

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Local, Federal & Veterans
 2 Affairs Subcommittee

3 Representative Miller, M. offered the following:

4

5 **Amendment (with ballot and title amendments)**

6 Remove everything after the resolving clause and insert:

7 That the following amendment to Section 1 of Article VIII of the
 8 State Constitution is agreed to and shall be submitted to the
 9 electors of this state for approval or rejection at the next
 10 general election or at an earlier special election specifically
 11 authorized by law for that purpose:

12 ARTICLE VIII

13 LOCAL GOVERNMENT

14 SECTION 1. Counties.—

15 (a) POLITICAL SUBDIVISIONS. The state shall be divided by
 16 law into political subdivisions called counties. Counties may be

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17 created, abolished or changed by law, with provision for payment
18 or apportionment of the public debt.

19 (b) COUNTY FUNDS. The care, custody and method of
20 disbursing county funds shall be provided by general law.

21 (c) GOVERNMENT. Pursuant to general or special law, a
22 county government may be established by charter which shall be
23 adopted, amended or repealed only upon vote of the electors of
24 the county in a special election called for that purpose.

25 (d) COUNTY OFFICERS. There shall be elected by the
26 electors of each county, for terms of four years, a sheriff, a
27 tax collector, a property appraiser, a supervisor of elections,
28 and a clerk of the circuit court; except, when provided by
29 county charter or special law approved by vote of the electors
30 of the county, a sheriff, a tax collector, a supervisor of
31 elections in any county other than Miami-Dade County, a property
32 appraiser, and a clerk of the circuit court ~~any county officer~~
33 may be chosen in another manner therein specified, or such
34 offices, other than a supervisor of elections in Miami-Dade
35 County, any county office may be abolished when all the duties
36 of the office prescribed by general law are transferred to
37 another office. When not otherwise provided by county charter or
38 special law approved by vote of the electors, the clerk of the
39 circuit court shall be ex officio clerk of the board of county
40 commissioners, auditor, recorder, and custodian of all county
41 funds. Notwithstanding subsection 6(e) of this article, this

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Published On: 3/21/2017 11:55:33 AM

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42 subsection provides the exclusive manner for the selection of
43 the supervisor of elections of Miami-Dade County. This
44 subsection does not limit legislative authority to create,
45 abolish, or change counties by law pursuant to section 1 of this
46 article.

47 (e) COMMISSIONERS. Except when otherwise provided by
48 county charter, the governing body of each county shall be a
49 board of county commissioners composed of five or seven members
50 serving staggered terms of four years. After each decennial
51 census the board of county commissioners shall divide the county
52 into districts of contiguous territory as nearly equal in
53 population as practicable. One commissioner residing in each
54 district shall be elected as provided by law.

55 (f) NON-CHARTER GOVERNMENT. Counties not operating under
56 county charters shall have such power of self-government as is
57 provided by general or special law. The board of county
58 commissioners of a county not operating under a charter may
59 enact, in a manner prescribed by general law, county ordinances
60 not inconsistent with general or special law, but an ordinance
61 in conflict with a municipal ordinance shall not be effective
62 within the municipality to the extent of such conflict.

63 (g) CHARTER GOVERNMENT. Counties operating under county
64 charters shall have all powers of local self-government not
65 inconsistent with general law, or with special law approved by
66 vote of the electors. The governing body of a county operating

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67 | under a charter may enact county ordinances not inconsistent
68 | with general law. The charter shall provide which shall prevail
69 | in the event of conflict between county and municipal
70 | ordinances.

71 | (h) TAXES; LIMITATION. Property situate within
72 | municipalities shall not be subject to taxation for services
73 | rendered by the county exclusively for the benefit of the
74 | property or residents in unincorporated areas.

75 | (i) COUNTY ORDINANCES. Each county ordinance shall be
76 | filed with the custodian of state records and shall become
77 | effective at such time thereafter as is provided by general law.

78 | (j) VIOLATION OF ORDINANCES. Persons violating county
79 | ordinances shall be prosecuted and punished as provided by law.

80 | (k) COUNTY SEAT. In every county there shall be a county
81 | seat at which shall be located the principal offices and
82 | permanent records of all county officers. The county seat may
83 | not be moved except as provided by general law. Branch offices
84 | for the conduct of county business may be established elsewhere
85 | in the county by resolution of the governing body of the county
86 | in the manner prescribed by law. No instrument shall be deemed
87 | recorded until filed at the county seat, or a branch office
88 | designated by the governing

89 |

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B A L L O T A M E N D M E N T

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92 Remove lines 113-146 and insert:

93 BE IT FURTHER RESOLVED that the following statement be placed on
94 the ballot:

95 CONSTITUTIONAL AMENDMENT

96 ARTICLE VIII, SECTION 1

97 SELECTION OF THE SUPERVISOR OF ELECTIONS IN MIAMI-DADE
98 COUNTY.— Proposing an amendment to the State Constitution to
99 remove authority for a county charter to provide for choosing
100 the supervisor of elections of Miami-Dade County in a manner
101 other than by election or to abolish the office of property
102 appraiser if all duties of the office prescribed by general law
103 are transferred to another office. The amendment takes effect
104 January 8, 2019, if approved.

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106

107 **T I T L E A M E N D M E N T**

108 Remove everything before the resolving clause and insert:
109 A joint resolution proposing an amendment to Section 1 of
110 Article VIII and the creation of a new section in Article XII of
111 the State Constitution to remove authority for a county charter
112 to provide for choosing the supervisor of elections of Miami-
113 Dade County in a manner other than election, prohibit a special
114 law to provide for choosing a supervisor of elections in a
115 manner other than election, authorize the abolition of any
116 county office if its duties are transferred to another office by

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117 | special law approved by county voters, and remove authority for
118 | a county charter to transfer certain duties of the clerk of the
119 | circuit court to another officer.