

## **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

Resolution No. R-307-10

---

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

**DATE:** March 16, 2010

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

**SUBJECT:** Agenda Item No. 11(A)(8)

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. R-307-10

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 **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	<b>aye</b>	
	Jose "Pepe" Diaz, Vice-Chairman	<b>aye</b>	
Bruno A. Barreiro	<b>absent</b>	Audrey M. Edmonson	<b>aye</b>
Carlos A. Gimenez	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez	<b>absent</b>
Dorrin D. Rolle	<b>aye</b>	Natacha Seijas	<b>aye</b>
Katy Sorenson	<b>aye</b>	Rebeca Sosa	<b>aye</b>
Sen. Javier D. Souto	<b>absent</b>		

The Chairperson thereupon declared the resolution duly passed and adopted this 16<sup>th</sup> 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

*[Handwritten signature: JAE for JMM]*

Jess M. McCarty

*[Handwritten number: 5]*