

1 A proposal to revise
2 ARTICLE IV, s. 6, Fla. Const.; providing that
3 an entity purportedly within an executive
4 department which is not subject to the direct
5 supervision of the agency head is a department;
6 providing that the amendment does not affect
7 the status of such entities to issue revenue
8 bonds before a specified date; creating ARTICLE
9 IV, s. 14, Fla. Const.; creating a State Board
10 of Agriculture; providing for the board to
11 appoint the Commissioner of Agriculture;
12 creating ARTICLE IV, s. 15, Fla. Const.;
13 providing for establishment of the office of
14 custodian of state records; providing for
15 duties of the office; creating ARTICLE XII, s.
16 23, Fla. Const.; providing that the amendment
17 does not affect the status of such entities in
18 existence on the effective date of the adoption
19 of the amendment.

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21 It is proposed by the Florida Constitution Revision Commission
22 that:

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24 Section 1. Section 6 of Article IV of the Florida
25 Constitution is revised by amending that section to read:

26 ARTICLE IV
27 EXECUTIVE

28 SECTION 6. Executive departments.--

29 (a) All functions of the executive branch of state
30 government shall be allotted among not more than twenty-five
31 departments, exclusive of those specifically provided for or

1 authorized in this constitution. Unless otherwise provided in
 2 this constitution, the administration of each department,
 3 ~~unless otherwise provided in this constitution,~~ shall be
 4 placed by law under the direct supervision of the governor,
 5 the lieutenant governor, the governor and cabinet, a cabinet
 6 member, or an officer or board appointed by and serving at the
 7 pleasure of the governor. Any entity purportedly within a
 8 department which is not subject to the direct supervision of
 9 the head of that department is itself a department. However,
 10 direct supervision as a determinate factor of department
 11 classification shall not affect the status of any entity
 12 authorized by the Constitution to issue revenue bonds before
 13 July 1, 1999., except:

14 (b)~~(a)~~ When provided by law, confirmation by the
 15 senate or the approval of three members of the cabinet shall
 16 be required for appointment to or removal from any designated
 17 statutory office.

18 (c)~~(b)~~ Boards authorized to grant and revoke licenses
 19 to engage in regulated occupations shall be assigned to
 20 appropriate departments and their members appointed for fixed
 21 terms, subject to removal only for cause.

22 Section 2. Section 12 of Article IV of the Florida
 23 Constitution is amended and Section 14 of said article is
 24 created to read:

25 ARTICLE IV

26 EXECUTIVE

27 SECTION 12. Department of Elder ~~Elderly~~ Affairs.--The
 28 legislature may create a Department of Elder ~~Elderly~~ Affairs
 29 and prescribe its duties. The provisions governing the
 30 administration of the department must comply with Section 6 of
 31 Article IV of the State Constitution.

1 SECTION 14. State board of agriculture.--The state
 2 board of agriculture shall be a body corporate and have such
 3 duties as are provided by law. The state board of agriculture
 4 shall consist of seven members appointed by the governor to
 5 staggered 4-year terms, subject to confirmation by the senate.
 6 The state board of agriculture shall appoint the commissioner
 7 of agriculture.

8 Section 3. Section 15 of Article IV of the Florida
 9 Constitution is created to read:

10 ARTICLE IV

11 EXECUTIVE

12 SECTION 15. Custodian of state records.--An office of
 13 custodian of state records and the duties of that office shall
 14 be established by law.

15 Section 4. Section 23 of Article XII of the Florida
 16 Constitution is created to read:

17 ARTICLE XII

18 SCHEDULE

19 SECTION 23. The amendment to Article IV, Section 6
 20 shall not affect the status of any entity created by the
 21 legislature which is in existence on the effective date of the
 22 adoption of such amendment until action by the legislature
 23 before July 1, 1999.