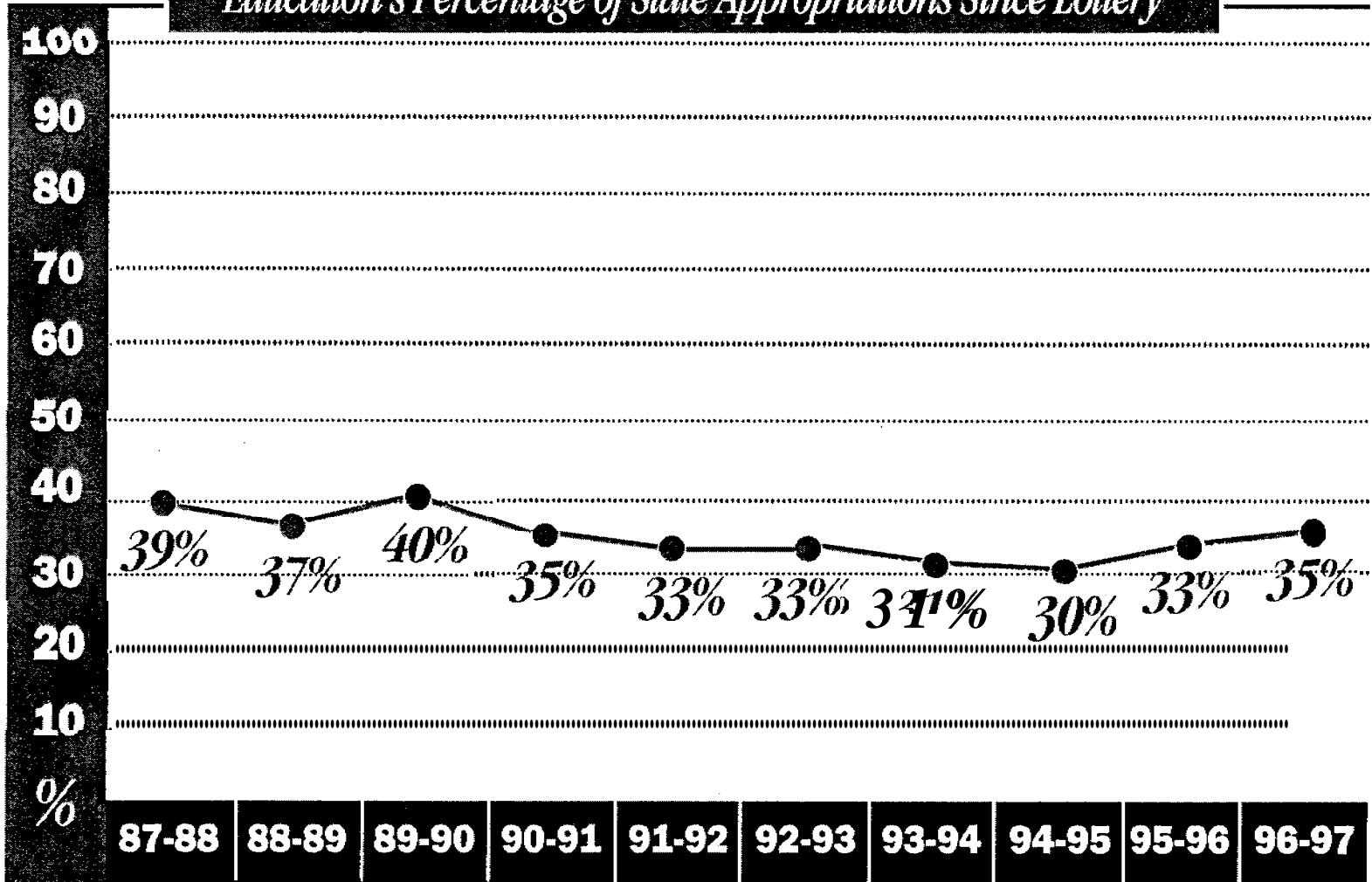
Education's Percentage of State Appropriations Prior to Lottery



Source: Florida's Final Budget Report and Ten Year Summary of Appropriations Data, 197879 through 1994-95, Vols. 10-19, Executive Office of the Governor, Office of Planning and Budgeting

