Committee Substitute for Proposal No. 69

By the Committee on Executive and Commissioner Riley

A proposal to revise

ARTICLE IV, ss. 4, 5, Fla. Const.; providing
for the appointment of the Commissioner of
Education.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Section 4 of Article IV of the Florida
Constitution is revised by amending that section to read:

ARTICLE IV
EXECUTIVE

SECTION 4. Cabinet.--

(a) There shall be a cabinet composed of a secretary
of state, an attorney general, a comptroller, a treasurer, a
commissioner of agriculture and a commissioner of education.
In addition to the powers and duties specified herein, they
shall exercise such powers and perform such duties as may be
prescribed by law.

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

(c) The attorney general shall be the chief state
legal officer. There is created in the office of the attorney
general the position of statewide prosecutor. The statewide
prosecutor shall have concurrent jurisdiction with the state
attorneys to prosecute violations of criminal laws occurring
or having occurred, in two or more judicial circuits as part
of a related transaction, or when any such offense is
affecting or has affected two or more judicial circuits as
provided by general law. The statewide prosecutor shall be

CODING: Words struck are deletions; words underlined are additions.
appointed by the attorney general from not less than three
persons nominated by the judicial nominating commission for
the supreme court, or as otherwise provided by general law.
(d) The comptroller shall serve as the chief fiscal
officer of the state, and shall settle and approve accounts
against the state.
(e) The treasurer shall keep all state funds and
securities. He shall disburse state funds only upon the order
of the comptroller. Such order may be in any form and may
require the disbursement of state funds by electronic means or
by means of a magnetic tape or any other transfer medium.
(f) The commissioner of agriculture shall have
supervision of matters pertaining to agriculture except as
otherwise provided by law.
(g) The commissioner of education shall be appointed
by the governor and shall supervise the public education
system in the manner prescribed by law.

Section 2. Section 5 of Article IV of the Florida
Constitution is revised by amending that section to read:
SECTION 5. Election of governor, lieutenant governor
and other state officers cabinet members; qualifications;
terms.--
(a) At a state-wide general election in each calendar
year the number of which is even but not a multiple of four,
the electors shall choose a governor and a lieutenant
governor, a secretary of state, an attorney general, a
comptroller, a treasurer, and a commissioner of agriculture
and members of the cabinet each for a term of four years
beginning on the first Tuesday after the first Monday in
January of the succeeding year. In the general election and
in party primaries, if held, all candidates for the offices of

CODING: Words stricken are deletions; words underlined are additions.
governor and lieutenant governor shall form joint candidacies in a manner prescribed by law so that each voter shall cast a single vote for a candidate for governor and a candidate for lieutenant governor running together.

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

CODING: Words stricken are deletions; words underlined are additions.