

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 684 Session of 2013

INTRODUCED BY GOODMAN, B. BOYLE, DELUCA, GIBBONS, HARKINS,
O'BRIEN, O'NEILL AND STURLA, FEBRUARY 13, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 13, 2013

A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the
2 Commonwealth of Pennsylvania, providing for the election of
3 the Insurance Commissioner; and further providing for the
4 qualifications thereof.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby resolves as follows:

7 Section 1. The following integrated amendments to the
8 Constitution of Pennsylvania are proposed in accordance with
9 Article XI:

10 (1) That Article IV be amended by adding a section to read:

11 § 4.2. Insurance Commissioner.

12 An Insurance Commissioner shall be chosen by the qualified
13 electors of the Commonwealth on the day the general election is
14 held for the Auditor General and State Treasurer; the Insurance
15 Commissioner shall hold office during four years from the third
16 Tuesday of January next ensuing his election and shall not be
17 eligible to serve continuously for more than two successive
18 terms; the Insurance Commissioner shall be the chief officer of
19 the Insurance Department and shall exercise such powers and

1 perform such duties as may be imposed by law. No elected
2 Insurance Commissioner may be employed directly or indirectly by
3 an insurance company within four years after serving as
4 Insurance Commissioner.

5 (2) That section 5 of Article IV be amended to read:

6 § 5. Qualifications of Governor, Lieutenant Governor [and],
7 Attorney General and Insurance Commissioner.

8 No person shall be eligible to the office of Governor,
9 Lieutenant Governor [or], Attorney General or Insurance
10 Commissioner except a citizen of the United States, who shall
11 have attained the age of 30 years, and have been seven years
12 next preceding his election an inhabitant of this Commonwealth,
13 unless he shall have been absent on the public business of the
14 United States or of this Commonwealth. No person shall be
15 eligible to the office of Attorney General except a member of
16 the bar of the Supreme Court of Pennsylvania.

17 (3) That section 6 of Article IV be amended to read:

18 § 6. Disqualification for offices of Governor, Lieutenant
19 Governor [and], Attorney General and Insurance
20 Commissioner.

21 No member of Congress or person holding any office (except of
22 attorney-at-law or in the National Guard or in a reserve
23 component of the armed forces of the United States) under the
24 United States or this Commonwealth shall exercise the office of
25 Governor, Lieutenant Governor [or], Attorney General or
26 Insurance Commissioner.

27 (4) That section 17 of Article IV be amended to read:

28 § 17. Contested elections of Governor, Lieutenant Governor
29 [and], Attorney General and Insurance Commissioner;
30 when succeeded.

1 The Chief Justice of the Supreme Court shall preside upon the
2 trial of any contested election of Governor, Lieutenant Governor
3 [or], Attorney General or Insurance Commissioner and shall
4 decide questions regarding the admissibility of evidence, and
5 shall, upon request of the committee, pronounce his opinion upon
6 other questions of law involved in the trial. The Governor,
7 Lieutenant Governor [and], Attorney General and Insurance
8 Commissioner shall exercise the duties of their respective
9 offices until their successors shall be duly qualified.

10 Section 2. (a) Upon the first passage by the General
11 Assembly of these proposed constitutional amendments, the
12 Secretary of the Commonwealth shall proceed immediately to
13 comply with the advertising requirements of section 1 of Article
14 XI of the Constitution of Pennsylvania and shall transmit the
15 required advertisements to two newspapers in every county in
16 which such newspapers are published in sufficient time after
17 passage of these proposed constitutional amendments.

18 (b) Upon the second passage by the General Assembly of these
19 proposed constitutional amendments, the Secretary of the
20 Commonwealth shall proceed immediately to comply with the
21 advertising requirements of section 1 of Article XI of the
22 Constitution of Pennsylvania and shall transmit the required
23 advertisements to two newspapers in every county in which such
24 newspapers are published in sufficient time after passage of
25 these proposed constitutional amendments. The Secretary of the
26 Commonwealth shall submit the proposed constitutional amendments
27 under section 1 to the qualified electors of this Commonwealth
28 as a single ballot question at the first primary, general or
29 municipal election which meets the requirements of and is in
30 conformance with section 1 of Article XI of the Constitution of

1 Pennsylvania and which occurs at least three months after the
2 proposed constitutional amendments are passed by the General
3 Assembly. Upon approval of the amendments by the electors, there
4 shall be a vacancy in the office of the Insurance Commissioner
5 which shall be filled as provided herein.