

By the Committee on Executive and Commissioner Riley

1 A proposal to revise
2 ARTICLE IV, ss. 4, 5, Fla. Const.; providing
3 for the appointment of the Commissioner of
4 Education.
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6 It is proposed by the Florida Constitution Revision Commission
7 that:
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9 Section 1. Section 4 of Article IV of the Florida
10 Constitution is revised by amending that section to read:
11 ARTICLE IV
12 EXECUTIVE
13 SECTION 4. Cabinet.--
14 (a) There shall be a cabinet composed of a secretary
15 of state, an attorney general, a comptroller, a treasurer, a
16 commissioner of agriculture and a commissioner of education.
17 In addition to the powers and duties specified herein, they
18 shall exercise such powers and perform such duties as may be
19 prescribed by law.
20 (b) The secretary of state shall keep the records of
21 the official acts of the legislative and executive
22 departments.
23 (c) The attorney general shall be the chief state
24 legal officer. There is created in the office of the attorney
25 general the position of statewide prosecutor. The statewide
26 prosecutor shall have concurrent jurisdiction with the state
27 attorneys to prosecute violations of criminal laws occurring
28 or having occurred, in two or more judicial circuits as part
29 of a related transaction, or when any such offense is
30 affecting or has affected two or more judicial circuits as
31 provided by general law. The statewide prosecutor shall be

1 appointed by the attorney general from not less than three
2 persons nominated by the judicial nominating commission for
3 the supreme court, or as otherwise provided by general law.

4 (d) The comptroller shall serve as the chief fiscal
5 officer of the state, and shall settle and approve accounts
6 against the state.

7 (e) The treasurer shall keep all state funds and
8 securities. He shall disburse state funds only upon the order
9 of the comptroller. Such order may be in any form and may
10 require the disbursement of state funds by electronic means or
11 by means of a magnetic tape or any other transfer medium.

12 (f) The commissioner of agriculture shall have
13 supervision of matters pertaining to agriculture except as
14 otherwise provided by law.

15 (g) The commissioner of education shall be appointed
16 by the governor and shall supervise the public education
17 system in the manner prescribed by law.

18 Section 2. Section 5 of Article IV of the Florida
19 Constitution is revised by amending that section to read:

20 SECTION 5. Election of governor, lieutenant governor
21 and other state officers ~~cabinet members~~; qualifications;
22 terms.--

23 (a) At a state-wide general election in each calendar
24 year the number of which is even but not a multiple of four,
25 the electors shall choose a governor, ~~and~~ a lieutenant
26 governor, a secretary of state, an attorney general, a
27 comptroller, a treasurer, and a commissioner of agriculture
28 ~~and members of the cabinet~~ each for a term of four years
29 beginning on the first Tuesday after the first Monday in
30 January of the succeeding year. In the general election and
31 in party primaries, if held, all candidates for the offices of

1 governor and lieutenant governor shall form joint candidacies
2 in a manner prescribed by law so that each voter shall cast a
3 single vote for a candidate for governor and a candidate for
4 lieutenant governor running together.

5 (b) When elected, the governor ~~and~~, lieutenant
6 governor and each elected cabinet member must be an elector
7 not less than thirty years of age who has resided in the state
8 for the preceding seven years. The attorney general must have
9 been a member of the bar of Florida for the preceding five
10 years. No person who has, or but for resignation would have,
11 served as governor or acting governor for more than six years
12 in two consecutive terms shall be elected governor for the
13 succeeding term.