

By Senator Bronson

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Senate Joint Resolution No. \_\_\_\_

A joint resolution proposing an amendment to Section 19 of Article III of the State Constitution relating to state budgeting, planning, and appropriation processes.

Be It Resolved by the Legislature of the State of Florida:

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

ARTICLE III  
LEGISLATURE

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

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

(b) APPROPRIATION BILLS FORMAT. Separate sections within the general appropriation bill shall be used for each major program area of the state budget; major program areas

**CODING:**Words ~~stricken~~ are deletions; words underlined are additions.

1 shall include: education enhancement "lottery" trust fund  
2 items; education (all other funds); human services; criminal  
3 justice and corrections; natural resources, environment,  
4 growth management, and transportation; general government; and  
5 judicial branch. Each major program area shall include an  
6 itemization of expenditures for: state operations; state  
7 capital outlay; aid to local governments and nonprofit  
8 organizations operations; aid to local governments and  
9 nonprofit organizations capital outlay; federal funds and the  
10 associated state matching funds; spending authorizations for  
11 operations; and spending authorizations for capital outlay.  
12 Additionally, appropriation bills passed by the legislature  
13 shall include an itemization of specific appropriations that  
14 exceed one million dollars (\$1,000,000.00) in 1992 dollars.  
15 For purposes of this subsection, "specific appropriation,"  
16 "itemization," and "major program area" shall be defined by  
17 law. This itemization threshold shall be adjusted by general  
18 law every four years to reflect the rate of inflation or  
19 deflation as indicated in the Consumer Price Index for All  
20 Urban Consumers, U.S. City Average, All Items, or successor  
21 reports as reported by the United States Department of Labor,  
22 Bureau of Labor Statistics or its successor. Substantive bills  
23 containing appropriations shall also be subject to the  
24 itemization requirement mandated under this provision and  
25 shall be subject to the governor's specific appropriation veto  
26 power described in Article III, Section 8. This subsection  
27 shall be effective July 1, 1994.

28 (c) APPROPRIATIONS REVIEW PROCESS. Effective July 1,  
29 1993, general law shall prescribe requirements for each  
30 department and agency of state government to submit a planning  
31 document and supporting budget request for review by the

1 appropriations committees of both houses of the legislature.  
2 The review shall include a comparison of the major issues in  
3 the planning document and budget requests to those major  
4 issues included in the governor's recommended budget. For  
5 purposes of this subsection, the terms department and agency  
6 shall include the judicial branch.

7 (d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. Effective  
8 November 4, 1992, all general appropriation bills shall be  
9 furnished to each member of the legislature, each member of  
10 the cabinet, the governor, and the chief justice of the  
11 supreme court at least seventy-two hours before final passage  
12 thereof, by either house of the legislature.

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

21 (f) TRUST FUNDS.

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

26 (2) State trust funds in existence before the  
27 effective date of this subsection shall terminate not more  
28 than four years after the effective date of this subsection.  
29 State trust funds created after the effective date of this  
30 subsection shall terminate not more than four years after the  
31 effective date of the act authorizing the creation of the

1 trust fund. By law the legislature may set a shorter time  
2 period for which any trust fund is authorized.

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

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

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

26 (g) BUDGET STABILIZATION FUND. Beginning with the  
27 1994-1995 fiscal year, at least 1% of an amount equal to the  
28 last completed fiscal year's net revenue collections for the  
29 general revenue fund shall be retained in a budget  
30 stabilization fund. The budget stabilization fund shall be  
31 increased to at least 2% of said amount for the 1995-1996

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

19 (h) STATE PLANNING DOCUMENT AND DEPARTMENT AND AGENCY  
20 PLANNING DOCUMENT PROCESSES. The governor shall recommend to  
21 the legislature biennially any revisions to the state planning  
22 document, as defined by law. General law shall require a  
23 biennial review and revision of the state planning document,  
24 shall require the governor to report to the legislature on the  
25 progress in achieving the state planning document's goals, and  
26 shall require all departments and agencies of state government  
27 to develop planning documents consistent with the state  
28 planning document. The state planning document and department  
29 and agency planning documents shall remain subject to review  
30 and revision by the legislature. The department and agency  
31 planning documents shall include a prioritized listing of

1 planned expenditures for review and possible reduction in the  
2 event of revenue shortfalls, as defined by general law. To  
3 ensure productivity and efficiency in the executive,  
4 legislative, and judicial branches, a quality management and  
5 accountability program shall be implemented by general law.  
6 For the purposes of this subsection, the terms department and  
7 agency shall include the judicial branch. This subsection  
8 shall be effective July 1, 1993.

9 (i) The Legislature may, as provided by general law,  
10 approve, modify, or disapprove, in whole or in part, the  
11 budget of each water management district, commencing with the  
12 budgets for fiscal year 2000-2001.

13 BE IT FURTHER RESOLVED that the following statement be  
14 placed on the ballot:

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CONSTITUTIONAL AMENDMENT

ARTICLE III, SECTION 19

LEGISLATIVE OVERSIGHT OF WATER MANAGEMENT DISTRICT

BUDGETS.--Proposing an amendment to the State Constitution to  
provide that the Legislature may approve, disapprove, or  
modify, in whole or in part, the budget of each such district,  
beginning in fiscal year 2000-2001.