

By the Committee on Environment and Natural Resources; and
Senators Bean and Rodrigues

592-02539-22

20221658c1

1 A bill to be entitled
2 An act relating to executive appointments; amending s.
3 20.201, F.S.; requiring that the executive director of
4 the Department of Law Enforcement be appointed subject
5 to a majority vote of the Governor and Cabinet, with
6 the Governor on the prevailing side; amending s.
7 20.255, F.S.; requiring the appointment of the
8 secretary of the Department of Environmental
9 Protection be subject to the concurrence of three
10 members of the Cabinet or confirmation by the Senate;
11 requiring the Governor to notify the Cabinet and the
12 President of the Senate in writing of the method of
13 confirmation; requiring the Governor, if seeking the
14 concurrence of the Cabinet, to seek such concurrence
15 at the first scheduled meeting after appointment;
16 providing that an appointee who does not receive the
17 concurrence of the Cabinet may serve for a specified
18 timeframe; providing that an appointee who does not
19 receive concurrence from the Cabinet is not eligible
20 for appointment to the same office for a specified
21 timeframe; providing procedures for confirmation by
22 the Senate; amending s. 20.37, F.S.; requiring that
23 the executive director of the Department of Veterans'
24 Affairs be appointed subject to a majority vote of the
25 Governor and Cabinet, with the Governor on the
26 prevailing side; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Subsection (1) of section 20.201, Florida
31 Statutes, is amended to read:

32 20.201 Department of Law Enforcement.—

33 (1) There is created a Department of Law Enforcement. The
34 head of the department is the Governor and Cabinet. The
35 executive director of the department shall be appointed by the
36 Governor subject to a majority vote of the Governor and Cabinet,
37 with the Governor on the prevailing side. The appointment is
38 ~~with the approval of three members of the Cabinet and~~ subject to
39 confirmation by the Senate. The executive director shall serve
40 at the pleasure of the Governor and Cabinet. The executive
41 director may establish a command, operational, and
42 administrative services structure to assist, manage, and support
43 the department in operating programs and delivering services.

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

46 20.255 Department of Environmental Protection.—There is
47 created a Department of Environmental Protection.

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

52 (a) Upon appointment, the Governor shall, in writing,
53 notify the Cabinet and the President of the Senate that he or
54 she will seek either the concurrence of three members of the
55 Cabinet or confirmation of the appointee by the Senate.

56 (b) If the Governor seeks the concurrence of three members
57 of the Cabinet for the appointment, such concurrence must be
58 obtained at the first scheduled meeting of the Cabinet following

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59 the appointment. If concurrence of three members of the Cabinet
60 is not obtained at such meeting, the appointee may be held over
61 until his or her successor is appointed and qualified, but the
62 period of such holdover may not exceed 30 days from the date of
63 the Cabinet meeting at which the appointment was considered. An
64 appointee who does not receive the concurrence of three members
65 of the Cabinet is not eligible for appointment to the same
66 office for 1 year after the date of the Cabinet meeting at which
67 the appointment was considered.

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

71 (d) The secretary shall serve at the pleasure of the
72 Governor.

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

75 20.37 Department of Veterans' Affairs.—There is created a
76 Department of Veterans' Affairs.

77 (1) The head of the department is the Governor and Cabinet.
78 The executive director of the department shall be appointed by
79 the Governor subject to a majority vote of the Governor and
80 Cabinet, with the Governor on the prevailing side. The
81 appointment is ~~with the approval of three members of the Cabinet~~
82 ~~and~~ subject to confirmation by the Senate. The executive
83 director shall serve at the pleasure of the Governor and
84 Cabinet.

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