

1 Senate Joint Resolution No. 1700
2 A joint resolution proposing an amendment to
3 Section 6 of Article VIII of the State
4 Constitution to authorize amendments or
5 revisions to the home rule charter of
6 Miami-Dade County by special law approved by a
7 vote of the electors.

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9 Be It Resolved by the Legislature of the State of Florida:
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11 That the following amendment to Section 6 of Article
12 VIII of the State Constitution is agreed to and shall be
13 submitted to the electors of Florida for approval or rejection
14 at the general election to be held in November 2002:

15

ARTICLE VIII

16

LOCAL GOVERNMENT

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SECTION 6. Schedule to Article VIII.--

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19 (a) This article shall replace all of Article VIII of
20 the Constitution of 1885, as amended, except those sections
21 expressly retained and made a part of this article by
22 reference.

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24 (b) COUNTIES; COUNTY SEATS; MUNICIPALITIES;
25 DISTRICTS. The status of the following items as they exist on
26 the date this article becomes effective is recognized and
27 shall be continued until changed in accordance with law: the
28 counties of the state; their status with respect to the
29 legality of the sale of intoxicating liquors, wines and beers;
30 the method of selection of county officers; the performance of
31 municipal functions by county officers; the county seats; and
32 the municipalities and special districts of the state, their
33 powers, jurisdiction and government.

1 (c) OFFICERS TO CONTINUE IN OFFICE. Every person
2 holding office when this article becomes effective shall
3 continue in office for the remainder of the term if that
4 office is not abolished. If the office is abolished the
5 incumbent shall be paid adequate compensation, to be fixed by
6 law, for the loss of emoluments for the remainder of the term.

7 (d) ORDINANCES. Local laws relating only to
8 unincorporated areas of a county on the effective date of this
9 article may be amended or repealed by county ordinance.

10 (e) CONSOLIDATION AND HOME RULE. Article VIII,
11 Sections 9, 10, 11 and 24, of the Constitution of 1885, as
12 amended, shall remain in full force and effect as to each
13 county affected, as if this article had not been adopted,
14 until that county shall expressly adopt a charter or home rule
15 plan pursuant to this article. All provisions of the
16 Miami-Dade ~~Metropolitan Dade~~ County Home Rule Charter,
17 heretofore or hereafter adopted by the electors of Miami-Dade
18 ~~Dade~~ County pursuant to Article VIII, Section 11, of the
19 Constitution of 1885, as amended, shall be valid, and any
20 amendments to such charter shall be valid; provided that the
21 said provisions of such charter and the said amendments
22 thereto are authorized under said Article VIII, Section 11, of
23 the Constitution of 1885, as amended. However, notwithstanding
24 any provision of Article VIII, Section 11, of the Constitution
25 of 1885, as amended, or any limitations under this subsection,
26 the Miami-Dade County Home Rule Charter may be amended or
27 revised by special law approved by the electors of Miami-Dade
28 County and, if approved, shall be deemed an amendment or
29 revision of the charter by the electors of Miami-Dade County.

30 (f) DADE COUNTY; POWERS CONFERRED UPON
31 MUNICIPALITIES. To the extent not inconsistent with the

1 powers of existing municipalities or general law, the
 2 Metropolitan Government of Dade County may exercise all the
 3 powers conferred now or hereafter by general law upon
 4 municipalities.

5 (g) DELETION OF OBSOLETE SCHEDULE ITEMS. The
 6 legislature shall have power, by joint resolution, to delete
 7 from this article any subsection of this Section 6, including
 8 this subsection, when all events to which the subsection to be
 9 deleted is or could become applicable have occurred. A
 10 legislative determination of fact made as a basis for
 11 application of this subsection shall be subject to judicial
 12 review.

13 BE IT FURTHER RESOLVED that the following statement be
 14 placed on the ballot:

15 CONSTITUTIONAL AMENDMENT
 16 ARTICLE VIII, SECTION 6
 17 AUTHORIZING AMENDMENTS TO MIAMI-DADE COUNTY HOME
 18 RULE CHARTER BY SPECIAL LAW APPROVED BY
 19 REFERENDUM.--Proposing an amendment to the State Constitution
 20 to authorize amendments or revisions to the Miami-Dade County
 21 Home Rule Charter by special law approved by a vote of the
 22 electors of Miami-Dade County and to conform references to the
 23 county's current name.

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