Florida Senate - 2007

By Senator Geller

31-341-07 1 Senate Joint Resolution 2 A joint resolution proposing an amendment to 3 Section 4 of Article IV of the State 4 Constitution to create the position of 5 Insurance Commissioner, who will be an elected б member of the Cabinet, and the creation of 7 Section 8 of Article VI of the State Constitution to prohibit certain campaign 8 9 contributions to or solicitation of certain 10 campaign contributions by or on behalf of candidates for the office of Insurance 11 12 Commissioner. 13 Be It Resolved by the Legislature of the State of Florida: 14 15 That the following amendment to Section 4 of Article IV 16 17 and the creation of Section 8 of Article VI of the State Constitution are agreed to, shall be submitted to the electors 18 of this state for approval or rejection at the next general 19 election or at an earlier special election specifically 20 authorized by law for that purpose, and, if approved, shall 21 22 take effect January 6, 2009, with the office of Insurance 23 Commissioner filled initially for a 2-year term at the 2008 general election: 2.4 ARTICLE IV 25 26 EXECUTIVE 27 SECTION 4. Cabinet.--2.8 (a) There shall be a cabinet composed of an attorney general, a chief financial officer, and a commissioner of 29 agriculture, and an insurance commissioner. In addition to the 30 powers and duties specified herein, they shall exercise such 31 1

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1 powers and perform such duties as may be prescribed by law. In 2 the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail. 3 (b) The attorney general shall be the chief state 4 legal officer. There is created in the office of the attorney 5 б general the position of statewide prosecutor. The statewide 7 prosecutor shall have concurrent jurisdiction with the state 8 attorneys to prosecute violations of criminal laws occurring or having occurred, in two or more judicial circuits as part 9 of a related transaction, or when any such offense is 10 affecting or has affected two or more judicial circuits as 11 12 provided by general law. The statewide prosecutor shall be 13 appointed by the attorney general from not fewer less than three persons nominated by the judicial nominating commission 14 for the supreme court, or as otherwise provided by general 15 16 law. 17 (c) The chief financial officer shall serve as the chief fiscal officer of the state, and shall settle and 18 approve accounts against the state, and shall keep all state 19 funds and securities. 20 21 (d) The commissioner of agriculture shall have 22 supervision of matters pertaining to agriculture except as 23 otherwise provided by law. (e) The insurance commissioner shall have control and 2.4 25 supervision of matters relating to the state fire marshal, risk management, insurance regulation, insurance fraud, 26 rehabilitation and liquidation of insurers, insurance agents 27 2.8 and agency services, consumer services, workers' compensation, insurance consumer advocacy, and funeral and cemetery 29 30 <u>services.</u> 31

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1	<u>(f)(e)</u> The governor as chair, the chief financial
2	officer, and the attorney general shall constitute the state
3	board of administration, which shall succeed to all the power,
4	control, and authority of the state board of administration
5	established pursuant to Article IX, Section 16 of the
б	Constitution of 1885, and which shall continue as a body at
7	least for the life of Article XII, Section 9(c).
8	<u>(q)(f)</u> The governor as chair, the chief financial
9	officer, the attorney general, and the commissioner of
10	agriculture shall constitute the trustees of the internal
11	improvement trust fund and the land acquisition trust fund as
12	provided by law.
13	<u>(h)(g)</u> The governor as chair, the chief financial
14	officer, the attorney general, and the commissioner of
15	agriculture shall constitute the agency head of the Department
16	of Law Enforcement.
17	ARTICLE VI
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1 prevent any candidate for the office of insurance commissioner 2 or member of that candidate's immediate family from contributing to that candidate's campaign as otherwise 3 4 permitted by law. 5 BE IT FURTHER RESOLVED that the following statement be б placed on the ballot: 7 CONSTITUTIONAL AMENDMENT ARTICLE IV, SECTION 4; ARTICLE VI, SECTION 8 8 9 CREATING CABINET OFFICE OF INSURANCE COMMISSIONER; 10 LIMITING CAMPAIGN CONTRIBUTIONS TO CANDIDATES FOR SUCH OFFICE. -- Proposing an amendment to the State Constitution to 11 12 create the office of Insurance Commissioner, who will be an 13 elected member of the Cabinet and responsible for the control and supervision of the State Fire Marshal, risk management, 14 insurance regulation, insurance fraud, rehabilitation and 15 liquidation of insurers, insurance agents and agency services, 16 17 consumer services, workers' compensation, insurance consumer advocacy, and funeral and cemetery services. The amendment 18 will also prohibit campaign contributions to, or solicitation 19 of campaign contributions by or on behalf of, candidates for 20 21 the office of Insurance Commissioner from insurance companies, 22 funeral or cemetery service companies, and other businesses or 23 companies under the control and supervision of the Insurance Commissioner and their employees and agents. 2.4 25 26 27 28 29 30

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