

DEP is “the state’s lead agency for environmental management and stewardship, protecting our air, water and land.”³ DEP’s land and recreation programs acquire and protect lands for preservation and recreation, including oversight of state parks, trails, public lands, coastal uplands, and submerged lands.⁴ DEP’s regulatory programs “safeguard natural resources by overseeing permitting and compliance activities that protect air and water quality, and manage waste cleanups.”⁵ DEP’s ecosystem restoration programs “protect and improve water quality and aquatic resources including America’s Everglades and Florida’s springs.”⁶ DEP is also responsible for collecting and analyzing information concerning energy resources in the state, coordinating the energy conservation programs of state agencies, and coordinating the development, review, and implementation of the state’s energy policy.⁷

Water Management Districts

Section 373.069, F.S., creates five water management districts covering the state:

- Northwest Florida Water Management District;
- Suwannee River Water Management District;
- St. Johns River Water Management District;
- Southwest Florida Water Management District; and
- South Florida Water Management District.

DEP, which is “responsible for the administration of the water resources at the state level, exercises general supervisory authority over the state’s five water management districts, which are responsible for the administration of the water resources at the regional level.”⁸ “The four core mission areas of the water management districts are: (1) water supply, (2) water quality, (3) flood protection and floodplain management, and (4) natural systems.”⁹

Florida Cabinet

“Currently, there are three publicly elected members of the Florida Cabinet: the Commissioner of Agriculture, the Attorney General, and the Chief Financial Officer. Prior to 2003, there were six publicly elected members of the Florida Cabinet: the Secretary of State, the Attorney General, the Comptroller, the Treasurer, the Commissioner of Agriculture, and the Commissioner of Education.”^{10,11}

³ Florida Department of Environmental Protection, *About DEP*, <https://floridadep.gov/about-dep> (last visited 1/3/2018).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Section 20.255(7), F.S.

⁸ Florida Department of Environmental Protection, *Water Management Districts*, <https://floridadep.gov/water-policy/water-policy/content/water-management-districts> (last visited 1/3/2018).

⁹ *Id.*

¹⁰ Article IV, s. 4, FLA. CONST. (1998).

¹¹ Florida House of Representatives Staff Analysis, HJR 811 (2017), March 13, 2017, p. 2, <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=h0811a.OTA.DOCX&DocumentType=Analysis&BillNumber=0811&Session=2017> (last visited 1/3/2018).

“The 2003 change was the result of a 1998 amendment to the Florida Constitution that restructured the Cabinet from 6 to 3 officers¹²...as well as making other governmental operations changes¹³; the amendment was one of several proposed by the Constitution Revision Commission.”¹⁴

The Governor as chair, the Chief Financial Officer, the Attorney General, and the Commissioner of Agriculture are the trustees of the Internal Improvement Trust Fund and the Land Acquisition Trust Fund.¹⁵ Additionally, the Governor as chair, the Chief Financial Officer, the Attorney General, and the Commissioner of Agriculture are the agency head of the Department of Law Enforcement.¹⁶

B. EFFECT OF PROPOSED CHANGES:

Proposal 24 increases the size of the Florida Cabinet to four members. The proposal creates a Commissioner of Environmental Protection, which is a statewide elected office and member of the Florida Cabinet. The proposal provides that the Commissioner of Environmental Protection supervises matters pertaining to environmental protection that are required or authorized by law to DEP (or its successor agency) and water management districts.

The proposal expands the number of trustees of the Internal Improvement Trust Fund and the Land Acquisition Trust Fund to include the Commissioner of Environmental Protection. The proposal expands the agency head of the Department of Law Enforcement to include the Commissioner of Environmental Protection.

The proposal takes effect on January 3, 2023, but applies to the qualifying for and holding of the primary and general elections for the office of Commissioner of Environmental Protection in 2022. Beginning with the 2022 general election, the Commissioner of Environmental Protection will be elected concurrently with the other members of the Florida Cabinet. As is the case with all members of the Florida Cabinet, the Commissioner of Environmental Protection will be subject to an eight-year term limit.¹⁷

C. FISCAL IMPACT:

None known.

¹² Florida’s Attorney General, Chief Financial Officer, and the Commissioner of Agriculture.

¹³ Constitution Revision Commission Amendment 8 (1998), *Restructuring the State Cabinet*, available at the Florida Secretary of State’s web site at: <http://dos.elections.myflorida.com/initiatives/fulltext/pdf/11-4.pdf> (last visited 1/3/2018).

¹⁴ Florida Senate Bill Analysis and Fiscal Impact Statement, SJR 882 (2017), March 28, 2017, p. 2, <http://www.flsenate.gov/Session/Bill/2017/882/Analyses/2017s00882.rc.PDF> (last visited 1/3/2018).

¹⁵ Article IV, s. 4(f), FLA. CONST. See also Art. X, s. 28, FLA. CONST. and s. 253.01, F.S.

¹⁶ Article IV, s. 4(g), FLA. CONST. See also ch. 943, F.S.

¹⁷ Article VI, s. 4, FLA. CONST.

III. Additional Information:

A. Statement of Changes:

(Summarizing differences between the current version and the prior version of the proposal.)

None.

B. Amendments:

None.

C. Technical Deficiencies:

None.

D. Related Issues:

None.