

SENATE JOINT RESOLUTION T

April 23, 2013, Introduced by Senators SMITH and HOPGOOD and referred to the Committee on Insurance.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV and sections 3, 21, 23, and 30 of article V, to establish the office of insurance commissioner as the elective head of a principal department.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to establish the office of insurance commissioner as the elective head of a principal department, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IV

Sec. 12. The state officers compensation commission is created which subject to this section shall determine the salaries and

1 expense allowances of the members of the legislature, the governor,
2 the lieutenant governor, the attorney general, the secretary of
3 state, **THE INSURANCE COMMISSIONER**, and the justices of the supreme
4 court. The commission shall consist of 7 members appointed by the
5 governor whose qualifications may be determined by law. Subject to
6 the legislature's ability to amend the commission's determinations
7 as provided in this section, the commission shall determine the
8 salaries and expense allowances of the members of the legislature,
9 the governor, the lieutenant governor, the attorney general, the
10 secretary of state, **THE INSURANCE COMMISSIONER**, and the justices of
11 the supreme court which determinations shall be the salaries and
12 expense allowances only if the legislature by concurrent resolution
13 adopted by a majority of the members elected to and serving in each
14 house of the legislature approve them. The senate and house of
15 representatives shall alternate on which house of the legislature
16 shall originate the concurrent resolution, with the senate
17 originating the first concurrent resolution.

18 The concurrent resolution may amend the salary and expense
19 determinations of the state officers compensation commission to
20 reduce the salary and expense determinations by the same proportion
21 for members of the legislature, the governor, the lieutenant
22 governor, the attorney general, the secretary of state, **THE**
23 **INSURANCE COMMISSIONER**, and the justices of the supreme court. The
24 legislature shall not amend the salary and expense determinations
25 to reduce them to below the salary and expense level that members
26 of the legislature, the governor, the lieutenant governor, the
27 attorney general, the secretary of state, **THE INSURANCE**

1 **COMMISSIONER**, and the justices of the supreme court receive on the
2 date the salary and expense determinations are made. If the salary
3 and expense determinations are approved or amended as provided in
4 this section, the salary and expense determinations shall become
5 effective for the legislative session immediately following the
6 next general election. The commission shall meet each 2 years for
7 no more than 15 session days. The legislature shall implement this
8 section by law.

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ARTICLE V

10 Sec. 3. The head of each principal department shall be a
11 single executive unless otherwise provided in this constitution or
12 by law. The single executives heading principal departments shall
13 include a secretary of state, a state treasurer, **AN INSURANCE**
14 **COMMISSIONER**, and an attorney general. When a single executive is
15 the head of a principal department, unless elected or appointed as
16 otherwise provided in this constitution, he shall be appointed by
17 the governor by and with the advice and consent of the senate and
18 he shall serve at the pleasure of the governor.

19 When a board or commission is at the head of a principal
20 department, unless elected or appointed as otherwise provided in
21 this constitution, the members thereof shall be appointed by the
22 governor by and with the advice and consent of the senate. The term
23 of office and procedure for removal of such members shall be as
24 prescribed in this constitution or by law.

25 Terms of office of any board or commission created or enlarged
26 after the effective date of this constitution shall not exceed four
27 years except as otherwise authorized in this constitution. The

1 terms of office of existing boards and commissions which are longer
2 than four years shall not be further extended except as provided in
3 this constitution.

4 Sec. 21. The governor, lieutenant governor, secretary of
5 state, **INSURANCE COMMISSIONER**, and attorney general shall be
6 elected for four-year terms at the general election in each
7 alternate even-numbered year.

8 The lieutenant governor, secretary of state, **INSURANCE**
9 **COMMISSIONER**, and attorney general shall be nominated by party
10 conventions in a manner prescribed by law. In the general election
11 one vote shall be cast jointly for the candidates for governor and
12 lieutenant governor nominated by the same party.

13 Vacancies in the office of the secretary of state, **INSURANCE**
14 **COMMISSIONER**, and attorney general shall be filled by appointment
15 by the governor.

16 Sec. 23. The governor, lieutenant governor, secretary of
17 state, **INSURANCE COMMISSIONER**, and attorney general shall each
18 receive the compensation provided by law in full payment for all
19 services performed and expenses incurred during his term of office.
20 Such compensation shall not be changed during the term of office
21 except as otherwise provided in this constitution.

22 Sec. 30. No person shall be elected more than two times to
23 each office of the executive branch of government: governor,
24 lieutenant governor, secretary of state, **INSURANCE COMMISSIONER**, or
25 attorney general. Any person appointed or elected to fill a vacancy
26 in the office of governor, lieutenant governor, secretary of state,
27 **INSURANCE COMMISSIONER**, or attorney general for a period greater

1 than one half of a term of such office, shall be considered to have
2 been elected to serve one time in that office for purposes of this
3 section. This limitation on the number of times a person shall be
4 elected to office shall apply to terms of office beginning on or
5 after January 1, 1993.

6 This section shall be self-executing. Legislation may be
7 enacted to facilitate operation of this section, but no law shall
8 limit or restrict the application of this section. If any part of
9 this section is held to be invalid or unconstitutional, the
10 remaining parts of this section shall not be affected but will
11 remain in full force and effect.

12 Resolved further, That the foregoing amendment shall be
13 submitted to the people of the state at the next general election
14 in the manner provided by law.