

By Senators Burt and Rossin

16-1614-01

1 Senate Joint Resolution No. ____
2 A joint resolution proposing the creation of
3 Section 20 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.

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

10 That the following creation of Section 20 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 20. Lawton Chiles Endowment Fund.--

18 (a) There is created the Lawton Chiles Endowment Fund
19 to provide a perpetual source of funding for the future of
20 state children's health programs, child welfare programs,
21 community-based health and human services initiatives, and
22 biomedical research activities. The principal of the endowment
23 fund, composed of moneys received from the tobacco industry to
24 mitigate the impact of the use of tobacco on Florida
25 residents, shall not be appropriated by the Legislature except
26 as provided by this section. The annual capital gains and
27 investment income of the Lawton Chiles Endowment Fund may be
28 appropriated, in accordance with general law, by the
29 Legislature pursuant to the general appropriations act.

30 (b) In an emergency, no more than ten percent of the
31 principal of the endowment fund may be appropriated by the

1 legislature in any fiscal year for state children's health
2 programs; child welfare programs; community-based health and
3 human services; and biomedical research activities related to
4 the diagnosis and treatment of diseases related to tobacco
5 use, including cancer, cardiovascular diseases, stroke, and
6 pulmonary diseases. Such appropriation shall be by a
7 two-thirds vote of the membership of each house.

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

19 BE IT FURTHER RESOLVED that the following statement be
20 placed on the ballot:

21 CONSTITUTIONAL AMENDMENT

22 ARTICLE X, SECTION 20

23 USE OF FUNDS IN THE LAWTON CHILES ENDOWMENT

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

31