

1 A bill to be entitled
2 An act relating to state planning and budgeting; amending
3 s. 11.90, F.S.; revising membership provisions of the
4 Legislative Budget Commission; providing for the
5 appointment of presiding officers; revising requirements
6 for meetings and a quorum; revising requirements for
7 appointing the staff of the commission; requiring the
8 commission to review budget amendments proposed by the
9 Governor or Chief Justice; requiring the commission to
10 develop a long-range financial outlook; requiring the
11 commission to perform other duties prescribed by the
12 Legislature; creating s. 11.91, F.S.; creating the
13 Government Efficiency Task Force; providing for
14 appointment of its members; requiring that the task force
15 meet at specified intervals; authorizing the task force to
16 conduct meetings through teleconferences or similar means;
17 providing for members to be reimbursed for per diem and
18 travel expenses; requiring the task force to complete its
19 work within 1 year and report to the Legislative Budget
20 Commission, the Governor, and the Chief Justice of the
21 Supreme Court; amending s. 29.0095, F.S.; requiring the
22 legislative appropriations committees to prescribe the
23 format of budget expenditure reports; amending s.
24 110.1245, F.S., relating to the savings sharing program;
25 correcting a reference; amending s. 216.011, F.S.;
26 revising and providing definitions; creating s. 216.012,
27 F.S.; providing requirements for the long-range financial
28 outlook prepared by the commission; requiring state

29 agencies to provide certain information; specifying
 30 timeframes for state agencies and the commission in
 31 developing and completing the long-range financial
 32 outlook; amending s. 216.023, F.S.; clarifying certain
 33 requirements for legislative budget instructions; amending
 34 s. 216.065, F.S.; revising provisions relating to certain
 35 fiscal impact statements; requiring fiscal impact
 36 statements to be provided to the Legislative Budget
 37 Commission in addition to the legislative appropriations
 38 committees; requiring that such statements contain
 39 information concerning subsequent fiscal years; amending
 40 s. 216.162, F.S.; revising the date for the Governor's
 41 recommended budget to be furnished to the Legislature;
 42 removing a provision authorizing the presiding officers of
 43 the Legislature to approve submission of the Governor's
 44 recommended budget at a later date than otherwise
 45 required; amending s. 216.262, F.S., relating to the
 46 transfer of positions; correcting a reference; providing a
 47 contingent effective date.

48
 49 Be It Enacted by the Legislature of the State of Florida:

50
 51 Section 1. Section 11.90, Florida Statutes, is amended to
 52 read:

53 11.90 Legislative Budget Commission.--
 54 (1) There is created the Legislative Budget Commission,
 55 which is the joint Legislative Budget Commission created in s.
 56 19, Art. III of the State Constitution, composed of seven

57 members of the Senate appointed by the President of the Senate
 58 and seven members of the House of Representatives appointed by
 59 the Speaker of the House of Representatives. Each member shall
 60 serve at the pleasure of the officer who appointed the member. A
 61 vacancy on the commission shall be filled in the same manner as
 62 the original appointment. From November of each odd-numbered
 63 year through October of each even-numbered year, the chair of
 64 the commission shall be appointed by the President of the Senate
 65 and the vice chair of the commission shall be appointed by the
 66 Speaker of the House of Representatives. From November of each
 67 even-numbered year through October of each odd-numbered year,
 68 the chair of the commission shall be appointed the Speaker of
 69 the House of Representatives and the vice chair of the
 70 commission shall be appointed by the President of the Senate
 71 ~~There is created a standing joint committee of the Legislature~~
 72 ~~designated the Legislative Budget Commission, composed of 14~~
 73 ~~members as follows: seven members of the Senate appointed by the~~
 74 ~~President of the Senate, to include the chair of the Senate~~
 75 ~~Budget Committee or its successor, and seven members of the~~
 76 ~~House of Representatives appointed by the Speaker of the House~~
 77 ~~of Representatives, to include the chair of the Fiscal~~
 78 ~~Responsibility Council or its successor. The terms of members~~
 79 ~~shall be for 2 years and shall run from the organization of one~~
 80 ~~Legislature to the organization of the next Legislature.~~
 81 ~~Vacancies occurring during the interim period shall be filled in~~
 82 ~~the same manner as the original appointment. During even-~~
 83 ~~numbered years, the chair of the commission shall be the chair~~
 84 ~~of the Senate Budget Committee or its successor, and the vice~~

85 ~~chair of the commission shall be the chair of the House Fiscal~~
86 ~~Responsibility Council or its successor. During odd-numbered~~
87 ~~years, the chair of the commission shall be the chair of the~~
88 ~~House Fiscal Responsibility Council or its successor, and the~~
89 ~~vice chair of the commission shall be the chair of the Senate~~
90 ~~Budget Committee or its successor.~~

91 (2) The Legislative Budget Commission shall be governed by
92 joint rules of the Senate and the House of Representatives which
93 shall remain in effect until repealed or amended by concurrent
94 resolution.

