

Bill No. CS for SB 1212

Amendment No.     

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Laurent moved the following amendment:

**Senate Amendment (with title amendment)**

On page 23, line 20, through page 24, line 14, delete those lines

and insert:

Section 20. Supreme Court Workload Study Commission.--

(1) The Legislature finds that the number of justices has not increased since 1940 and that therefore it is necessary and beneficial to the furtherance of an efficient and effective judiciary to study the workload of the Florida Supreme Court.

(2) The Supreme Court Workload Study Commission is created and is assigned to the Office of the State Courts Administrator for administrative and fiscal purposes only. The Supreme Court Workload Study Commission shall consist of seven members to be appointed on or before July 15, 2000, as follows:

(a) The Speaker of the House of Representatives shall appoint three members. One of the members must be a member of

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1 the House of Representatives and a member in good standing of  
2 The Florida Bar. At least one of the other two members must  
3 be a member in good standing of The Florida Bar.

4 (b) The President of the Senate shall appoint three  
5 members. One of the members must be a member of the Senate  
6 and a member in good standing of The Florida Bar. At least one  
7 of the other two members must be a member in good standing of  
8 The Florida Bar.

9 (c) The Chief Justice of the Florida Supreme Court  
10 shall appoint one member who has served on the Supreme Court  
11 but who is not presently serving, and who shall serve as chair  
12 of the commission.

13 (3) Members of the commission shall serve without  
14 compensation, except for per diem and reimbursement of travel  
15 expenses as provided by section 112.061, Florida Statutes. A  
16 vacancy on the commission shall be filled in the same manner  
17 as the original appointment.

18 (4) In consultation with the Office of Program Policy  
19 Analysis and Government Accountability, the Office of the  
20 State Courts Administrator shall conduct a workload study of  
21 the Supreme Court. The results of the study shall be provided  
22 to the commission by November 1, 2000.

23 (5) Using the study and associated data delivered by  
24 the Office of the State Courts Administrator and any other  
25 relevant data, the commission shall develop recommendations  
26 for addressing workload issues, including, but not limited to,  
27 the need for additional justices on the Supreme Court. The  
28 commission shall report its recommendation to the Commission  
29 on Revision 7 to Article V, the Speaker of the House of  
30 Representatives, the President of the Senate, and the Chief  
31 Justice of the Supreme Court by February 15, 2001.

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1           (6) It is the intent of the Legislature that the  
 2 commission be staffed by the Civil Justice Council in the  
 3 House of Representatives, and that the commission  
 4 automatically terminate upon submission of its report.

5           Section 21. Subsection (1) is amended and a new  
 6 subsection (6) is added to section 216.0166, Florida Statutes,  
 7 to read:

8           216.0166 Submission by state agencies of  
 9 performance-based budget requests, programs, and performance  
 10 measures.--

11           (1) Except as provided in subsection (6)prior to  
 12 September 1 of the fiscal year prior to which a state agency  
 13 is required to submit a performance-based program budget  
 14 request pursuant to s. 216.0172, such state agency shall  
 15 identify and submit to the Executive Office of the Governor a  
 16 list of proposed state agency programs and performance  
 17 measures. The agency may also provide a list of statutes or  
 18 rules affecting its performance which may be addressed as  
 19 incentives or disincentives for the performance-based program  
 20 budget. The list should be accompanied by recommended  
 21 legislation to implement the requested changes for potential  
 22 incentives. Such identification shall be conducted after  
 23 discussion with legislative appropriations and appropriate  
 24 substantive committees and shall be approved by the Executive  
 25 Office of the Governor. The Executive Office of the Governor,  
 26 after discussion with legislative appropriations and  
 27 appropriate substantive committees and the Office of Program  
 28 Policy Analysis and Government Accountability, shall review  
 29 the list of programs and performance measures, may make any  
 30 changes or require the agency to resubmit the list, and shall  
 31 make a final recommendation of programs and associated

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1 performance measures to the Legislature within 60 days after  
2 receipt, to be used in the preparation and submission of the  
3 state agency's final legislative budget request pursuant to s.  
4 216.023(5). The Executive Office of the Governor may also  
5 recommend legislation to implement any or all of the proposed  
6 incentives. Agencies continuing under performance-based  
7 program budgeting may provide as part of their legislative  
8 budget request a list of statutes or rules affecting their  
9 program performance which may be addressed as incentives or  
10 disincentives for the performance-based program budget.

11 (6) Prior to September 15 of the fiscal year prior to  
12 which the judicial branch is required to submit a  
13 performance-based program budget request pursuant to s.  
14 216.0172, the Chief Justice shall identify and, after  
15 consultation with the Office of Program Policy Analysis and  
16 Government Accountability and legislative staff of the  
17 appropriate substantive and appropriations committees in the  
18 Senate and the House of Representatives, shall submit to the  
19 Legislature a list of proposed programs and associated  
20 performance measures. The judicial branch shall provide  
21 documentation to accompany the list of proposed programs and  
22 performance measures as provided under subsection (2). The  
23 judicial branch shall submit a performance-based program  
24 legislative budget request pursuant to s. 216.0172, using the  
25 programs and performance measures adopted by the Legislature.  
26 The Chief Justice may propose revisions to approved programs  
27 or performance measures for the judicial branch. The  
28 Legislature shall have final approval of all programs and  
29 associated performance measures and standards for the judicial  
30 branch through the General Appropriations Act or legislation  
31 implementing the General Appropriations Act.

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(Redesignate subsequent sections.)

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

And the title is amended as follows:

On page 2, line 5, after the semicolon

insert:

creating the Supreme Court Workload Study  
Commission; providing members; providing  
duties; requiring a report;