

By Senator Lee

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Senate Joint Resolution No. ____

A joint resolution proposing amendments to Section 19 of Article III of the State Constitution, relating to requirements for state budget planning, spending, and accountability.

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

That the following amendments to Section 19 of Article III of the State Constitution, as amended by Revision No. 8 (1998), are 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.

(1) ~~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.

(2) Unless approved by a three-fifths (3/5) vote of the membership of each house, appropriations made for recurring purposes from nonrecurring general revenue funds for

1 any fiscal year shall not exceed three percent of the total
2 general revenue funds available.

3 (3) Each state department and agency shall be required
4 to submit a legislative budget request that is based upon and
5 that reflects the long-range fiscal plan adopted by the joint
6 legislative budget commission.

7 (4) For purposes of this section ~~subsection~~, the terms
8 department and agency shall include the judicial branch.

9 (b) APPROPRIATION BILLS FORMAT. Separate sections
10 within the general appropriation bill shall be used for each
11 major program area of the state budget; major program areas
12 shall include: education enhancement "lottery" trust fund
13 items; education (all other funds); human services; criminal
14 justice and corrections; natural resources, environment,
15 growth management, and transportation; general government; and
16 judicial branch. Each major program area shall include an
17 itemization of expenditures for: state operations; state
18 capital outlay; aid to local governments and nonprofit
19 organizations operations; aid to local governments and
20 nonprofit organizations capital outlay; federal funds and the
21 associated state matching funds; spending authorizations for
22 operations; and spending authorizations for capital outlay.
23 Additionally, appropriation bills passed by the legislature
24 shall include an itemization of specific appropriations that
25 exceed one million dollars (\$1,000,000.00) in 1992 dollars.
26 For purposes of this subsection, "specific appropriation,"
27 "itemization," and "major program area" shall be defined by
28 law. This itemization threshold shall be adjusted by general
29 law every four years to reflect the rate of inflation or
30 deflation as indicated in the Consumer Price Index for All
31 Urban Consumers, U.S. City Average, All Items, or successor

1 reports as reported by the United States Department of Labor,
2 Bureau of Labor Statistics or its successor. Substantive bills
3 containing appropriations shall also be subject to the
4 itemization requirement mandated under this provision and
5 shall be subject to the governor's specific appropriation veto
6 power described in Article III, Section 8. This subsection
7 shall be effective July 1, 1994.

8 (c) APPROPRIATIONS ~~REVIEW~~ PROCESS.

9 (1) No later than August 15 of each year, the joint
10 legislative budget commission shall issue, as prescribed by
11 general law or joint rule, a long-range plan setting out
12 fiscal goals and objectives for the state and its departments
13 and agencies. The long-range fiscal plan must include major
14 workload and revenue estimates. In order to implement this
15 paragraph, the joint legislative budget commission may request
16 consensus estimating conferences to develop official
17 estimates.

18 (2) In consultation with the governor, the joint
19 legislative budget commission shall issue instructions to the
20 departments and agencies for developing legislative budget
21 requests. Each year, no later than September 15 or such other
22 date as may be established by the joint legislative budget
23 commission, each department and agency shall submit a
24 legislative budget request for the ensuing fiscal year to the
25 legislature and to the governor. The legislative budget
26 request must be consistent, as prescribed by general law or
27 joint rule, with the long-range fiscal plan. The legislative
28 budget request shall include a prioritized listing of planned
29 expenditures for review and possible reduction in the event of
30 revenue shortfalls, as defined by general law.

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1 (3) The joint legislative budget commission shall hold
2 public hearings and seek public input, as prescribed by joint
3 rule, in order to allow each department and agency to provide
4 an independent assessment of the needs reflected in its
5 current budget request. In addition, the commission shall
6 review the performance measures proposed by the departments
7 and agencies in order to ensure that necessary information is
8 available to assist the legislature in making policy and
9 budget decisions.

