

By Representative C. Smith

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

House Joint Resolution

A joint resolution proposing the creation of Section 26 of Article I of the State Constitution relating to the right of the state and other public entities to initiate action to remedy discrimination.

Be It Resolved by the Legislature of the State of Florida:

That the creation of Section 26 of Article I of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 2000:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 26. Right of state and other public entities to initiate action to remedy discrimination.--

(a) The state, or any county, municipality, district, public college or university, or other political subdivision or governmental instrumentality of or within the state, may initiate action to remedy discrimination by means of specific group-based preferences or numerical goals and specific timetables for achieving those goals.

(b) This section shall be self-executing. If any provision or provisions of this section are found to be in conflict with federal law or the United States Constitution, the section shall be implemented to the maximum extent that federal law and the United States Constitution permit. Any provision held invalid shall be severable from the remaining provisions of this section.

1           BE IT FURTHER RESOLVED that in accordance with the  
2 requirements of section 101.161, Florida Statutes, the title  
3 and substance of the amendment proposed herein shall appear on  
4 the ballot as follows:

5                   RIGHT OF STATE AND OTHER PUBLIC ENTITIES

6                   TO INITIATE ACTION TO REMEDY DISCRIMINATION

7           Authorizes the state, or any county, municipality,  
8 district, public college or university, or other political  
9 subdivision or governmental instrumentality of or within the  
10 state, to initiate action to remedy discrimination by means of  
11 specific group-based preferences or numerical goals and  
12 specific timetables for achieving those goals. Provides for  
13 severability and implementation to the maximum extent  
14 permitted by federal law and the United States Constitution.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31