95 (3) The commission shall convene at the call of the
96 President of the Senate and the Speaker of the House of
97 Representatives at least quarterly. A majority of the commission
98 members of each house plus one additional member from either
99 house constitutes a quorum. ~~The commission shall meet at least~~
100 ~~quarterly and more frequently at the direction of the presiding~~
101 ~~officers or upon call of the chair. A quorum shall consist of a~~
102 ~~majority of members from each house, plus one additional member~~
103 ~~from either house.~~ Action by the commission requires a majority
104 vote of the members present of each house.

105 (4) The commission may conduct its meetings through
106 teleconferences or other similar means.

107 (5) The commission shall be staffed by legislative staff
108 members, as assigned by the President of the Senate and the
109 Speaker of the House of Representatives. ~~The commission will be~~
110 ~~jointly staffed by the appropriations committees of the House of~~
111 ~~Representatives and the Senate. During even-numbered years, the~~
112 ~~Senate will serve as lead staff, and during odd-numbered years,~~

113 ~~the House of Representatives will serve as lead staff.~~

114 (6) The commission shall have the power and duty to:

115 (a) Review and approve or disapprove budget amendments
 116 proposed by the Governor or the Chief Justice of the Supreme
 117 Court as provided in chapter 216 ~~Annually review the amount of~~
 118 ~~state debt outstanding and submit to the President of the Senate~~
 119 ~~and the Speaker of the House of Representatives an estimate of~~
 120 ~~the maximum amount of additional state tax-supported debt that~~
 121 ~~prudently may be authorized during the current fiscal year. The~~
 122 ~~estimate shall be advisory and shall in no way bind the~~
 123 ~~Legislature.~~

124 (b) Develop the long-range financial outlook described in
 125 s. 19, Art. III of the State Constitution ~~Promptly after~~
 126 ~~receiving the report required by s. 215.98(2)(c), the commission~~
 127 ~~shall submit to the President of the Senate and the Speaker of~~
 128 ~~the House of Representatives the commission's estimate of tax-~~
 129 ~~supported debt which prudently may be authorized for the next~~
 130 ~~fiscal year, together with a report explaining the basis for the~~
 131 ~~estimate.~~

132
 133 In addition to the powers and duties specified in this section,
 134 the commission shall exercise all other powers and perform any
 135 other duties prescribed by the Legislature.

136 (7) The commission shall review information resources
 137 management needs identified in agency long-range program plans
 138 for consistency with the State Annual Report on Enterprise
 139 Resource Planning and Management and statewide policies adopted
 140 by the State Technology Office. The commission shall also review

141 proposed budget amendments associated with information
142 technology that involve more than one agency, that have an
143 outcome that impacts another agency, or that exceed \$500,000 in
144 total cost over a 1-year period.

145 Section 2. Section 11.91, Florida Statutes, is created to
146 read:

147 11.91 Government Efficiency Task Force.--

148 (1) There is created the Government Efficiency Task Force.
149 The task force shall convene no later than January of 2007, and
150 each fourth year thereafter. The task force shall be composed of
151 13 members. Five members shall be appointed by the President of
152 the Senate, five members shall be appointed by the Speaker of
153 the House of Representatives, and three members shall be
154 appointed by the Governor. Members of the task force may include
155 representatives from the private sector, as designated by the
156 President of the Senate, the Speaker of the House of
157 Representatives, and the Governor. Each member shall serve at
158 the pleasure of the officer who appointed the member. A vacancy
159 on the task force shall be filled in the same manner as the
160 original appointment. The terms of the members shall be for 1
161 year.

162 (2) The task force shall elect a chair from among its
163 members.

164 (3) The task force shall meet as necessary, but at least
165 quarterly, at the call of the chair and at the time and place
166 designated by the chair. The task force may conduct its meetings
167 through teleconferences or other similar means.

168 (4) Members of the task force are entitled to receive

169 reimbursement for per diem and travel expenses pursuant to s.
 170 112.061.

