Proposal No. 166

By Commissioner Riley

A proposal to revise

ARTICLE IV, s. 5, and ARTICLE IX, s. 2, Fla. Const.; providing for the appointment of the State Board of Education by the Governor and the appointment of the Commissioner of Education by the State Board of Education.

It is proposed by the Florida Constitution Revision Commission that:

Section 1. Section 5 of Article IV of the Florida Constitution is revised by amending that section to read:

ARTICLE IV
EXECUTIVE
SECTION 5. Election of governor, lieutenant governor and other 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 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, lieutenant governor, secretary of state, attorney general, comptroller, treasurer,
and commissioner of agriculture and each 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.

Section 2. Section 2 of Article IX of the Florida Constitution is revised by amending that section to read:

ARTICLE IX
EDUCATION

SECTION 2. State board of education.--The governor and the members of the cabinet shall constitute a state board of education, which shall be a body corporate and have such supervision of the system of public education as is provided by law. The state board of education shall consist of seven members appointed by the governor to staggered 4-year terms, subject to confirmation by the senate. The state board of education shall appoint the commissioner of education.

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