



Local, Federal & Veterans Affairs Subcommittee

January 11, 2017
9:00 AM – 11:00 AM
12 HOB

Meeting Packet



The Florida House of Representatives

Government Accountability Committee

Local, Federal & Veteran Affairs Subcommittee

Richard Corcoran
Speaker

Scott Plakon
Chair

January 11, 2017

AGENDA

9:00 AM - 11:00 AM

12 HOB

- I. Call to Order / Roll Call
- II. Presentation by the Adjutant General of Florida, on the Florida National Guard and the Federal military presence in Florida
Major General Michael A. Calhoun, Adjutant General
- III. Overview of the local bill process
- IV. Overview of state oversight of local government
- V. Closing / Adjourn

Local, Federal & Veterans Affairs Subcommittee

The Local, Federal & Veterans Affairs Subcommittee considers matters related to Florida's local governments, Florida's veterans, the Florida National Guard, and the military. The subcommittee also addresses matters related to state/federal relations, and a variety of issues related to local government and has primary responsibility for the local bill process.

Eric H. Miller, Policy Chief

A member of The Florida Bar since 1984, Mr. Miller practiced law privately and in government agencies in various areas, including administrative, bankruptcy, civil, commercial, and constitutional law. He is Florida Bar Board Certified in State & Federal Government and Administrative Practice and also admitted to practice in all federal district courts in Florida. In addition to his legal degree, in 2012 Mr. Miller earned a Master's degree in history. He also has authored or co-written several published articles and lectured on homestead, administrative law, and bankruptcy issues.

From 2014 to 2016, Mr. Miller served as policy chief for the Local Government Affairs Subcommittee. During 2010 – 2014, he served as Attorney to the House Rulemaking Oversight & Repeal Subcommittee, working on numerous issues concerning rule ratification and revisions to the Administrative Procedure Act.

Victoria "Tori" Smith, Administrative Assistant

Tori Smith is the Administrative Assistant for this Subcommittee. A student seeking a degree in public policy, this is her first year with the House.

Jennifer Renner – Policy Analyst

Jennifer Renner originally is from Missouri and received a bachelor's degree in Journalism from William Woods University. She has worked for the House since 2005. Her experience includes analyzing policy concerning natural resources, military, and veterans affairs.

Tracy J. Banner, Ph.D. - Policy Analyst

Tracy Banner has 11 years of experience in public policy and budget, including positions with the Florida Department of Education, Governor's Office of Policy and Budget and the Florida Board of Governors. She is a graduate of Florida State University's Askew School of Public Administration and Policy. During graduate school, she interned with OPPAGA and the House. Ms. Banner joined the House in 2015.

Jonathan Darden, Attorney

Jonathan Darden has worked for the House since 2014, focusing on local government issues. He is a 2009 graduate of Emory University, having majored in economics, and a 2014 graduate of the Florida State University College of Law with a certificate in business law. During law school, he was a member of the Journal of Land Use and Environmental Law, Moot Court, President of the Student Federal Bar Association, and served as an intern with the Leon County Attorney's Office and the Second Judicial Circuit. He is also a former research intern at the Federal Reserve Bank of Atlanta.

Major General Michael A. Calhoun

The Adjutant General of Florida



Major General Michael A. Calhoun is assigned as The Adjutant General, Florida. As the Adjutant General, he is the senior military advisor to the Governor, responsible for the overall management, readiness, and mobilization of both U.S. Army and U.S. Air Force elements of the Florida National Guard.

He previously served as the Assistant Adjutant General-Army Element, with the additional duties of the Director of the Joint Staff (DJS), Joint Task Force Commander and Dual Status Commander, designee.

Following graduation from Florida A&M University, General Calhoun enlisted as a private into the Florida National Guard in August of 1977 and served for six years. After a six year break in service, he received a direct commission and appointment to 1st Lieutenant in the Medical Service Corps on 22 July, 1989. His follow-on assignments include Chief of Pharmacy Services, 131 MASH; Executive Officer, 131st MASH; Logistics Officer, 50th Area Support Group (ASG); Director, Host Nations Support, 50th ASG and Director, Support Operations 50th ASG. General Calhoun deployed with the 50th ASG in 2003 as Director of Host Nations support during Operation Iraqi Freedom and served as Deputy Commander, Task Force (FL), in Mississippi, during Hurricane Katrina.

