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House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IV and the creation of a new section in Article XII of the State Constitution to provide for the election of the Commissioner of Energy and the inclusion of the commissioner as a member of the Cabinet.

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 and the creation of a new section in Article XII of the State Constitution are 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, and a commissioner of energy. 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

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29 | the position of statewide prosecutor. The statewide prosecutor  
30 | shall have concurrent jurisdiction with the state attorneys to  
31 | prosecute violations of criminal laws occurring or having  
32 | occurred, in two or more judicial circuits as part of a related  
33 | transaction, or when any such offense is affecting or has  
34 | affected two or more judicial circuits as provided by general  
35 | law. The statewide prosecutor shall be appointed by the attorney  
36 | general from not fewer ~~less~~ than three persons nominated by the  
37 | judicial nominating commission for the supreme court, or as  
38 | otherwise provided by general law.

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

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

46 | (e) The commissioner of energy shall serve as the energy  
47 | policy chief of the state and shall supervise energy matters as  
48 | prescribed by law. The commissioner's duties shall include data  
49 | collection, assessment, forecasting, and timely reporting on the  
50 | effects of the state's energy policy on the state's job  
51 | creation, economic development, public health, the natural  
52 | environment, and energy security; the state's role in national  
53 | security; and the costs, accessibility, and reliability of such  
54 | energy for the people of the state. The commissioner shall use  
55 | research and data from the state's universities, colleges, and  
56 | schools and from individuals and companies to explore future

57 innovations.

58 (f)~~(e)~~ The governor as chair, the chief financial officer,  
 59 and the attorney general shall constitute the state board of  
 60 administration, which shall succeed to all the power, control,  
 61 and authority of the state board of administration established  
 62 pursuant to Article IX, Section 16 of the Constitution of 1885,  
 63 and which shall continue as a body at least for the life of  
 64 Article XII, Section 9(c).

65 (g)~~(f)~~ The governor as chair, the chief financial officer,  
 66 the attorney general, ~~and~~ the commissioner of agriculture, and  
 67 the commissioner of energy shall constitute the trustees of the  
 68 internal improvement trust fund and the land acquisition trust  
 69 fund as provided by law.

70 (h)~~(g)~~ The governor as chair, the chief financial officer,  
 71 the attorney general, ~~and~~ the commissioner of agriculture, and  
 72 the commissioner of energy shall constitute the agency head of  
 73 the Department of Law Enforcement.

74 ARTICLE XII

75 SCHEDULE

76 Commissioner of energy.—The amendment to Section 4 of  
 77 Article IV providing for the election of a commissioner of  
 78 energy as a member of the cabinet shall take effect January 3,  
 79 2017, but shall govern with respect to the qualifying for and  
 80 the holding of the election for the commissioner of energy in  
 81 2016.

82 BE IT FURTHER RESOLVED that the following statement be  
 83 placed on the ballot:

84 CONSTITUTIONAL AMENDMENT

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85 ARTICLE IV, SECTION 4

86 ARTICLE XII

87 COMPOSITION OF CABINET; COMMISSIONER OF ENERGY.—Proposing  
88 an amendment to the State Constitution to create a statewide  
89 elected Commissioner of Energy; to require the commissioner to  
90 serve as the state's energy policy chief and supervise specific  
91 energy matters in the manner prescribed by law. The commissioner  
92 is included as a member of the Cabinet, the Board of Trustees of  
93 the Internal Improvement Trust Fund, the Land Acquisition Trust  
94 Fund, and a member of the head of the Department of Law  
95 Enforcement.