A proposal to revise

ARTICLE III, ss. 8, 19, Fla. Const.; providing
guidelines for legislative consideration of
veto messages; revising calculation of the
72-hour public review period for general
appropriation bills.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Sections 8 and 19 of Article III of the
Florida Constitution are revised by amending those sections to
read:

ARTICLE III

LEGISLATURE

SECTION 8. Executive approval and veto.--

(a) Every bill passed by the legislature shall be
presented to the governor for his approval and shall become a
law if he approves and signs it, or fails to veto it within
seven consecutive days after presentation. If during that
period or on the seventh day the legislature adjourns sine die
or takes a recess of more than thirty days, he shall have
fifteen consecutive days from the date of presentation to act
on the bill. In all cases except general appropriation bills,
the veto shall extend to the entire bill. The governor may
veto any specific appropriation in a general appropriation
bill, but may not veto any qualification or restriction
without also vetoing the appropriation to which it relates.

(b) When a bill or any specific appropriation of a
general appropriation bill has been vetoed by the governor, he
shall transmit his signed objections thereto to the house in

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which the bill originated if in session. If that house is not in session, he shall file them with the secretary of state, who shall lay them before that house at its next regular or next special session, whichever occurs first, and they shall be entered on its journal. Legislative action on such veto shall be available only during the next regular or next special session, whichever occurs first.

(c) If each house shall, by a two-thirds vote, re-enact the bill or reinstate the vetoed specific appropriation of a general appropriation bill, the vote of each member voting shall be entered on the respective journals, and the bill shall become law or the specific appropriation reinstated, the veto notwithstanding.

SECTION 19. State Budgeting, Planning and Appropriations Processes.--

(a) ANNUAL BUDGETING. 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. For purposes of this subsection, the terms department and agency shall include the judicial branch.

(b) APPROPRIATION BILLS FORMAT. Separate sections within the general appropriation bill shall be used for each major program area of the state budget; major program areas shall include: education enhancement "lottery" trust fund items; education (all other funds); human services; criminal justice and corrections; natural resources, environment, growth management, and transportation; general government; and
judicial branch. Each major program area shall include an
itemization of expenditures for: state operations; state
capital outlay; aid to local governments and nonprofit
organizations operations; aid to local governments and
nonprofit organizations capital outlay; federal funds and the
associated state matching funds; spending authorizations for
operations; and spending authorizations for capital outlay.
Additionally, appropriation bills passed by the legislature
shall include an itemization of specific appropriations that
exceed one million dollars ($1,000,000.00) in 1992 dollars.
For purposes of this subsection, "specific appropriation," "itemization," and "major program area" shall be defined by
law. This itemization threshold shall be adjusted by general
law every four years to reflect the rate of inflation or
deflation as indicated in the Consumer Price Index for All
Urban Consumers, U.S. City Average, All Items, or successor
reports as reported by the United States Department of Labor,
Bureau of Labor Statistics or its successor. Substantive bills
containing appropriations shall also be subject to the
itemization requirement mandated under this provision and
shall be subject to the governor's specific appropriation veto
power described in Article III, Section 8. This subsection
shall be effective July 1, 1994.

(c) APPROPRIATIONS REVIEW PROCESS. Effective July 1,
1993, general law shall prescribe requirements for each
department and agency of state government to submit a planning
document and supporting budget request for review by the
appropriations committees of both houses of the legislature.
The review shall include a comparison of the major issues in
the planning document and budget requests to those major
issues included in the governor's recommended budget. For

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purposes of this subsection, the terms department and agency
shall include the judicial branch.

(d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. Effective
November 4, 1992, all general appropriation bills shall be
furnished to each member of the legislature, each member of
the cabinet, the governor, and the chief justice of the
supreme court at least seventy-two hours before final passage
thereof, by either house of the legislature. Final passage,
for the purpose of the seventy-two-hour public review period,
means the action, by either house, of taking the last vote
necessary which results in the same general appropriation bill
being passed by both houses.

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

(f) TRUST FUNDS.

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

(2) State trust funds in existence before the
effective date of this subsection shall terminate not more
than four years after the effective date of this subsection.
State trust funds created after the effective date of this
subsection shall terminate not more than four years after the
effective date of the act authorizing the creation of the

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trust fund. By law the legislature may set a shorter time
period for which any trust fund is authorized.

(3) Trust funds required by federal programs or
mandates; trust funds established for bond covenants,
dentures, or resolutions, whose revenues are legally pledged
by the state or public body to meet debt service or other
financial requirements of any debt obligations of the state or
any public body; the state transportation trust fund; the
trust fund containing the net annual proceeds from the Florida
Education Lotteries; the Florida retirement trust fund; trust
funds for institutions under the management of the Board of
Regents, where such trust funds are for auxiliary enterprises
and contracts, grants, and donations, as those terms are
defined by general law; trust funds that serve as clearing
funds or accounts for the comptroller or state agencies; trust
funds that account for assets held by the state in a trustee
capacity as an agent or fiduciary for individuals, private
organizations, or other governmental units; and other trust
funds authorized by this Constitution, are not subject to the
requirements set forth in paragraph (2) of this subsection.

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

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

(g) BUDGET STABILIZATION FUND. Beginning with the
1994-1995 fiscal year, at least 1% of an amount equal to the
last completed fiscal year's net revenue collections for the
general revenue fund shall be retained in a budget
stabilization fund. The budget stabilization fund shall be
increased to at least 2% of said amount for the 1995-1996

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fiscal year, at least 3% of said amount for the 1996-1997 fiscal year, at least 4% of said amount for the 1997-1998 fiscal year, and at least 5% of said amount for the 1998-1999 fiscal year. Subject to the provisions of this subsection, the budget stabilization fund shall be maintained at an amount equal to at least 5% of the last completed fiscal year's net revenue collections for the general revenue fund. The budget stabilization fund's principal balance shall not exceed an amount equal to 10% of the last completed fiscal year's net revenue collections for the general revenue fund. The legislature shall provide criteria for withdrawing funds from the budget stabilization fund in a separate bill for that purpose only and only for the purpose of covering revenue shortfalls of the general revenue fund or for the purpose of providing funding for an emergency, as defined by general law. General law shall provide for the restoration of this fund. The budget stabilization fund shall be comprised of funds not otherwise obligated or committed for any purpose.

(h) STATE PLANNING DOCUMENT AND DEPARTMENT AND AGENCY PLANNING DOCUMENT PROCESSES. The governor shall recommend to the legislature biennially any revisions to the state planning document, as defined by law. General law shall require a biennial review and revision of the state planning document, shall require the governor to report to the legislature on the progress in achieving the state planning document's goals, and shall require all departments and agencies of state government to develop planning documents consistent with the state planning document. The state planning document and department and agency planning documents shall remain subject to review and revision by the legislature. The department and agency planning documents shall include a prioritized listing of...
planned expenditures for review and possible reduction in the event of revenue shortfalls, as defined by general law. To ensure productivity and efficiency in the executive, legislative, and judicial branches, a quality management and accountability program shall be implemented by general law. For the purposes of this subsection, the terms department and agency shall include the judicial branch. This subsection shall be effective July 1, 1993.