171 (5) The task force shall develop recommendations for
 172 improving governmental operations and reducing costs. Staff to
 173 assist the task force in performing its duties shall be assigned
 174 by the President of the Senate and the Speaker of the House of
 175 Representatives.

176 (6) The task force shall complete its work within 1 year
 177 and submit its recommendations to the chair and vice chair of
 178 the Legislative Budget Commission, the Governor, and the Chief
 179 Justice of the Supreme Court. The task force may submit all or
 180 part of its recommendations at any time during the year, but a
 181 final report summarizing its recommendations must be submitted
 182 at the completion of its work.

183 Section 3. Subsection (4) of section 29.0095, Florida
 184 Statutes, is amended to read:

185 29.0095 Budget expenditure reports.--

186 (4) The appropriations committees of the Senate and the
 187 House of Representatives ~~Legislative Budget Commission~~ shall
 188 prescribe the format of the report required by this section in
 189 consultation with the Chief Justice and the Justice
 190 Administrative Commission.

191 Section 4. Paragraph (b) of subsection (1) of section
 192 110.1245, Florida Statutes, is amended to read:

193 110.1245 Savings sharing program; bonus payments; other
 194 awards.--

195 (1)

196 (b) Each agency head shall recommend employees

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197 individually or by group to be awarded an amount of money, which
 198 amount shall be directly related to the cost savings realized.
 199 Each proposed award and amount of money must be approved by the
 200 Legislative Budget ~~Budgeting~~ Commission.

201 Section 5. Paragraph (h) of subsection (1) of section
 202 216.011, Florida Statutes, is amended, and paragraph (rr) is
 203 added to that subsection, to read:

204 216.011 Definitions.--

205 (1) For the purpose of fiscal affairs of the state,
 206 appropriations acts, legislative budgets, and approved budgets,
 207 each of the following terms has the meaning indicated:

208 (h) "Consultation" means communication on fiscal matters
 209 between the Governor and the Legislature to deliberate and seek
 210 advice in an open and forthright manner ~~with the full committee,~~
 211 ~~a subcommittee thereof, the chair, or the staff as deemed~~
 212 ~~appropriate by the chair of the respective appropriations~~
 213 ~~committee.~~

214 (rr) "Long-range financial outlook" means a 3-year plan,
 215 developed by the commission and updated annually using official
 216 information, including, but not limited to, projections
 217 developed by the consensus estimating conferences, which
 218 projects state revenues and expenditures and provides the
 219 framework and context for legislative budget requests prepared
 220 by state agencies.

221 Section 6. Section 216.012, Florida Statutes, is created
 222 to read:

223 216.012 Long-range financial outlook.--

224 (1) The commission shall develop a long-range 3-year

225 financial outlook and shall update that plan each year.

226 (2) Each state agency shall provide information to the
 227 commission, based on the commission's direction, which supports
 228 the commission's development and updates of the long-range
 229 financial outlook.

230 (a) By July 1 of each year, the commission shall provide
 231 the fiscal strategies of the long-range financial outlook to the
 232 state agencies.

233 (b) By July 31 of each year, state agencies shall provide
 234 estimates of the funding that would be necessary to implement
 235 the fiscal strategies.

236 (c) By August 15 of each year, the commission shall:

- 237 1. Accept the estimates provided by an agency;
- 238 2. Modify the estimates provided by an agency; or
- 239 3. Direct an agency to modify its estimates, consistent
 240 with directions specified by the commission.

241 (d) By August 31 of each year, an agency directed to
 242 modify its estimate shall provide new estimates to the
 243 commission.

244 (e) By September 15 of each year, the commission shall
 245 complete the long-range financial outlook.

246 Section 7. Subsections (1) and (13) of section 216.023,
 247 Florida Statutes, are amended, and paragraph (c) is added to
 248 subsection (4) of that section, to read:

249 216.023 Legislative budget requests to be furnished to
 250 Legislature by agencies.--

251 (1) The head of each state agency, except as provided in
 252 subsection (2), shall submit a final legislative budget request

253 to the Legislature and to the Governor, as chief budget officer
 254 of the state, in the form and manner prescribed in the budget
 255 instructions and at such time as specified by the Executive
 256 Office of the Governor, based on the agency's independent
 257 judgment of its needs. However, a ~~no~~ state agency may not ~~shall~~
 258 submit its complete legislative budget request, including all
 259 supporting forms and schedules required by this chapter, later
 260 than October ~~September~~ 15 of any ~~each~~ year, unless an
 261 alternative date is agreed to be in the best interests of the
 262 state by the President of the Senate, the Speaker of the House
 263 of Representatives, and the Governor.

