



598528

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/28/2011	.	
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The Committee on Community Affairs (Dockery) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the resolving clause
and insert:

That the following amendment to Section 6 of Article VIII
of the State Constitution is agreed to and shall be submitted to
the electors of this state for approval or rejection at the next
general election or at an earlier special election specifically
authorized by law for that purpose:

ARTICLE VIII
LOCAL GOVERNMENT



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13 SECTION 6. Schedule to Article VIII.-

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

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

27 (c) OFFICERS TO CONTINUE IN OFFICE. Every person holding
28 office when this article becomes effective shall continue in
29 office for the remainder of the term if that office is not
30 abolished. If the office is abolished the incumbent shall be
31 paid adequate compensation, to be fixed by law, for the loss of
32 emoluments for the remainder of the term.

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35 amended or repealed by county ordinance.

36 (e) CONSOLIDATION AND HOME RULE. Article VIII, Sections 9,
37 10, 11 and 24, of the Constitution of 1885, as amended, shall
38 remain in full force and effect as to each county affected, as
39 if this article had not been adopted, until that county shall
40 expressly adopt a charter or home rule plan pursuant to this
41 article. All provisions of the Miami-Dade ~~Metropolitan-Dade~~



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42 County Home Rule Charter, heretofore or hereafter adopted by the
43 electors of Miami-Dade ~~Dade~~ County pursuant to Article VIII,
44 Section 11, of the Constitution of 1885, as amended, shall be
45 valid, and any amendments to such charter shall be valid;
46 provided that the said provisions of such charter and the said
47 amendments thereto are authorized under said Article VIII,
48 Section 11, of the Constitution of 1885, as amended. However,
49 notwithstanding any provision of Article VIII, Section 11, of
50 the Constitution of 1885, as amended, or any limitations under
51 this subsection, the Miami-Dade County Home Rule Charter may be
52 amended or revised by special law approved by the electors of
53 Miami-Dade County and, if approved, shall be deemed an amendment
54 or revision of the charter by the electors of Miami-Dade County.
55 A bill proposing such a special law must be approved at a
56 meeting of the local legislative delegation and filed by a
57 member of that delegation.

58 (f) DADE COUNTY; POWERS CONFERRED UPON MUNICIPALITIES. To
59 the extent not inconsistent with the powers of existing
60 municipalities or general law, the Metropolitan Government of
61 Miami-Dade ~~Dade~~ County may exercise all the powers conferred now
62 or hereafter by general law upon municipalities.

63 (g) DELETION OF OBSOLETE SCHEDULE ITEMS. The legislature
64 shall have power, by joint resolution, to delete from this
65 article any subsection of this Section 6, including this
66 subsection, when all events to which the subsection to be
67 deleted is or could become applicable have occurred. A
68 legislative determination of fact made as a basis for
69 application of this subsection shall be subject to judicial
70 review.



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71 BE IT FURTHER RESOLVED that the following statement be
72 placed on the ballot:

73 CONSTITUTIONAL AMENDMENT

74 ARTICLE VII, SECTION 6

75 AUTHORIZING AMENDMENTS TO MIAMI-DADE COUNTY HOME RULE
76 CHARTER BY SPECIAL LAW APPROVED BY REFERENDUM.—Authorizes
77 amendments or revisions to the Miami-Dade County Home Rule
78 Charter by a special law when the law is approved by a vote of
79 the electors of Miami-Dade County. A bill proposing such a
80 special law must be approved at a meeting of the local
81 legislative delegation and filed by a member of that delegation.
82 It also conforms references in the State Constitution to reflect
83 the county's current name.

84
85 ===== T I T L E A M E N D M E N T =====

86 And the title is amended as follows:

87 Delete everything before the resolving clause
88 and insert:

89 A bill to be entitled
90 A joint resolution proposing an amendment to Section 6
91 of Article VIII of the State Constitution to authorize
92 amendments or revisions to the home rule charter of
93 Miami-Dade County by special law approved by a vote of
94 the electors; providing requirements for a bill
95 proposing such a special law.