Florida Education Funding

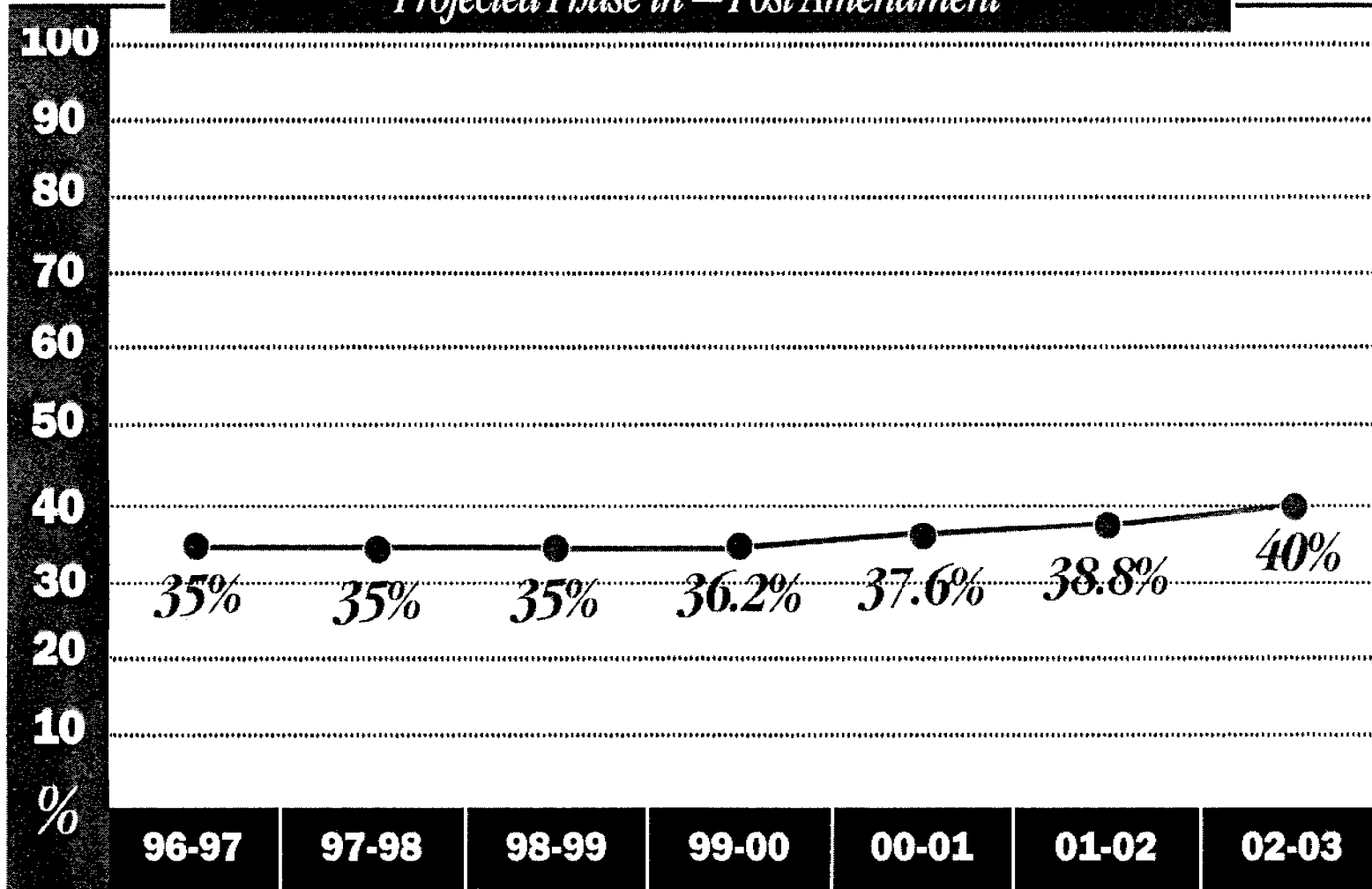
Education's Percentage of State Appropriations Since Lottery



Sources: Florida's Final Budget Report and Ten Year Summary of Appropriations Data, 1978-79 through 1994-95, Vols. 10-19, Executive Office of the Governor, Office of Planning and Budgeting. General Appropriations Acts and Summary Statement of Intent for years 1995-96 and 1996-97.