General Calhoun commands include, Company A, 161st Area Support Medical Battalion; the 856th Quartermaster Battalion (Water); the 53rd Infantry Brigade's Special Troops Battalion; the 211th Regiment, Regional Training Institute (RTI-FL); the 50th Area Support Group and the 83rd Troop Command..

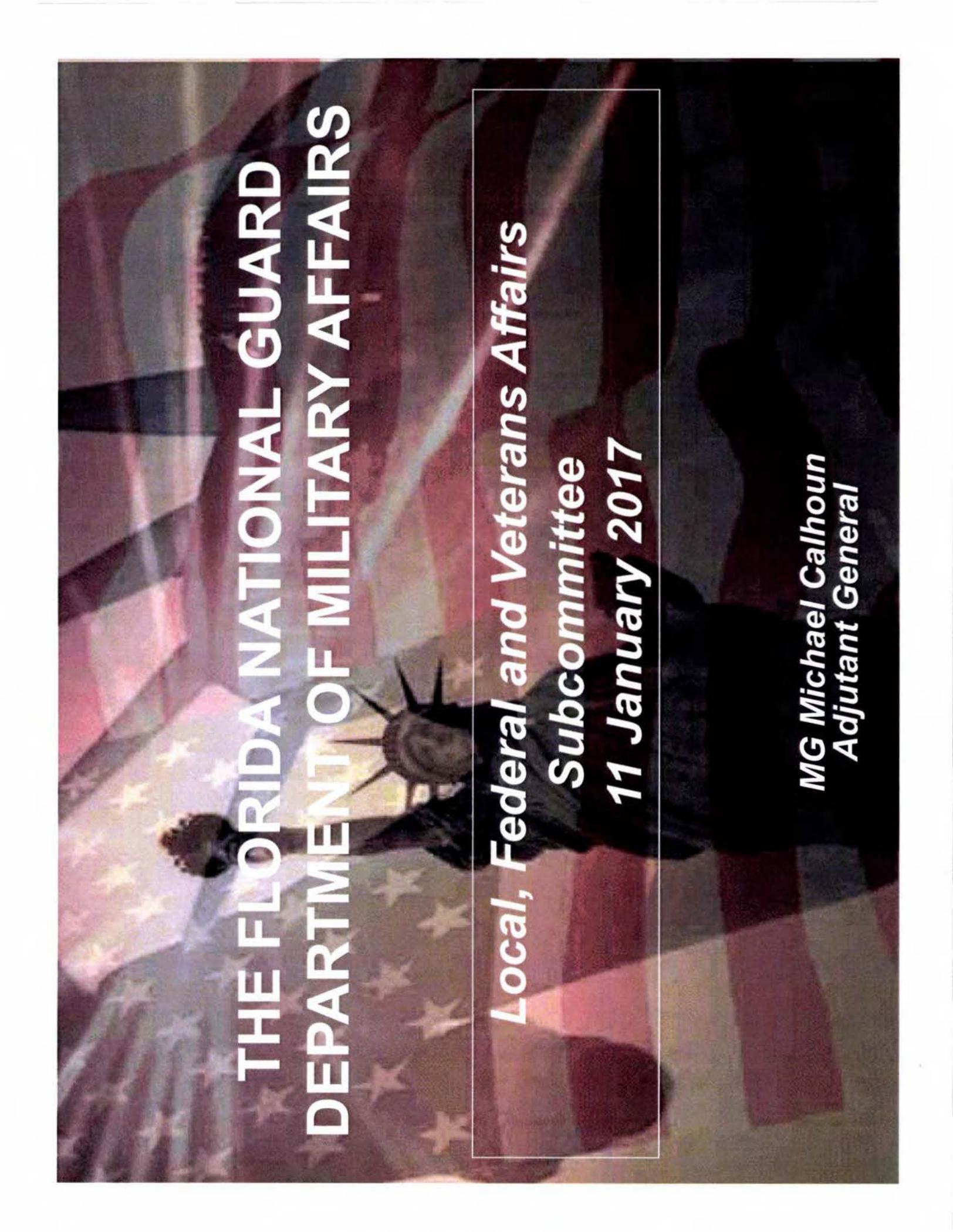
General Calhoun is a graduate of the Combat Casualty Care Course, the Army Medical Department (AMEDD) Officer Basic and Advance Course, AMEDD Pharmacy Specialty Orientation Course, the Support Operations Course, Command and General Staff Services School, Command and General Staff College, Quartermaster Officer Basic and Advance Course, CSS Pre-Command Course, Air Defense Artillery Officer Course, Joint Task Force Commanders Course, the Dual Status Commanders Program, the Army Strategic Leaders Development Program-B, Chairman Joint Chief of Staff's Level IV Antiterrorism Executive Training, the DSCA Executive Seminar, Harvard University's John F. Kennedy School of Government General and Flag Officer Homeland Security Executive Seminar, Syracuse University National Security Studies Management Course, and the

Army Senior Executive Education Program - Intermediate Course.

