

By the Committee on Appropriations and Senators Burt and Rossin

309-1955-01

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

A joint resolution proposing the creation of Section 20 of Article X of the State Constitution, relating to miscellaneous matters, to prescribe the use of moneys in the Lawton Chiles Endowment Fund.

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

That the following creation of Section 20 of Article X 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 X

MISCELLANEOUS

SECTION 20. Lawton Chiles Endowment Fund.--

(a) There is created the Lawton Chiles Endowment Fund to provide a perpetual source of funding for the future of state children's health programs, child welfare programs, community-based health and human services initiatives, and biomedical research activities. The principal of the endowment fund, composed of moneys received from the tobacco industry to mitigate the impact of the use of tobacco on Florida residents, shall not be appropriated by the Legislature except as provided by this section. The annual capital gains and investment income of the Lawton Chiles Endowment Fund may be appropriated, in accordance with general law, by the legislature in a separate act and shall be approved by a two-thirds vote of the membership of each house. This

1 appropriation shall not supplant current state or federal  
2 funds.

3 (b) In an emergency declared by the legislature, no  
4 more than 10 percent of the principal of the endowment fund  
5 may be appropriated by the legislature in any fiscal year for  
6 state children's health programs; child welfare programs; and  
7 community-based health and human services. Such appropriation  
8 shall be in a separate act and be approved by a two-thirds  
9 vote of the membership of each house.

10 (c) For purposes of this section, the term "emergency"  
11 means a set of conditions which was unforeseen and which must  
12 be corrected in order to continue an operation of government,  
13 or a set of conditions which constitutes an imminent threat to  
14 public health, safety, or welfare. The emergency must relate  
15 to one of the following areas: state children's health  
16 programs; child welfare programs; or community-based health  
17 and human services.

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

20 CONSTITUTIONAL AMENDMENT

21 ARTICLE X, SECTION 20

22 USE OF FUNDS IN THE LAWTON CHILES ENDOWMENT

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

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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                                   COMMITTEE SUBSTITUTE FOR  
3   SJR 2236  
4                   Requires that a separate act be approved by a two-thirds vote  
5                   of the membership of each house in order to appropriate the  
6                   annual capital gains and investment income of the Lawton  
7                   Chiles Endowment Fund. Specifies that the appropriation shall  
8                   not supplant current state or federal funds.  
9                   Removes biomedical research activities from the available  
10                  programs to which up to 10 percent of the principal of the  
11                  fund may be appropriated should an emergency be declared by  
12                  the Legislature. Requires such appropriation to be made by a  
13                  two-thirds vote of the membership of each house.  
14                  Removes biomedical research activities from the areas which  
15                  must relate to the emergency.  
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