

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.  
20  
21   It is proposed by the Florida Constitution Revision Commission  
22   that:  
23  
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, except  
 10 boards authorized to grant and revoke licenses to engage in  
 11 regulated occupations shall be assigned to appropriate  
 12 departments and their members appointed for fixed terms,  
 13 subject to removal only for cause. Direct supervision as a  
 14 determinate factor of department classification shall not  
 15 affect the status of any entity authorized by the Constitution  
 16 to issue revenue bonds before July 1, 1999. ~~except~~

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

21 (b) ~~Boards authorized to grant and revoke licenses to~~  
 22 ~~engage in regulated occupations shall be assigned to~~  
 23 ~~appropriate department and their members appointed for fixed~~  
 24 ~~terms, subject to removal only for cause.~~

25 Section 2. Section 12 of Article IV of the Florida  
 26 Constitution is amended and Section 14 of said article is  
 27 created to read:

#### ARTICLE IV

#### EXECUTIVE

30 SECTION 12. Department of Elder ~~Elderly~~ Affairs.--The  
 31 legislature may create a Department of Elder ~~Elderly~~ Affairs

1 and prescribe its duties. The provisions governing the  
2 administration of the department must comply with Section 6 of  
3 Article IV of the State Constitution.

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

11 Section 3. Section 15 of Article IV of the Florida  
12 Constitution is created to read:

13 ARTICLE IV

14 EXECUTIVE

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

18 Section 4. Section 23 of Article XII of the Florida  
19 Constitution is created to read:

20 ARTICLE XII

21 SCHEDULE

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