In addition to a Bachelor of Science Degree in Pharmacy from Florida A&M University, General Calhoun holds a Masters' Degree in Strategic Studies from the U.S. Army War College.

General Calhoun is a recipient of the Legion of Merit, Bronze Star Medal, the Humanitarian Service Medal, the Florida Cross, the Florida Distinguished Service Medal, the Alabama Commendation Medal, and the Mississippi State Emergency Medal. He is the Army National Guards' recipient of the DOD African American History Month Recognition Award for 2008, for his contributions to the Global War on Terrorism, and a recipient of the Ancient Order of Saint Barbara.

General Calhoun is a Registered Pharmacist, and licensed to practice pharmacy in Florida and New York. General Calhoun with his wife-Sophia, reside in St Augustine, Florida and they have one son, Evan.

The background of the slide features a stylized, artistic representation of the Statue of Liberty, with her crown and torch visible. The background is a dark, textured field with a faint, repeating pattern of the American flag's stars and stripes. The text is overlaid on this background.

**THE FLORIDA NATIONAL GUARD
DEPARTMENT OF MILITARY AFFAIRS**

***Local, Federal and Veterans Affairs
Subcommittee
11 January 2017***

***MG Michael Calhoun
Adjutant General***



Agenda



- **Mission and Organization**
- **Federal Role**
- **State Role**
- **Community Role**
- **Federal Military Installations in Florida**



Our Mission



Provide highly trained units and personnel to:

- ***Support national security objectives***
- ***Respond to emergencies and disasters***
- ***Support programs which add value to our state and nation***



