



731196

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Environment and Natural Resources (Bean)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) of section 20.201, Florida
Statutes, is amended to read:

20.201 Department of Law Enforcement.—

(1) There is created a Department of Law Enforcement. The
head of the department is the Governor and Cabinet. The
executive director of the department shall be appointed by the



731196

11 Governor subject to a majority vote of the Governor and Cabinet,
12 with the Governor on the prevailing side. The appointment is
13 ~~with the approval of three members of the Cabinet and~~ subject to
14 confirmation by the Senate. The executive director shall serve
15 at the pleasure of the Governor and Cabinet. The executive
16 director may establish a command, operational, and
17 administrative services structure to assist, manage, and support
18 the department in operating programs and delivering services.

19 Section 2. Subsection (1) of section 20.255, Florida
20 Statutes, is amended to read:

21 20.255 Department of Environmental Protection.—There is
22 created a Department of Environmental Protection.

23 (1) Notwithstanding s. 20.05(2), the head of the Department
24 of Environmental Protection shall be a secretary, who shall be
25 appointed by the Governor, with the concurrence of three members
26 of the Cabinet or subject to confirmation by the Senate.

27 (a) Upon appointment, the Governor shall, in writing,
28 notify the Cabinet and the President of the Senate that he or
29 she will seek either the concurrence of three members of the
30 Cabinet or confirmation of the appointee by the Senate.

31 (b) If the Governor seeks the concurrence of three members
32 of the Cabinet for the appointment, such concurrence must be
33 obtained at the first scheduled meeting of the Cabinet following
34 the appointment. If concurrence of three members of the Cabinet
35 is not obtained at such meeting, the appointee may be held over
36 until his or her successor is appointed and qualified, but the
37 period of such holdover may not exceed 30 days from the date of
38 the Cabinet meeting at which the appointment was considered. An
39 appointee who does not receive the concurrence of three members



731196

40 of the Cabinet is not eligible for appointment to the same
41 office for 1 year after the date of the Cabinet meeting at which
42 the appointment was considered.

43 (c) If the Governor seeks confirmation of the appointee by
44 the Senate, s. 114.05 applies ~~The secretary shall be confirmed~~
45 ~~by the Florida Senate.~~

46 (d) The secretary shall serve at the pleasure of the
47 Governor.

48 Section 3. Subsection (1) of section 20.37, Florida
49 Statutes, is amended to read:

50 20.37 Department of Veterans' Affairs.—There is created a
51 Department of Veterans' Affairs.

52 (1) The head of the department is the Governor and Cabinet.
53 The executive director of the department shall be appointed by
54 the Governor subject to a majority vote of the Governor and
55 Cabinet, with the Governor on the prevailing side. The
56 appointment is with the approval of three members of the Cabinet
57 ~~and~~ subject to confirmation by the Senate. The executive
58 director shall serve at the pleasure of the Governor and
59 Cabinet.

60 Section 4. This act shall take effect upon becoming a law.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete everything before the enacting clause
65 and insert:

66 A bill to be entitled
67 An act relating to executive appointments; amending s.
68 20.201, F.S.; requiring that the executive director of



731196

69 the Department of Law Enforcement be appointed subject
70 to a majority vote of the Governor and Cabinet, with
71 the Governor on the prevailing side; amending s.
72 20.255, F.S.; requiring the appointment of the
73 secretary of the Department of Environmental
74 Protection be subject to the concurrence of three
75 members of the Cabinet or confirmation by the Senate;
76 requiring the Governor to notify the Cabinet and the
77 President of the Senate in writing of the method of
78 confirmation; requiring the Governor, if seeking the
79 concurrence of the Cabinet, to seek such concurrence
80 at the first scheduled meeting after appointment;
81 providing that an appointee who does not receive the
82 concurrence of the Cabinet may serve for a specified
83 timeframe; providing that an appointee who does not
84 receive concurrence from the Cabinet is not eligible
85 for appointment to the same office for a specified
86 timeframe; providing procedures for confirmation by
87 the Senate; amending s. 20.37, F.S.; requiring that
88 the executive director of the Department of Veterans'
89 Affairs be appointed subject to a majority vote of the
90 Governor and Cabinet, with the Governor on the
91 prevailing side; providing an effective date.