264 (4)

265 (c) The legislative budget request submitted by each
 266 agency must reflect the long-range financial outlook adopted by
 267 the Legislative Budget Commission, either by basing specific
 268 requests on the long-range financial outlook or by explaining
 269 how any specific request varies from the long-range financial
 270 outlook.

271 (13) In order to ensure an integrated state planning and
 272 budgeting process, the agency long-range plan should be reviewed
 273 by the Legislature. The legislative budget request instructions
 274 must provide for consistency between the agency's long-range
 275 plan and the agency's legislative budget request.

276 Section 8. Section 216.065, Florida Statutes, is amended
 277 to read:

278 216.065 Fiscal impact statements on actions affecting the
 279 budget.--In addition to the applicable requirements of chapter
 280 120, before the Governor, or Governor and Cabinet as a body,

281 performing any constitutional or statutory duty, or before any
 282 state agency or statutorily authorized entity takes ~~take~~ any
 283 final action that will affect revenues, ~~directly~~ require a
 284 request for an increased or new appropriation in the following 3
 285 fiscal years, ~~year~~ or ~~that will~~ transfer current year funds, it
 286 ~~they~~ shall first provide the Legislative Budget Commission and
 287 the legislative appropriations committees with a fiscal impact
 288 statement that details the effects of such action on the budget.
 289 The fiscal impact statement must specify the estimated budget
 290 and revenue impacts for the current year and the 2 subsequent
 291 fiscal years at the same level of detail required to support a
 292 legislative budget request, including amounts by appropriation
 293 category and fund.

294 Section 9. Subsection (1) of section 216.162, Florida
 295 Statutes, is amended to read:

296 216.162 Governor's recommended budget to be furnished
 297 Legislature; copies to members.--

298 (1) At least 30 ~~45~~ days before the scheduled annual
 299 legislative session or such later date as is approved in writing
 300 by the President of the Senate and the Speaker of the House of
 301 Representatives, the Governor shall furnish each senator and
 302 representative a copy of his or her recommended balanced budget
 303 for the state, based on the Governor's own conclusions and
 304 judgment; ~~provided, however, that in his or her first year in~~
 305 ~~office a new Governor may request, subject to approval of the~~
 306 ~~President of the Senate and the Speaker of the House of~~
 307 ~~Representatives, that his or her recommended balanced budget be~~
 308 ~~submitted at a later time prior to the Governor's first regular~~

309 ~~legislative session.~~

310 Section 10. Paragraph (c) of subsection (1) of section
 311 216.262, Florida Statutes, is amended to read:

312 216.262 Authorized positions.--

313 (1)

314 (c)1. The Executive Office of the Governor, under such
 315 procedures and qualifications as it deems appropriate, shall,
 316 upon agency request, delegate to any state agency authority to
 317 add and delete authorized positions or transfer authorized
 318 positions from one budget entity to another budget entity within
 319 the same division, and may approve additions and deletions of
 320 authorized positions or transfers of authorized positions within
 321 the state agency when such changes would enable the agency to
 322 administer more effectively its authorized and approved
 323 programs. The additions or deletions must be consistent with the
 324 intent of the approved operating budget, must be consistent with
 325 legislative policy and intent, and must not conflict with
 326 specific spending policies specified in the General
 327 Appropriations Act.

328 2. The Chief Justice of the Supreme Court shall have the
 329 authority to establish procedures for the judicial branch to add
 330 and delete authorized positions or transfer authorized positions
 331 from one budget entity to another budget entity, and to add and
 332 delete authorized positions within the same budget entity, when
 333 such changes are consistent with legislative policy and intent
 334 and do not conflict with spending policies specified in the
 335 General Appropriations Act.

336 3.a. A state agency may be eligible to retain salary

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337 dollars for authorized positions eliminated after July 1, 2001.
338 The agency must certify the eliminated positions to the
339 Legislative Budget ~~Budgeting~~ Commission.

340 b. The Legislative Budget ~~Budgeting~~ Commission shall
341 authorize the agency to retain 20 percent of the salary dollars
342 associated with the eliminated positions and may authorize
343 retention of a greater percentage. All such salary dollars shall
344 be used for permanent salary increases.

345 Section 11. This act shall take effect upon the effective
346 date of the amendment to the State Constitution contained in
347 House Joint Resolution No. ____, or a similar constitutional
348 amendment, relating to the state budgeting, planning, and
349 appropriations processes, if that amendment is approved by the
350 electors at the general election to be held in November 2006.