Florida Education Funding

Projected Phase in — Post Amendment



Sources: General Appropriations Acts and Summary Statement of Intent for years 1995-96 and 1996-97. Florida Consensus Estimating Conference Book 2 Revenue Analysis, FY 1970-71 through FY 2005-06, Vol. 12, Summer 1996.

APPENDIX B

Background Information and Data
for Chart in Appendix A

	78-79	79-80	80-81	81-82	82-83	83-84
Tot Approp	\$ 6,163.0	\$ 7,819.8	\$ 8,560.0	\$ 9,543.9	\$ 10,546.5	\$ 11,938.6
Less Lottery						
Less Federal	\$ 1,380.2	\$ 1,732.6	\$ 1,921.7	\$ 1,833.3	\$ 1,891.1	\$ 2,067.9
Net Approps	\$ 4,782.8	\$ 6,087.2	\$ 6,638.3	\$ 7,710.6	\$ 8,655.4	\$ 9,870.7
Ed Approp	\$ 2,732.0	\$ 3,248.1	\$ 3,556.8	\$ 3,906.6	\$ 4,323.6	\$ 4,826.9
Less Lottery						
Less Federal (a)	\$ 303.6	\$ 381.2	\$ 422.8	\$ 403.3	\$ 416.0	\$ 454.9
Net Ed Approp	\$ 2,428.4	\$ 2,866.9	\$ 3,134.0	\$ 3,503.3	\$ 3,907.6	\$ 4,372.0
Ed % of Total	51%	47%	47%	45%	45%	44%
(a) Federal education funds are estimated until 198986.						

1997-98 through 2002-03

Florida Consensus Estimating Conference Book 2 Revenue Analysis **FY 1970-71 Through 2005.06**

pages 25, 28 and 30 to derive net new revenues.
page 25 for total revenues
page 28 for lottery
page 30 for federal

1888-87

General Appropriations Acts and Summary Statement of Intent

Total Approps. page 834
Less Lottery page 820 plus page 530
Less Federal page 634
Education Approps, page 620 plus page 622
Ed. Lottery page 620
Ed. Federal page 622

1995-96

General Appropriations Acts and Summary Statement of Intent

Total Approps. page 625
Less Lottery page 611 plus page 516
Less Federal page 625
Education Approps. page 611 plus page 613
Ed. Lottery page 611
Ed. Federal page 613

1986-87 through 1994-95

Florida's Final Budget Report & Ten Year Summary of Appropriations Data **1986-87 through 1995-96, Volume 18**

Total Approps. pages 23 & 24
Less Lottery pages 19 & 20 plus page 30
Less Federal page 31
Education Approps. pages 17 & 18
Ed. Lottery page 30
Ed. Federal page 31

1978-79 through 1985-86

Florida's Ten-Year Summary of Appropriations Data **1978-79 through 1887-88, Volume 10**

Total Approps. page 19
Less Lottery Not Applicable
Less Federal page 24
Education Approps. pages 14 & 183
Ed. Lottery Not Applicable
Ed. Federal

. ** For the year 1985.86 this figure is on page 30 of Florida's Final Budget Report & Ten-Year Summary of Appropriations Data **1984-85 through 1993-94, Volume 16**. For all years prior to 1985.86, Ed. Federal is not listed in the book. Our data estimates it at 22% of all federal funds which is the 5 year average from 1985-86 through **1989-90**.

	91-92	92-93	93-94	94-95	95-96	96-97
Tot Approp	\$ 28,862.7	\$ 31,722.2	\$ 35,479.6	\$ 38,789.0	\$ 39,047.0	\$ 39,764.6
Less Lottery	\$ 975.6	\$ 980.0	\$ 963.0	\$ 1,005.7	\$ 970.4	\$ 979.5
Less Feder	\$ 5,355.2	\$ 6,438.8	\$ 7,125.1	\$ 7,679.8	\$ 10,229.2	\$ 9,974.4
Net Approp	\$ 22,531.9	\$ 24,303.4	\$ 27,391.5	\$ 30,103.5	\$ 27,847.4	\$ 28,810.7
Ed Approp	\$ 8,960.1	\$ 9,796.4	\$ 10,307.2	\$ 10,952.5	\$ 11,108.6	\$ 11,930.2
Less Lottery	\$ 835.4	\$ 830.7	\$ 823.8	\$ 855.2	\$ 829.0	\$ 833.7
Less Feder	\$ 771.2	\$ 882.8	\$ 923.0	\$ 970.5	\$ 1,085.6	\$ 1,112.9
Net Ed App	\$ 7,353.5	\$ 8,082.9	\$ 8,560.4	\$ 9,126.8	\$ 9,194.0	\$ 9,983.6
Ed % of Tot	33%	33%	31%	30%	33%	35%
(a) Federal education funds are estimated until 1985-86.						

