

7 It is proposed by the Florida Constitution Revision Commission
8 that:

10 Section 1. Subsection (b) of section 3 of Article IV
11 of the Florida Constitution is revised by amending that
12 subsection to read:

15 SECTION 3. Succession to office of governor; acting
16 governor.--

1 state, and shall settle and approve accounts against the state
2 and-

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

8 (d) The governor as chair, the chief financial
9 officer, and the attorney general shall constitute the state
10 board of administration, which shall succeed to all the power,
11 control, and authority of the state board of administration
12 established pursuant to Article IX, Section 16 of the
13 Constitution of 1885, and which shall continue as a body at
14 least for the life of Article XII, Section 9(c).

15 (e) The governor as chair, the chief financial
16 officer, and the attorney general shall constitute the
17 trustees of the internal improvement trust fund and the land
18 acquisition trust fund as provided by law.

19 (f) The governor as chair, the chief financial
20 officer, and the attorney general shall constitute the agency
21 head of the Department of Law Enforcement.

22 (f) The commissioner of agriculture shall have
23 supervision of matters pertaining to agriculture except as
24 otherwise provided by law.

25 (g) The commissioner of education shall supervise the
26 public education system in the manner prescribed by law.

27 Section 3. Section 8 of Article IV of the Florida
28 Constitution is revised by amending that section to read:

29 | ARTICLE IV

30 EXECUTIVE

31 SECTION 8. Clemency.--

14 (c) There may be created by law a parole and probation
15 commission with power to supervise persons on probation and to
16 grant paroles or conditional releases to persons under
17 sentences for crime. The qualifications, method of selection
18 and terms, not to exceed six years, of members of the
19 commission shall be prescribed by law.

20 Section 4. Section 2 of Article IX of the Florida
21 Constitution is revised by amending that section to read:

ARTICLE IX

EDUCATION

24 SECTION 2. State board of education.--The governor and
25 the members of the cabinet shall constitute a state board of
26 education, which shall be a body corporate and have such
27 supervision of the system of public education as is provided
28 by law. The state board of education shall consist of seven
29 members appointed by the governor to staggered 4-year terms,
30 subject to confirmation by the senate. The state board of
31 education shall appoint the commissioner of education.

1 Section 5. Subsection (c) of section 9 of Article XII
2 of the Florida Constitution is revised by amending that
3 subsection to read:

ARTICLE XII

SCHEDULE

SECTION 9. Bonds. --

(c) MOTOR VEHICLE FUEL TAXES.

26 (3) No funds anticipated to be allocated under the
27 formula stated in Article IX, Section 16, of the Constitution
28 of 1885, as amended, shall be pledged as security for any
29 obligation hereafter issued or entered into, except that any
30 outstanding obligations previously issued pledging revenues
31 allocated under said Article IX, Section 16, may be refunded

1 at a lower average net interest cost rate by the issuance of
2 refunding bonds, maturing not later than the obligations
3 refunded, secured by the same revenues and any other security
4 authorized in paragraph (5) of this subsection.

5 (4) Subject to the requirements of paragraph (2) of
6 this subsection and after payment of administrative expenses,
7 the "second gas tax" shall be allocated to the account of each
8 of the several counties in the amounts to be determined as
9 follows: There shall be an initial allocation of one-fourth in
10 the ratio of county area to state area, one-fourth in the
11 ratio of the total county population to the total population
12 of the state in accordance with the latest available federal
13 census, and one-half in the ratio of the total "second gas
14 tax" collected on retail sales or use in each county to the
15 total collected in all counties of the state during the
16 previous fiscal year. If the annual debt service requirements
17 of any obligations issued for any county, including any
18 deficiencies for prior years, secured under paragraph (2) of
19 this subsection, exceeds the amount which would be allocated
20 to that county under the formula set out in this paragraph,
21 the amounts allocated to other counties shall be reduced
22 proportionately.

23 (5) Funds allocated under paragraphs (2) and (4) of
24 this subsection shall be administered by the state board of
25 administration created under Article IV, Section 4 ~~said Article IX, Section 16, of the Constitution of 1885, as amended, and which is continued as a body corporate for the life of this subsection~~ 9(c). The board shall remit the
26 proceeds of the "second gas tax" in each county account for
27 use in said county as follows: eighty per cent to the state
28 agency supervising the state road system and twenty per cent

1 to the governing body of the county. The percentage allocated
2 to the county may be increased by general law. The proceeds of
3 the "second gas tax" subject to allocation to the several
4 counties under this paragraph (5) shall be used first, for the
5 payment of obligations pledging revenues allocated pursuant to
6 Article IX, Section 16, of the Constitution of 1885, as
7 amended, and any refundings thereof; second, for the payment
8 of debt service on bonds issued as provided by this paragraph
9 (5) to finance the acquisition and construction of roads as
10 defined by law; and third, for the acquisition and
11 construction of roads and for road maintenance as authorized
12 by law. When authorized by law, state bonds pledging the full
13 faith and credit of the state may be issued without any
14 election: (i) to refund obligations secured by any portion of
15 the "second gas tax" allocated to a county under Article IX,
16 Section 16, of the Constitution of 1885, as amended; (ii) to
17 finance the acquisition and construction of roads in a county
18 when approved by the governing body of the county and the
19 state agency supervising the state road system; and (iii) to
20 refund obligations secured by any portion of the "second gas
21 tax" allocated under paragraph 9(c)(4). No such bonds shall
22 be issued unless a state fiscal agency created by law has made
23 a determination that in no state fiscal year will the debt
24 service requirements of the bonds and all other bonds secured
25 by the pledged portion of the "second gas tax" allocated to
26 the county exceed seventy-five per cent of the pledged portion
27 of the "second gas tax" allocated to that county for the
28 preceding state fiscal year, of the pledged net tolls from
29 existing facilities collected in the preceding state fiscal
30 year, and of the annual average net tolls anticipated during
31 the first five state fiscal years of operation of new projects

1 to be financed, and of any other legally available pledged
2 revenues collected in the preceding state fiscal year. Bonds
3 issued pursuant to this subsection shall be payable primarily
4 from the pledged tolls, the pledged portions of the "second
5 gas tax" allocated to that county, and any other pledged
6 revenue, and shall mature not later than forty years from the
7 date of issuance.

8 Section 6. Section 22 of Article XII of the Florida
9 Constitution is created to read:

10 SECTION 22. Executive branch reform.--The amendments
11 contained in this revision shall take effect January 7, 2003,
12 but shall govern with respect to the qualifying for and the
13 holding of the primary elections in 2002. The offices of chief
14 financial officer and attorney general shall be new offices as
15 a result of this revision.

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