2007

1	House Joint Resolution
2	A joint resolution proposing an amendment to Section 4 of
3	Article IV of the State Constitution to create the
4	position of Insurance Commissioner, an elected member of
5	the Cabinet, the creation of Section 8 of Article VI of
6	the State Constitution to prohibit certain campaign
7	contributions to or solicitation of certain campaign
8	contributions by or on behalf of candidates for the office
9	of Insurance Commissioner, and the creation of Section 27
10	of Article XII to provide an effective date and for
11	filling the initial term for the office of Insurance
12	Commissioner.
13	
14	Be It Resolved by the Legislature of the State of Florida:
15	
16	That the following amendment to Section 4 of Article IV and
17	the creation of Section 8 of Article VI and Section 27 of
18	Article XII of the State Constitution are agreed to and shall be
19	submitted to the electors of this state for approval or
20	rejection at the next general election or at an earlier special
21	election specifically authorized by law for that purpose:
22	ARTICLE IV
23	EXECUTIVE
24	SECTION 4. Cabinet
25	(a) There shall be a cabinet composed of an attorney
26	general, a chief financial officer, and a commissioner of
27	agriculture, and an insurance commissioner. In addition to the
28	powers and duties specified herein, they shall exercise such
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29 powers and perform such duties as may be prescribed by law. In 30 the event of a tie vote of the governor and cabinet, the side on 31 which the governor voted shall be deemed to prevail.

32 (b) The attorney general shall be the chief state legal 33 officer. There is created in the office of the attorney general the position of statewide prosecutor. The statewide prosecutor 34 35 shall have concurrent jurisdiction with the state attorneys to prosecute violations of criminal laws occurring or having 36 37 occurred, in two or more judicial circuits as part of a related 38 transaction, or when any such offense is affecting or has 39 affected two or more judicial circuits as provided by general law. The statewide prosecutor shall be appointed by the attorney 40 41 general from not fewer less than three persons nominated by the 42 judicial nominating commission for the supreme court, or as otherwise provided by general law. 43

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

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

51 <u>(e) The insurance commissioner shall have control and</u> 52 <u>supervision of matters relating to the state fire marshal, risk</u> 53 <u>management, insurance regulation, insurance fraud,</u>

54 <u>rehabilitation and liquidation of insurers, insurance agents and</u> 55 <u>agency services, consumer services, workers' compensation,</u>

56 insurance consumer advocacy, and funeral and cemetery services.

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

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

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

SUFFRAGE AND ELECTIONS

73 SECTION 8.--Insurance commissioner candidates; campaign 74 contributions prohibited. -- An insurance company, a company 75 engaged in the business of funeral or cemetery service, or any 76 other business or company that is under the control and 77 supervision of the insurance commissioner, or any employee or agent of such a company or business, may not make or solicit a 78 79 contribution for any election to or on behalf of any candidate for the office of insurance commissioner. A candidate for the 80 81 office of insurance commissioner, or any employee of the insurance commissioner or of any state agency under the control 82 83 and supervision of the insurance commissioner, may not solicit or accept a campaign contribution from any such company, 84

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85	business, employee, or agent. This section does not prevent any
86	candidate for the office of insurance commissioner or member of
87	that candidate's immediate family from contributing to that
88	candidate's campaign as otherwise permitted by law.
89	ARTICLE XII
90	SCHEDULE
91	SECTION 27. Insurance commissionerThe amendment to
92	Section 4 of Article IV and the creation of Section 8 of Article
93	VI creating the office of insurance commissioner as a cabinet
94	officer and establishing duties and campaign-contribution
95	restrictions with respect to that office shall take effect
96	January 6, 2009, with the office of insurance commissioner
97	filled initially for a 2-year term at the 2008 general election.
98	BE IT FURTHER RESOLVED that the following statement be
99	placed on the ballot:
100	CONSTITUTIONAL AMENDMENT
101	ARTICLE IV, SECTION 4;
102	ARTICLE VI, SECTION 8;
103	ARTICLE XII, SECTION 27
104	INSURANCE COMMISSIONER AS CABINET OFFICER; CANDIDATE
105	CAMPAIGN CONTRIBUTIONS LIMITATIONProposing an amendment to
106	the State Constitution to create the office of Insurance
	Commissioners the will be an elected members of the Cabinet and
107	Commissioner, who will be an elected member of the Cabinet and
107 108	responsible for the control and supervision of the State Fire
108	responsible for the control and supervision of the State Fire
108 109	responsible for the control and supervision of the State Fire Marshal, risk management, insurance regulation, insurance fraud,
108 109 110	responsible for the control and supervision of the State Fire Marshal, risk management, insurance regulation, insurance fraud, rehabilitation and liquidation of insurers, insurance agents and

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113 to prohibit campaign contributions to, or solicitation of 114 campaign contributions by or on behalf of, candidates for the 115 office of Insurance Commissioner from insurance companies, funeral or cemetery service companies, and other businesses or 116 117 companies under the control and supervision of the Insurance 118 Commissioner and their employees and agents; and to provide an effective date of January 6, 2009, for such changes and for the 119 office of Insurance Commissioner to be filled initially for a 2-120 year term at the 2008 general election. 121

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