SOURCES: Florida's Final Budget Report and Ten Year Summary of Appropriations Data, 1978-79 through 1994-95, Vols. 10-19, Executive Office of the Governor, Office of Planning and Budgeting.

General Appropriations Acts and Summary Statement of Intent, FY 1995-96 and 1996-97.

TABLE 2.1 TREND
MAJOR SUMMARY STATISTICS BY FUND

	96-97	97-98	98-99	99-00	00-01	01-02	02-03	03-04	04-05	05-06
TOTAL GR COLLECTIONS	15,080.1	15,911.0	16,823.5	17,884.6	18,976.3	20,023.9	21,140.1	22,427.5	23,817.9	25,299.7
AS A % OF FLORIDA INCOME	4.2	4.2	4.2	4.2	4.2	4.1	4.1	4.1	4.1	4.1
REAL \$ PER CAPITA (87\$)	758.3	769.2	780.9	796.2	809.4	816.9	824.9	835.9	848.0	860.5
AS A % OF TOTAL DIRECT REVENUE	45.2	43.3	43.4	43.5	43.6	43.5	43.4	43.3	43.2	43.0
TOTAL TRUST FUNDS *	8,484.5	8,834.2	9,124.9	9,423.0	9,734.3	10,047.0	10,364.9	10,699.3	11,052.5	11,425.9
AS A % OF FLORIDA INCOME	2.4	2.3	2.3	2.2	2.1	2.1	2.0	2.0	1.9	1.9
REAL \$ PER CAPITA (87\$)	426.6	427.1	423.6	419.5	415.2	409.9	404.4	398.8	393.5	388.6
AS A % OF TOTAL DIRECT REVENUE	24.3	24.1	23.5	22.9	22.4	21.6	21.3	20.7	20.0	19.4
TRANSPORTATION TRUST FUNDS	1,769.3	1,835.6	1,905.9	1,974.7	2,056.0	2,142.0	2,228.1	2,318.7	2,416.6	2,518.2
AS A % OF FLORIDA INCOME	0.5	0.5	0.5	0.5	0.5	0.4	0.4	0.4	0.4	0.4
REAL \$ PER CAPITA (87\$)	89.0	88.7	88.5	87.9	87.7	87.4	86.9	86.4	86.0	85.6
AS A % OF TOTAL DIRECT REVENUE	5.1	5.0	4.9	4.8	4.7	4.7	4.6	4.5	4.4	4.3
WORKERS' INSURANCE TRUST FUNDS	999.4	1,127.7	1,174.0	1,220.5	1,265.9	1,308.6	1,352.2	1,399.4	1,448.4	1,501.5
AS A % OF FLORIDA INCOME	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.2
REAL \$ PER CAPITA (87\$)	50.3	54.5	54.5	54.3	54.0	53.4	52.8	52.2	51.6	51.1
AS A % OF TOTAL DIRECT REVENUE	2.9	3.1	3.0	3.0	2.9	2.8	2.8	2.7	2.6	2.6
LAND CONSERVATION TRUST FUNDS	513.6	548.6	572.8	604.4	634.6	660.9	685.8	710.4	738.4	770.1
AS A % OF FLORIDA INCOME	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
REAL \$ PER CAPITA (87\$)	25.8	26.5	26.6	26.9	27.1	27.0	26.8	26.5	26.3	26.2
AS A % OF TOTAL DIRECT REVENUE	1.5	1.5	1.5	1.5	1.5	1.4	1.4	1.4	1.3	1.3