10 (4) At least 40 days before the convening of each
11 regular session of the legislature, or such other date as may
12 be established by the joint legislative budget commission, the
13 governor shall furnish a recommended budget and supporting
14 legislation, balanced within revenue estimates adjusted for
15 the anticipated effects of the supporting legislation, to the
16 members of the legislature.

17 (5) The legislature shall prescribe by general law
18 conditions under which limited adjustments to the budget, as
19 recommended by the governor or the chief justice of the
20 supreme court, may be approved without the concurrence of the
21 full legislature.~~Effective July 1, 1993, general law shall~~
22 ~~prescribe requirements for each department and agency of state~~
23 ~~government to submit a planning document and supporting budget~~
24 ~~request for review by the appropriations committees of both~~
25 ~~houses of the legislature. The review shall include a~~
26 ~~comparison of the major issues in the planning document and~~
27 ~~budget requests to those major issues included in the~~
28 ~~governor's recommended budget. For purposes of this~~
29 ~~subsection, the terms department and agency shall include the~~
30 ~~judicial branch.~~

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1 (d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. All
2 general appropriation bills shall be furnished to each member
3 of the legislature, each member of the cabinet, the governor,
4 and the chief justice of the supreme court at least
5 seventy-two hours before final passage by either house of the
6 legislature of the bill in the form that will be presented to
7 the governor.

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

16 (f) TRUST FUNDS.

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

21 (2) ~~State trust funds in existence before the~~
22 ~~effective date of this subsection shall terminate not more~~
23 ~~than four years after the effective date of this subsection.~~
24 State trust funds ~~created after the effective date of this~~
25 ~~subsection~~ shall terminate not more than four years after the
26 effective date of the act authorizing the initial creation of
27 the trust fund. By law the legislature may set a shorter time
28 period for which any trust fund is authorized.

29 (3) Trust funds required by federal programs or
30 mandates; trust funds established for bond covenants,
31 indentures, or resolutions, whose revenues are legally pledged

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

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

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

22 (g) ~~BUDGET STABILIZATION FUND. Beginning with the~~
23 ~~1994-1995 fiscal year, at least 1% of an amount equal to the~~
24 ~~last completed fiscal year's net revenue collections for the~~
25 ~~general revenue fund shall be retained in a budget~~
26 ~~stabilization fund. The budget stabilization fund shall be~~
27 ~~increased to at least 2% of said amount for the 1995-1996~~
28 ~~fiscal year, at least 3% of said amount for the 1996-1997~~
29 ~~fiscal year, at least 4% of said amount for the 1997-1998~~
30 ~~fiscal year, and at least 5% of said amount for the 1998-1999~~
31 ~~fiscal year.~~ Subject to the provisions of this subsection,

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

16 (h) LONG-RANGE STATE PLANNING DOCUMENT AND DEPARTMENT
17 AND AGENCY PLANNING DOCUMENT PROCESSES. General law shall
18 provide for a long-range state planning document.The governor
19 shall recommend to the legislature biennially any revisions to
20 the long-range state planning document, as defined by law.
21 General law shall require a biennial review and revision of
22 the long-range state planning document, ~~shall require the~~
23 ~~governor to report to the legislature on the progress in~~
24 ~~achieving the state planning document's goals,~~and shall
25 require all departments and agencies of state government to
26 develop planning documents that identify statewide strategic
27 goals and objectives,consistent with the long-range state
28 planning document. The long-range state planning document and
29 department and agency planning documents shall remain subject
30 to review and revision by the legislature. The joint
31 legislative budget commission may provide policies and goals

