

By Senator Gelber

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution to revise the membership of the State Board of Administration to replace the Attorney General with the Commissioner of Agriculture as a member of the board.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article IV of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IV

EXECUTIVE

SECTION 4. Cabinet.—

(a) There shall be a cabinet composed of an attorney general, a chief financial officer, and a commissioner of agriculture. In addition to the powers and duties specified herein, they shall exercise such powers and perform such duties as may be prescribed by law. In the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail.

(b) 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

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30 occurred, in two or more judicial circuits as part of a related
31 transaction, or when any such offense is affecting or has
32 affected two or more judicial circuits as provided by general
33 law. The statewide prosecutor shall be appointed by the attorney
34 general from not less than three persons nominated by the
35 judicial nominating commission for the supreme court, or as
36 otherwise provided by general law.

37 (c) The chief financial officer shall serve as the chief
38 fiscal officer of the state, and shall settle and approve
39 accounts against the state, and shall keep all state funds and
40 securities.

41 (d) The commissioner of agriculture shall have supervision
42 of matters pertaining to agriculture except as otherwise
43 provided by law.

44 (e) The governor as chair, the chief financial officer, and
45 the commissioner of agriculture ~~attorney general~~ shall
46 constitute the state board of administration, which shall
47 succeed to all the power, control, and authority of the state
48 board of administration established pursuant to Article IX,
49 Section 16 of the Constitution of 1885, and which shall continue
50 as a body at least for the life of Article XII, Section 9(c).

51 (f) The governor as chair, the chief financial officer, the
52 attorney general, and the commissioner of agriculture shall
53 constitute the trustees of the internal improvement trust fund
54 and the land acquisition trust fund as provided by law.

55 (g) The governor as chair, the chief financial officer, the
56 attorney general, and the commissioner of agriculture shall
57 constitute the agency head of the Department of Law Enforcement.

58 BE IT FURTHER RESOLVED that the following statement be

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59 placed on the ballot:

60 CONSTITUTIONAL AMENDMENT

61 ARTICLE IV, SECTION 4

62 REVISING THE MEMBERSHIP OF THE STATE BOARD OF
63 ADMINISTRATION.—The State Constitution currently provides that
64 the Governor as chair, the Chief Financial Officer, and the
65 Attorney General constitute the State Board of Administration.
66 This amendment will revise the membership of the State Board of
67 Administration by replacing the Attorney General with the
68 Commissioner of Agriculture. The State Board of Administration
69 is a state agency that provides a variety of investment services
70 to various governmental entities. The responsibilities of the
71 State Board of Administration include, but are not limited to,
72 managing the assets of the Florida Retirement System Pension
73 Plan, the Lawton Chiles Endowment Fund, the Local Government
74 Surplus Funds Trust Fund, and the Hurricane Catastrophe Fund.