

MEMORANDUM

Agenda Item No. 11(A)(8)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: March 16, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to pass Senate
Concurrent Resolution 1192,
House Concurrent Resolution
8003 or similar legislation
ratifying the Equal Rights
Amendment to the U.S.
Constitution

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(8)
3-16-10

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SENATE CONCURRENT RESOLUTION 1192, HOUSE CONCURRENT RESOLUTION 8003 OR SIMILAR LEGISLATION RATIFYING THE EQUAL RIGHTS AMENDMENT TO THE U.S. CONSTITUTION

WHEREAS, in 1923, three years after women won the right to vote, the Equal Rights Amendment to the U.S. Constitution was introduced in Congress; and

WHEREAS, on March 22, 1972, Congress sent the proposed Equal Rights Amendment to the states for ratification; and

WHEREAS, the Equal Rights Amendment states:

SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

SECTION 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

SECTION 3. This amendment shall take effect two years after the date of ratification; and

WHEREAS, Congress placed a deadline of June 30, 1982 on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Florida was not one of the states that ratified the Equal Rights Amendment before the deadline expired; and

WHEREAS, it is something of an open legal question whether Congress had the constitutional authority to place a deadline on the ratification process and effectively did so; and

WHEREAS, legislation has been filed for consideration during the 2010 regular session of the Florida Legislature that would ratify the Equal Rights Amendment, Senate Concurrent Resolution 1192 by Senator Arthenia Joyner and House Concurrent Resolution 8003 by Representative Evan Jenne; and

WHEREAS, the Miami-Dade Board of County Commissioners finds that the proposed Equal Rights Amendment is meaningful and needed as part of the U.S. Constitution and supports passage of the concurrent resolutions filed in the House and Senate during the 2010 session,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board:

Section 1. Urges the Florida legislature to pass Senate Concurrent Resolution 1192, House Concurrent Resolution 8003 or similar legislation ratifying the proposed Equal Rights Amendment to the U.S. Constitution.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation, Senator Arthenia Joyner and Representative Evan Jenne.

Section 3. Directs the County’s state lobbyists to advocate for the issue set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2010 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro
Carlos A. Gimenez
Barbara J. Jordan
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

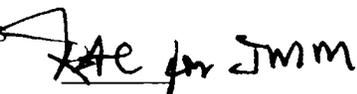
Audrey M. Edmonson
Sally A. Heyman
Joe A. Martinez
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of March, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency. 

Jess M. McCarty

5