1 that shall be incorporated into the long-range state planning
2 document. The long-range state planning document must include
3 projections of future needs and resources of the state which
4 are consistent with the long-range fiscal plan.~~The department~~
5 ~~and agency planning documents shall include a prioritized~~
6 ~~listing of planned expenditures for review and possible~~
7 ~~reduction in the event of revenue shortfalls, as defined by~~
8 ~~general law. To ensure productivity and efficiency in the~~
9 ~~executive, legislative, and judicial branches, a quality~~
10 ~~management and accountability program shall be implemented by~~
11 ~~general law. For the purposes of this subsection, the terms~~
12 ~~department and agency shall include the judicial branch. This~~
13 ~~subsection shall be effective July 1, 1993.~~

14 (i) GOVERNMENT EFFICIENCY TASK FORCE. During January
15 of 2007, and each fourth year thereafter, the president of the
16 senate and the speaker of the house of representatives shall
17 appoint a government efficiency task force, the membership of
18 which shall be established by general law. The task force
19 shall be composed of members of the legislature and
20 representatives from the private sector who shall develop
21 recommendations for improving governmental operations and
22 reducing costs. Staff to assist the task force in performing
23 its duties shall be assigned by general law, and the task
24 force may obtain assistance from the private sector. The task
25 force shall complete its work within one year and shall submit
26 its recommendations to the joint legislative budget
27 commission, governor, and chief justice of the supreme court.

28 (j) JOINT LEGISLATIVE BUDGET COMMISSION. There is
29 created the joint legislative budget commission composed of
30 the following members: the president pro tempore of the
31 senate and four additional senate members appointed by the

1 president of the senate, one of whom must be the chairperson
2 of the senate appropriations committee; and the speaker pro
3 tempore of the house of representatives and four additional
4 house members appointed by the speaker of the house of
5 representatives, one of whom must be the chairperson of the
6 house appropriations committee. Each member shall serve at the
7 pleasure of the officer who appointed the member. A vacancy on
8 the commission shall be filled in the same manner as the
9 original appointment. From November of each odd-numbered year
10 through October of each even-numbered year, the chairperson of
11 the joint legislative budget commission shall be the president
12 pro tempore of the senate and the vice chairperson of the
13 commission shall be the speaker pro tempore of the house of
14 representatives. From November of each even-numbered year
15 through October of each odd-numbered year, the chairperson of
16 the joint legislative budget commission shall be the speaker
17 pro tempore of the house of representatives and the vice
18 chairperson of the commission shall be the president pro
19 tempore of the senate. The joint legislative budget commission
20 shall be governed by the joint rules of the senate and the
21 house of representatives, which shall remain in effect until
22 repealed or amended by concurrent resolution. The commission
23 shall convene at least quarterly and shall convene at the call
24 of the president of the senate and speaker of the house of
25 representatives. A majority of the commission members of each
26 house constitutes a quorum. Action by the commission requires
27 a majority vote of the commission members present of each
28 house. The commission may conduct its meetings through
29 teleconferences or similar means. In addition to the powers
30 and duties specified in this subsection, the joint legislative
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1 budget commission shall exercise all other powers and perform
2 any other duties prescribed by general law or joint rule.

3 BE IT FURTHER RESOLVED that the following statement be
4 placed on the ballot:

5 CONSTITUTIONAL AMENDMENT

6 ARTICLE III, SECTION 19

7 STATE PLANNING AND BUDGET PROCESS.--Proposing
8 amendments to the State Constitution to limit the amount of
9 nonrecurring general revenue which may be appropriated for
10 recurring purposes in any fiscal year to 3 percent of the
11 total general revenue funds available, unless otherwise
12 approved by a three-fifths vote of the Legislature; to
13 establish a Joint Legislative Budget Commission, which shall
14 issue long-range fiscal plans and hold public hearings; to
15 provide requirements for the Governor in submitting a
16 recommended budget and for state agencies in preparing and
17 submitting budget requests; to provide for limited adjustments
18 in the state budget, as provided by law; to require
19 termination of a trust fund 4 years following its initial
20 creation; to require the preparation and biennial revision of
21 a long-range state planning document; and to establish a
22 Government Efficiency Task Force and specify its duties.

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