EDUCATION FEES TRUST FUNDS	1,180.4	1,191.7	1,212.2	1,232.0	1,251.7	1,271.5	1,291.0	1,310.4	1,329.7	1,349.0
AS A % OF FLORIDA INCOME	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.2	0.2	0.2
REAL \$ PER CAPITA (87\$)	59.4	57.6	56.3	54.6	53.4	51.9	50.4	48.8	47.3	45.9
AS A % OF TOTAL DIRECT REVENUE	3.4	3.2	3.1	3.0	2.9	2.8	2.6	2.5	2.4	2.3
ADMINISTRATIVE TRUST FUNDS	721.0	745.2	772.5	799.7	827.6	855.9	885.2	917.2	950.2	986.0
AS A % OF FLORIDA INCOME	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
REAL \$ PER CAPITA (87\$)	36.3	36.0	35.9	35.6	35.3	34.9	34.5	34.2	33.6	33.5
AS A % OF TOTAL DIRECT REVENUE	2.1	2.0	2.0	1.9	1.9	1.9	1.8	1.8	1.7	1.7
OTHER TRUST FUNDS	3,300.8	3,385.5	3,487.6	3,591.7	3,698.2	3,808.2	3,922.6	4,043.3	4,169.2	4,301.1
AS A % OF FLORIDA INCOME	0.9	0.9	0.9	0.8	0.8	0.8	0.8	0.7	0.7	0.7
REAL \$ PER CAPITA (87\$)	166.0	163.7	161.9	159.9	157.7	155.4	153.1	150.7	148.4	146.3
AS A % OF TOTAL DIRECT REVENUE	9.4	9.2	9.0	8.7	8.5	8.3	8.1	7.8	7.6	7.3
TRANSFERS TO LOCAL GOVERNMENT	2,631.5	2,756.6	2,889.6	3,032.6	3,177.8	3,319.6	3,467.4	3,630.8	3,812.7	3,997.4
AS A % OF FLORIDA INCOME	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
REAL \$ PER CAPITA (87\$)	132.3	133.3	134.1	135.5	135.5	135.4	135.3	135.2	135.3	135.0
AS A % OF TOTAL DIRECT REVENUE	7.5	7.5	7.5	7.4	7.2	7.2	7.1	7.0	6.9	6.8
DONATIONS AND FEDERAL ASSISTANCE	8,751.0	9,208.3	9,933.5	10,746.7	11,540.6	12,634.5	13,746.6	15,031.1	16,456.3	18,049.4
AS A % OF FLORIDA INCOME	2.5	2.4	2.5	2.5	2.6	2.6	2.7	2.8	2.8	2.9
REAL \$ PER CAPITA (87\$)	440.0	445.1	461.1	478.4	496.5	515.5	536.4	560.2	585.9	613.9
AS A % OF TOTAL DIRECT REVENUE	25.0	25.1	25.6	26.2	26.1	27.5	28.2	29.0	29.8	30.7
TOTAL ALL FUNDS	34,947.2	36,710.2	38,771.5	41,086.1	43,529.0	46,025.0	48,719.0	51,788.7	55,139.5	58,772.4
AS A % OF FLORIDA INCOME	9.8	9.7	9.6	9.6	9.5	9.5	9.5	9.5	9.5	9.6
REAL \$ PER CAPITA (87\$)	1,757.2	1,774.6	1,799.6	1,829.1	1,856.6	1,877.8	1,901.0	1,930.2	1,963.2	1,998.9

SOURCE: Florida Consensus Estimating Conference Book 2 Revenue Analysis FY 1970-71 Through FY 2005-06, volume 12, summer 1996.