DMA's Authority

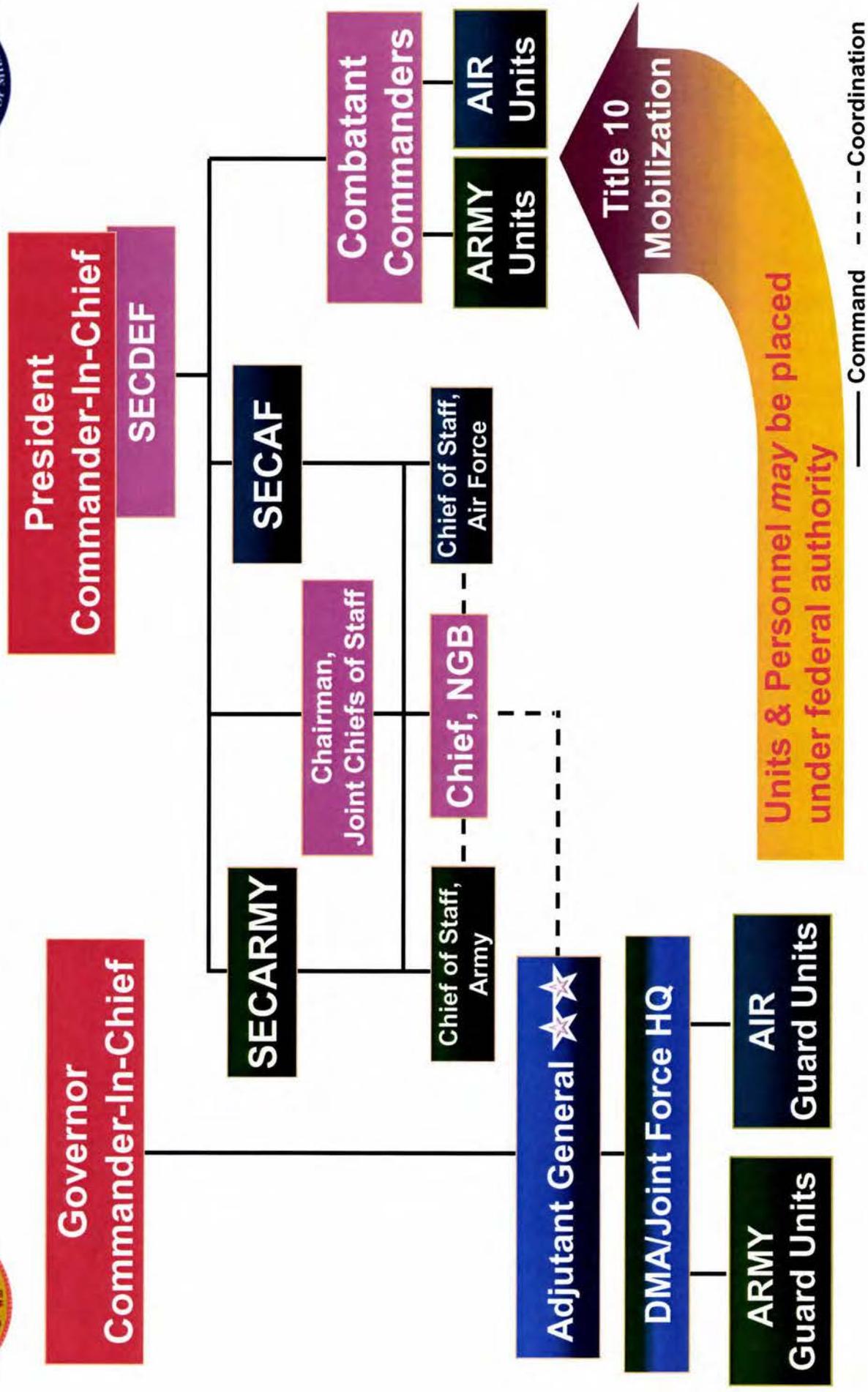


Established by Florida State Constitution Article X Section 2, The Florida Department of Military Affairs is governed by Chapter 250, Florida Statutes, which provides management oversight and administrative support to the Florida National Guard. Directly responsive to the Governor of Florida, the department operates within the policy guidance and fiscal framework of both federal and state authorities.



