

By Commissioner Barkdull

1 A proposal to revise
2 ARTICLE IV, s. 7, Fla. Const.; requiring the
3 Senate to remove or reinstate an officer
4 suspended by the Governor.
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6 It is proposed by the Florida Constitution Revision Commission
7 that:
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9 Section 1. Section 7 of Article IV of the Florida
10 Constitution is revised by amending that section to read:
11 ARTICLE IV
12 EXECUTIVE
13 SECTION 7. Suspensions; filling office during
14 suspensions.--
15 (a) By executive order stating the grounds and filed
16 with the secretary of state, the governor may suspend from
17 office any state officer not subject to impeachment, any
18 officer of the militia not in the active service of the United
19 States, or any county officer, for malfeasance, misfeasance,
20 neglect of duty, drunkenness, incompetence, permanent
21 inability to perform his official duties, or commission of a
22 felony, and may fill the office by appointment for the period
23 of suspension. The suspended officer may at any time before
24 removal be reinstated by the governor.
25 (b) The senate shall ~~may~~, in proceedings prescribed by
26 law, remove from office or reinstate the suspended official
27 and for such purpose the senate may be convened in special
28 session by its president or by a majority of its membership.
29 If the Senate refuses to remove or fails to take action before
30 its adjournment, the officer suspended shall resume the duties
31 of the office.

1 (c) By order of the governor any elected municipal
2 officer indicted for crime may be suspended from office until
3 acquitted and the office filled by appointment for the period
4 of suspension, not to extend beyond the term, unless these
5 powers are vested elsewhere by law or the municipal charter.
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