

By the Committee on Governmental Oversight and Productivity;
and Senator Kirkpatrick

302-2181-00

1 Senate Joint Resolution No. ____

2 A joint resolution proposing the creation of
3 Section 19 of Article X of the State
4 Constitution, relating to miscellaneous
5 matters, to prescribe the use of moneys in the
6 Lawton Chiles Endowment Fund.

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

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

15 ARTICLE X

16 MISCELLANEOUS

17 SECTION 19. Lawton Chiles Endowment Fund.--

18 (a) The annual capital gains and investment income of
19 the Lawton Chiles Endowment Fund may be appropriated, in
20 accordance with general law, by the legislature pursuant to
21 the general appropriations act. The principal of the endowment
22 fund, composed of settlement moneys received from the tobacco
23 industry, shall not be appropriated by the legislature except
24 as provided by this section.

25 (b) In an emergency, no more than ten percent of the
26 principal of the endowment fund may be appropriated by the
27 legislature in any fiscal year for state children's health
28 programs; child welfare programs; community-based health and
29 human services; and biomedical research activities related to
30 the diagnosis and treatment of diseases related to tobacco
31 use, including cancer, cardiovascular diseases, stroke, and

1 pulmonary diseases. Such appropriation shall be by a
2 two-thirds vote of the membership of each house.

3 (c) For purposes of this section, the term "emergency"
4 means a set of conditions which was unforeseen and which must
5 be corrected in order to continue an operation of government,
6 or a set of conditions which constitutes an imminent threat to
7 public health, safety, or welfare. The emergency must relate
8 to one of the following areas: state children's health
9 programs; child welfare programs; community-based health and
10 human services; or biomedical research activities related to
11 the diagnosis and treatment of diseases related to tobacco
12 use, including cancer, cardiovascular disease, stroke, and
13 pulmonary diseases.

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

16 CONSTITUTIONAL AMENDMENT

17 ARTICLE X, SECTION 19

18 USE OF FUNDS IN THE LAWTON CHILES ENDOWMENT

19 FUND.--Proposing an amendment to the State Constitution to
20 authorize the Legislature to appropriate the investment income
21 from the Lawton Chiles Endowment Fund as provided by general
22 law and to limit the use of the principal of the endowment
23 fund to emergencies that relate to children's health or
24 welfare programs, community-based health and human services,
25 and certain biomedical research activities.

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SJR 1008
4 Removes language providing for constitutional amendment to
5 Article IX, section 4 of the State Constitution.
6 Creates language providing for constitutional amendment to
7 Article X of the State Constitution.
8 Limits any use of the principal of the Lawton Chiles Endowment
9 Fund to emergency situations.
10 Provides that, even in an emergency, no more than 10 percent
11 of the principal can be appropriated by the Legislature in any
12 fiscal year.
13 Provides that appropriation of the principal must be by a
14 two-thirds vote of the membership of each house of the
15 Legislature.
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