

Bill No. SB 1716

Barcode 701400

CHAMBER ACTION

Senate

House

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The Committee on Ways and Means (Atwater) recommended the following amendment:

**Senate Amendment**

On page 8, line 3, through  
page 11, line 25, delete those lines

and insert:

Section 4. Subsection (5) of section 100.371, Florida Statutes, as amended by section 28 of chapter 2005-278, Laws of Florida, is amended to read:

100.371 Initiatives; procedure for placement on ballot.--

(5)(a) Within 45 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments resulting from the proposed initiative. The Financial Impact Estimating Conference shall submit the

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1 financial impact statement to the Attorney General and  
2 Secretary of State.

3 (b)~~1~~. The Financial Impact Estimating Conference shall  
4 provide an opportunity for any proponents or opponents of the  
5 initiative to submit information and may solicit information  
6 or analysis from any other entities or agencies, including the  
7 Office of Economic and Demographic Research.

8 (c) All meetings of the Financial Impact Estimating  
9 Conference shall be open to the public ~~as provided in chapter~~  
10 ~~286. The President of the Senate and the Speaker of the House~~  
11 of Representatives, jointly, shall be the sole judge for the  
12 interpretation, implementation, and enforcement of this  
13 subsection.

14 ~~1.2~~. The Financial Impact Estimating Conference is  
15 established to review, analyze, and estimate the financial  
16 impact of amendments to or revisions of the State Constitution  
17 proposed by initiative. The Financial Impact Estimating  
18 Conference shall consist of four principals: one person from  
19 the Executive Office of the Governor; the coordinator of the  
20 Office of Economic and Demographic Research, or his or her  
21 designee; one person from the professional staff of the  
22 Senate; and one person from the professional staff of the  
23 House of Representatives. Each principal shall have  
24 appropriate fiscal expertise in the subject matter of the  
25 initiative. A Financial Impact Estimating Conference may be  
26 appointed for each initiative.

27 ~~2.3~~. Principals of the Financial Impact Estimating  
28 Conference shall reach a consensus or majority concurrence on  
29 a clear and unambiguous financial impact statement, no more  
30 than 75 words in length, and immediately submit the statement  
31 to the Attorney General. Nothing in this subsection prohibits

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1 the Financial Impact Estimating Conference from setting forth  
 2 a range of potential impacts in the financial impact  
 3 statement. Any financial impact statement that a court finds  
 4 not to be in accordance with this section shall be remanded  
 5 solely to the Financial Impact Estimating Conference for  
 6 redrafting. The Financial Impact Estimating Conference shall  
 7 redraft the financial impact statement within 15 days.

8 ~~3.4.~~ If the members of the Financial Impact Estimating  
 9 Conference are unable to agree on the statement required by  
 10 this subsection, or if the Supreme Court has rejected the  
 11 initial submission by the Financial Impact Estimating  
 12 Conference and no redraft has been approved by the Supreme  
 13 Court by 5 p.m. on the 75th day before the election, the  
 14 following statement shall appear on the ballot pursuant to s.  
 15 101.161(1): "The financial impact of this measure, if any,  
 16 cannot be reasonably determined at this time."

17 ~~(d)(e)~~ The financial impact statement must be  
 18 separately contained and be set forth after the ballot summary  
 19 as required in s. 101.161(1).

20 ~~(e)(d)~~1. Any financial impact statement that the  
 21 Supreme Court finds not to be in accordance with this  
 22 subsection shall be remanded solely to the Financial Impact  
 23 Estimating Conference for redrafting, provided the court's  
 24 advisory opinion is rendered at least 75 days before the  
 25 election at which the question of ratifying the amendment will  
 26 be presented. The Financial Impact Estimating Conference shall  
 27 prepare and adopt a revised financial impact statement no  
 28 later than 5 p.m. on the 15th day after the date of the  
 29 court's opinion.

30 2. If, by 5 p.m. on the 75th day before the election,  
 31 the Supreme Court has not issued an advisory opinion on the

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1 initial financial impact statement prepared by the Financial  
 2 Impact Estimating Conference for an initiative amendment that  
 3 otherwise meets the legal requirements for ballot placement,  
 4 the financial impact statement shall be deemed approved for  
 5 placement on the ballot.

6           3. In addition to the financial impact statement  
 7 required by this subsection, the Financial Impact Estimating  
 8 Conference shall draft an initiative financial information  
 9 statement. The initiative financial information statement  
 10 should describe in greater detail than the financial impact  
 11 statement any projected increase or decrease in revenues or  
 12 costs that the state or local governments would likely  
 13 experience if the ballot measure were approved. If  
 14 appropriate, the initiative financial information statement  
 15 may include both estimated dollar amounts and a description  
 16 placing the estimated dollar amounts into context. The  
 17 initiative financial information statement must include both a  
 18 summary of not more than 500 words and additional detailed  
 19 information that includes the assumptions that were made to  
 20 develop the financial impacts, workpapers, and any other  
 21 information deemed relevant by the Financial Impact Estimating  
 22 Conference.

23           4. The Department of State shall have printed, and  
 24 shall furnish to each supervisor of elections, a copy of the  
 25 summary from the initiative financial information statements.  
 26 The supervisors shall have the summary from the initiative  
 27 financial information statements available at each polling  
 28 place and at the main office of the supervisor of elections  
 29 upon request.

30           5. The Secretary of State and the Office of Economic  
 31 and Demographic Research shall make available on the Internet

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1 each initiative financial information statement in its  
2 entirety. In addition, each supervisor of elections whose  
3 office has a website shall post the summary from each  
4 initiative financial information statement on the website.  
5 Each supervisor shall include the Internet addresses for the  
6 information statements on the Secretary of State's and the  
7 Office of Economic and Demographic Research's websites in the  
8 publication or mailing required by s. 101.20.

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