

By Commissioner Riley

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

9                   Section 1. Sections 3, 4, 5, 6, 8, and 13 of Article  
10 IV of the Florida Constitution are revised by amending those  
11 sections to read:

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

20 (b) Upon impeachment of the governor and until  
21 completion of trial thereof, or during his physical or mental  
22 incapacity, the lieutenant governor shall act as governor.

23 Further succession as acting governor shall be prescribed by  
24 law. Incapacity to serve as governor may be determined by the  
25 supreme court upon due notice after docketing of a written  
26 suggestion thereof by the legislature ~~four cabinet members~~,  
27 and in such case restoration of capacity shall be similarly  
28 determined after docketing of written suggestion thereof by  
29 the governor or ~~the legislature or~~ ~~four cabinet members~~.  
30 Incapacity to serve as governor may also be established by  
31 certificate filed with the secretary of state by the governor

1 declaring his incapacity for physical reasons to serve as  
2 governor, and in such case restoration of capacity shall be  
3 similarly established.

4 SECTION 4. Cabinet.--

5 (a) There shall be a cabinet composed of a secretary  
6 of state, an attorney general, a comptroller, a treasurer, a  
7 commissioner of agriculture and a commissioner of education,  
8 each of whom shall be appointed by and serve at the pleasure  
9 of the governor, subject to confirmation by the senate. In  
10 addition to the powers and duties specified herein, they shall  
11 exercise such powers and perform such duties as may be  
12 prescribed by law.

13 (b) The secretary of state shall keep the records of  
14 the official acts of the legislative and executive  
15 departments.

16 (c) The attorney general shall be the chief state  
17 legal officer. There is created in the office of the attorney  
18 general the position of statewide prosecutor. The statewide  
19 prosecutor shall have concurrent jurisdiction with the state  
20 attorneys to prosecute violations of criminal laws occurring  
21 or having occurred, in two or more judicial circuits as part  
22 of a related transaction, or when any such offense is  
23 affecting or has affected two or more judicial circuits as  
24 provided by general law. The statewide prosecutor shall be  
25 appointed by the attorney general from not less than three  
26 persons nominated by the judicial nominating commission for  
27 the supreme court, or as otherwise provided by general law.

28 (d) The comptroller shall serve as the chief fiscal  
29 officer of the state, and shall settle and approve accounts  
30 against the state.

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6 (f) The commissioner of agriculture shall have  
7 supervision of matters pertaining to agriculture except as  
8 otherwise provided by law.

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

11 SECTION 5. Election of governor and lieutenant  
12 governor ~~and cabinet members~~; qualifications; terms.--

24 (b) When elected, the governor and the lieutenant  
25 governor ~~and each cabinet member~~ must be an elector not less  
26 than thirty years of age who has resided in the state for the  
27 preceding seven years. ~~The attorney general must have been a~~  
28 ~~member of the bar of Florida for the preceding five years.~~ No  
29 person who has, or but for resignation would have, served as  
30 governor or acting governor for more than six years in two

1 consecutive terms shall be elected governor for the succeeding  
2 term.

3 SECTION 6. Executive departments.--All functions of  
4 the executive branch of state government shall be allotted  
5 among not more than twenty-five departments, exclusive of  
6 those specifically provided for or authorized in this  
7 constitution. The administration of each department, unless  
8 otherwise provided in this constitution, shall be placed by  
9 law under the direct supervision of the governor, the  
10 lieutenant governor, ~~the governor and cabinet~~, a cabinet  
11 member, or an officer or board appointed by and serving at the  
12 pleasure of the governor, except:

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

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

21 SECTION 8. Clemency.--

22 (a) Except in cases of treason and in cases where  
23 impeachment results in conviction, the governor may, by  
24 executive order filed with the secretary of state, suspend  
25 collection of fines and forfeitures, grant reprieves not  
26 exceeding sixty days ~~and, with the approval of three members~~  
27 ~~of the cabinet~~, grant full or conditional pardons, restore  
28 civil rights, commute punishment, and remit fines and  
29 forfeitures for offenses.

30 (b) In cases of treason the governor may grant  
31 reprieves until adjournment of the regular session of the

legislature convening next after the conviction, at which session the legislature may grant a pardon or further reprieve; otherwise the sentence shall be executed.

4 (c) There may be created by law a parole and probation  
5 commission with power to supervise persons on probation and to  
6 grant paroles or conditional releases to persons under  
7 sentences for crime. The qualifications, method of selection  
8 and terms, not to exceed six years, of members of the  
9 commission shall be prescribed by law.

10 SECTION 13. Revenue Shortfalls.--In the event of  
11 revenue shortfalls, as defined by general law, the governor  
12 and cabinet may establish all necessary reductions in the  
13 state budget in order to comply with the provisions of Article  
14 VII, Section 1(d). The governor ~~and cabinet~~ shall implement  
15 all necessary reductions for the executive budget, the chief  
16 justice of the supreme court shall implement all necessary  
17 reductions for the judicial budget, and the speaker of the  
18 house of representatives and the president of the senate shall  
19 implement all necessary reductions for the legislative budget.  
20 Budget reductions pursuant to this section shall be consistent  
21 with the provisions of Article III, Section 19(h).

22 Section 2. Section 4 of Article VI of the Florida  
23 Constitution is revised by amending that section to read:

## ARTICLE VI

## SUFFRAGE AND ELECTIONS

#### SECTION 4. Disqualifications.--

27 (a) No person convicted of a felony, or adjudicated in  
28 this or any other state to be mentally incompetent, shall be  
29 qualified to vote or hold office until restoration of civil  
30 rights or removal of disability.

3 (1) Florida representative,

4 (2) Florida senator,

5 (3) Florida Lieutenant governor,

6 (4) any office of the Florida cabinet,

7 (4)(5) U.S. Representative from Florida, or

8 (5)(6) U.S. Senator from Florida

10 if, by the end of the current term of office, the person will  
11 have served (or, but for resignation, would have served) in  
12 that office for eight consecutive years.

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