THE FUND PORTION OF EACH TAX SOURCE MAY INCLUDE A GR SERVICE CHARGE

TABLE 2.4 TREND
TRUST FUND REVENUE FOR STATE USE ^A

	96-97	97-98	98-99	99-00	00-01	01-02	02-03	03-04	04-05	05-06
MAJOR TRANSPORTATION REVENUES										
AUTO TITLE AND LIEN FEES	83.5	85.2	86.6	88.7	90.4	92.1	93.5	95.2	96.11	98.6
HIGHWAY FUEL TAX	no	0.0	0.0	no	0.0	0.0	0.0	0.0	0.0	0.0
STATE FUEL TAX	11427	1,196.1	1,260.6	1,318.3	1,385.3	1,459.4	1,534.0	1,612.8	1,699.1	1,788.8
MTR VEHICLE AND MOBILE HOME LICENSES	341.4	347.1	346.7	350.0	357.4	367.8	367.7	372.5	377.1	381.9
MOTOR VEHICLE FEES AND CHARGES	202.2	207.2	212.5	211.7	222.9	227.7	732.3	238.2	243.5	248.9
SUBTOTAL	1,769.3	1,835.6	1,905.9	1,974.7	2,056.0	1,142.0	2,228.1	2,318.7	2,416.6	2,518.2
WORKERS' INSURANCE TAX										
WORKERS' COMPENSATION TAX	99.7	1,062	1,131	1,203	1,277	1,351	1,423	151.4	160.3	170.0
WORKERS' COMP SPECIAL DISABILITY	1737	273.7	291.4	309.9	328.9	348.0	368.1	390.0	412.9	437.9
UNEMPLOYMENT COMPENSATION TAX	726.0	747.8	765.5	790.3	809.3	825.5	841.2	858.0	875.2	893.6
SUBTOTAL	999.4	1,127.7	1,174.0	1,220.5	1,265.9	1,308.6	1,352.2	1,399.4	1,448.4	1,501.5
CONSERVATION AND RECREATIONAL LANDS										
DOCUMENTARY STAMP TAX	448.6	484.1	506.2	535.1	562.2	585.5	607.2	628.5	652.6	680.3
SOLID MINERAL SEVERANCE TAX	27.0	27.0	27.5	78.5	79.6	30.9	37.2	33.5	34.9	36.4
OIL & GAS SEV TAX (TF DIST REPEALED)	11	1.1	1.1	1.1	1.0	0.9	0.9	0.7	0.8	0.7
LAND ACQUISITION TAX (REPEALED)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
(1) SALES AND USE TAX	36.9	36.4	38.0	39.7	41.6	43.6	45.5	47.7	50.1	52.7
SUBTOTAL	513.6	548.6	572.8	604.4	634.6	660.9	685.8	710.4	738.4	770.1
EDUCATION - TUITION, FEES AND CHARGES										
EDUCATIONAL FEES, LICENSES AND TAXES	366.3	372.8	379.2	385.4	391.6	397.8	403.9	410.0	416.0	422.0
LOTTERY TO EDUCATION	814.1	818.9	823.0	846.6	860.1	873.7	887.1	900.4	913.7	927.0
SUBTOTAL	1180.4	1,191.7	1,202.2	1,232.0	1,251.7	1,271.5	1,291.0	1,310.4	1,329.7	1,349.0
AGENCIES' ADMINISTRATIVE TRUST FUNDS										
AUTO ROAD TAX (REPEALED)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
INTANGIBLE PERSONAL PROPERTY TAX	37.7	38.5	39.3	40.1	41.0	41.8	42.7	43.6	44.5	45.5
BEVERAGE LICENSES AND TAXES	35.1	35.7	36.5	36.9	37.5	38.1	38.8	39.3	39.9	40.4
INSURANCE PREMIUM TAX										
GENERAL INSPECTION FEES AND LICENSES	25.9	26.4	26.9	27.3	27.7	28.1	28.5	28.9	29.3	23.7
CITRUS INSPECTION FEES AND LICENSES	25.8	27.5	29.3	31.2	33.1	35.1	37.2	33.5	41.9	44.6
OTHER D.O.S. FEES, LICENSES AND TAXES										
CORPORATION TRUST FUND FEES	27.0	27.4	27.6	28.0	28.5	29.0	29.4	29.9	30.3	30.8
D.O.I. AND TREAS FEES, LICENSES AND TAXES	84.5	90.0	96.0	102.1	108.4	114.8	121.6	129.1	137.1	145.9
CITRUS TAXES	51.8	55.2	58.3	62.7	66.6	70.5	74.7	79.3	84.2	89.6
HUNTING AND FISHING LICENSES										
PARI-MUTUEL FEES, LICENSES AND TAXES	11.7	12.1	12.3	12.5	12.8	12.9	13.1	13.4	13.5	13.8
OCCUPATIONAL LICENSES (REPEALED)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PROFESSIONAL FEES AND LICENSES										
CORPORATION CHARTER TAX (REPEALED)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
DRIVERS' LICENSES AND FEES	20.6	21.0	21.4	21.8	22.1	22.5	22.8	23.2	23.5	23.8
LOTTERY TO ADMINISTRATION	263.0	264.6	269.1	273.5	277.9	282.2	286.6	291.0	295.2	299.5
SUBTOTAL	721.0	745.2	772.5	799.7	827.8	855.9	885.7	917.2	950.2	986.0
OTHER TRUST FUND REVENUES FOR STATE USE										
TOBACCO TAX	153.6	154.6	155.3	156.2	156.9	157.7	158.4	159.2	160.1	160.8
LOTTERY TO PRIZES	1,065.4	1,071.7	1,090.2	1,108.0	1,125.7	1,143.4	1,161.0	1,178.4	1,195.7	1,213.1
INTEREST EARNINGS	487.3	509.2	533.1	558.7	585.5	614.2	644.9	677.8	713.0	750.1
OTHER TRUST	1,594.5	1,650.0	1,709.0	1,768.8	1,830.1	1,892.9	1,958.3	2,027.9	2,100.4	2,177.1
SUBTOTAL	3,300.8	3,385.5	3,487.6	3,591.7	3,698.2	3,808.2	3,922.6	4,043.3	4,169.2	4,301.1
TOTAL TRUST FUND REVENUE	8,484.5	8,834.7	9,124.9	9,423.0	9,734.3	10,047.0	10,364.9	10,699.3	11,052.5	11,425.11
LESS SERVICE CHARGES TO GR	326.8	350.1	362.8	372.4	390.3	410.9	430.9	451.2	464.6	479.6
NET TRUST FUND REVENUE	8,157.7	8,484.6	8,762.1	9,050.6	9,344.0	9,636.1	9,934.0	10,248.1	10,587.9	10,945.5

(1) INCLUDES SOLID WASTE MANAGEMENT FEE DISTRIBUTION AND THE SPORTS FACILITIES DISTRIBUTION
(2) THE TRUST FUND PORTION OF EACH TAX SOURCE MAY INCLUDE A GRASSROOTS CHARGE

**TABLE 2.6 TREND
DONATIONS AND FEDERAL ASSISTANCE**

	96-97	97-98	98-99	99-00	00-01	01-02	02-03	03-04	04-05	05-06
COUNTIES AND CITIES	60.8	64.8	69.1	73.5	78.1	82.7	87.6	93.0	98.7	105.1
U. S. GOVERNMENT	8,460.6	a. 899.0	9,603.5	10,395.0	11,267.7	12,239.6	13,328.4	14,586.9	15,984.6	17,547.5
HRS AFDC Grants	349.0	332.2	328.6	333.2	334.5	335.9	337.2	330.5	339.9	341.3
HRS/AHCA Medicaid Grants	3,769.0	3,961.2	4,381.1	4,871.8	5,436.9	6,094.8	6,550.6	7,741.1	8,747.5	9,884.7
HRS All Other Grants	969.0	1,012.6	1,060.2	1,111.1	1,164.5	1,221.5	1,282.6	1,348.0	1,418.1	1,491.9
Education Grants	1,018.5	1,084.7	1,157.4	1,231.5	1,307.8	1,385.0	1,466.7	1,557.6	1,654.2	1,760.1
Transportation Grants	906.3	965.2	1,029.9	1,095.8	1,163.7	1,232.4	1,305.1	1,386.0	1,471.9	1,566.1
Dept of Labor Grants	496.8	529.1	564.6	600.7	637.9	675.6	715.4	759.8	806.9	856.5
Other Grants	951.9	1,013.8	1,081.7	1,151.0	1,222.3	1,294.5	1,370.8	1,455.8	1,546.1	1,645.0
OTHER DONATIONS/FEDERAL ASSISTANCE	229.6	244.5	260.9	277.6	294.8	312.2	330.7	351.2	372.9	396.8
TOTAL DONATIONS/FEDERAL ASSISTANCE	8,751.0	9,208.3	9,933.5	10,746.2	11,640.6	12,634.5	13,746.6	15,031.1	16,456.3	18,049.4