Chain of Command

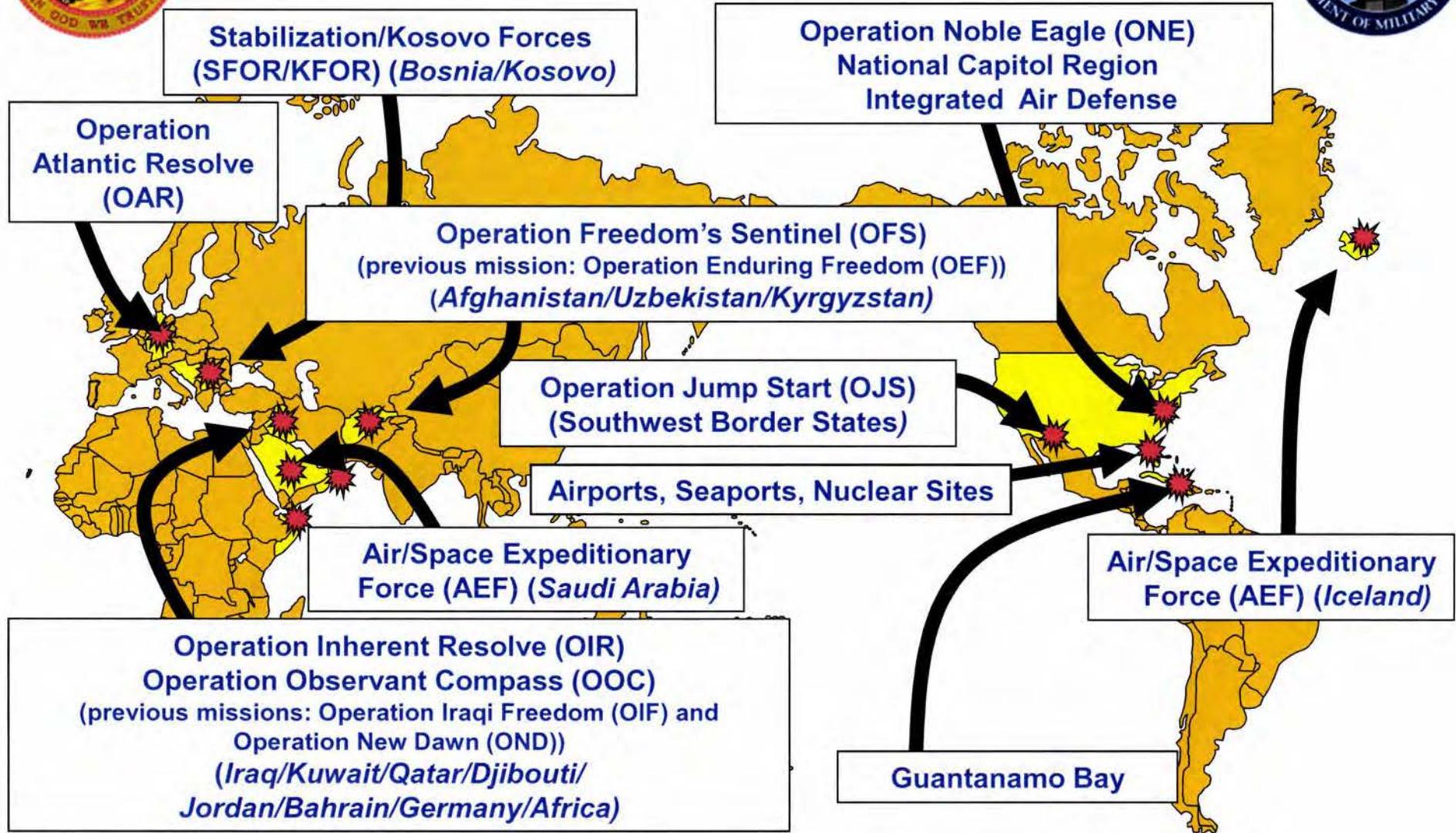
Normal



— Command - - - - Coordination



Support to Federal Authorities

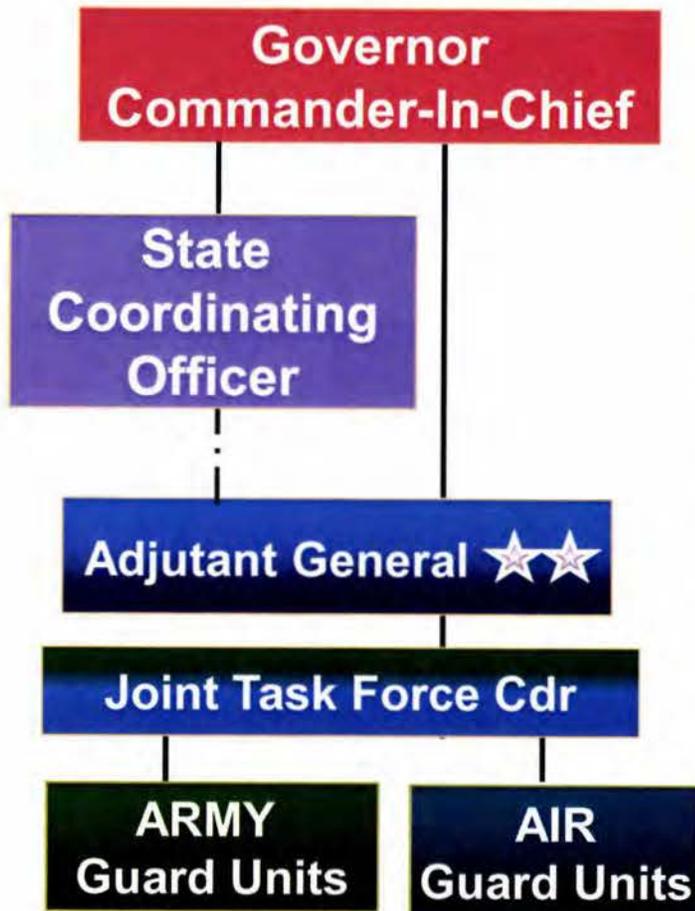


**1,364 Florida Guard Members Currently Mobilized
Over 19,800 Florida Guard Members Mobilized Since 9/11**



Chain of Command

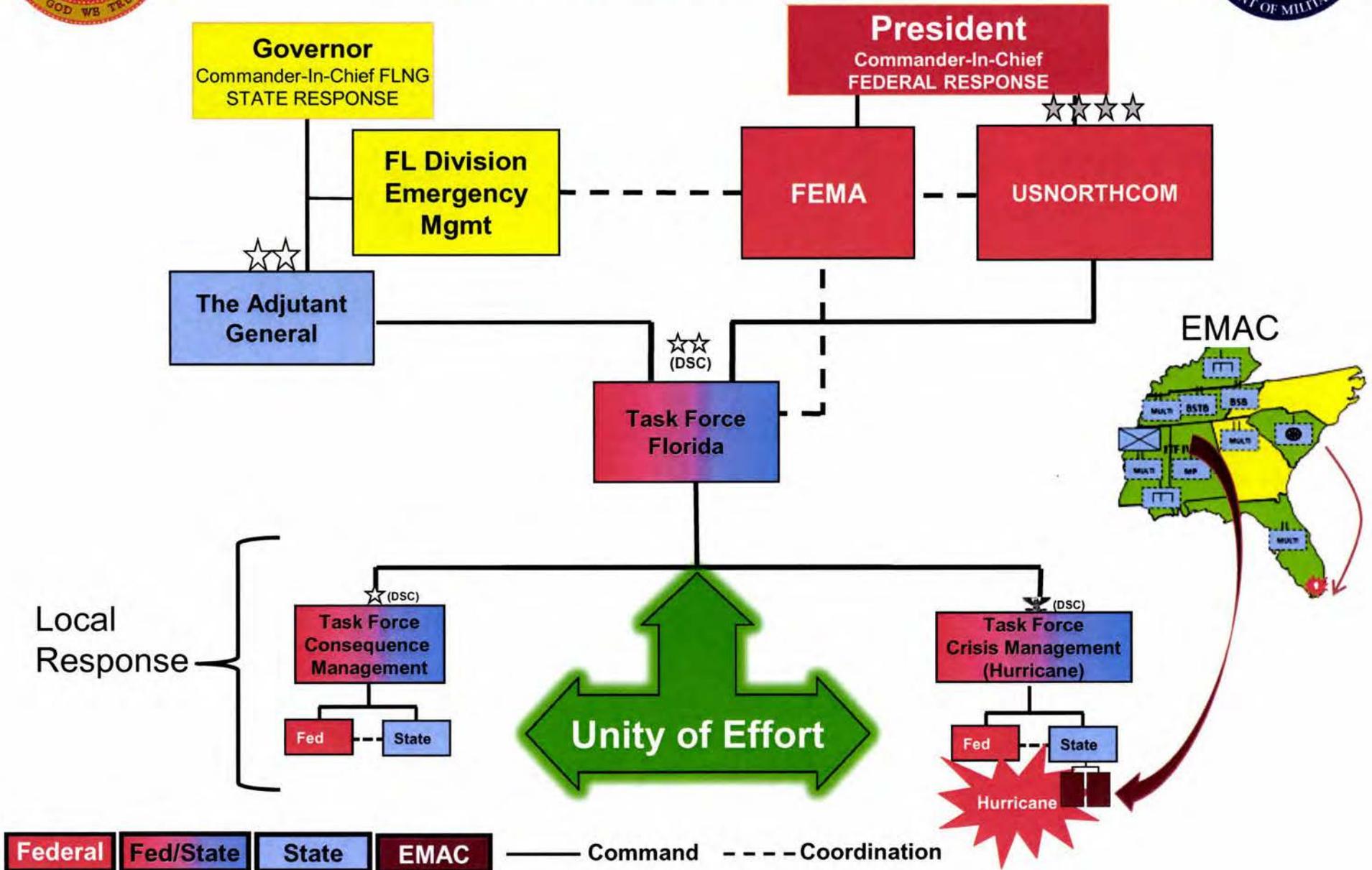
Emergency



- *Florida Statute § 250.06*
- **As the Commander of the Guard, the Governor:**
 - Declares an emergency through an Executive Order
 - Designates the “State Coordinating Officer”
 - Orders the Guard to State Active Duty for emergency aid
 - Initiates Emergency Management Assistance Compact with other Governors as required



Whole of Government Dual-Status Commander





Responding to Emergencies

Disaster Response Capabilities



Currently Available and Accessible

– Est. 6,000 Soldiers and Airmen

– Capabilities

Security

Transportation

Engineers

Aviation

Humanitarian

Liaisons

Fire Fighting

Search & Rescue

Evacuation

– 500 member quick reaction force

– Emergency Management Assistance Compact

Unparalleled Experience in Support to Civil Authorities

– Long-standing relationships with local, state and federal partners

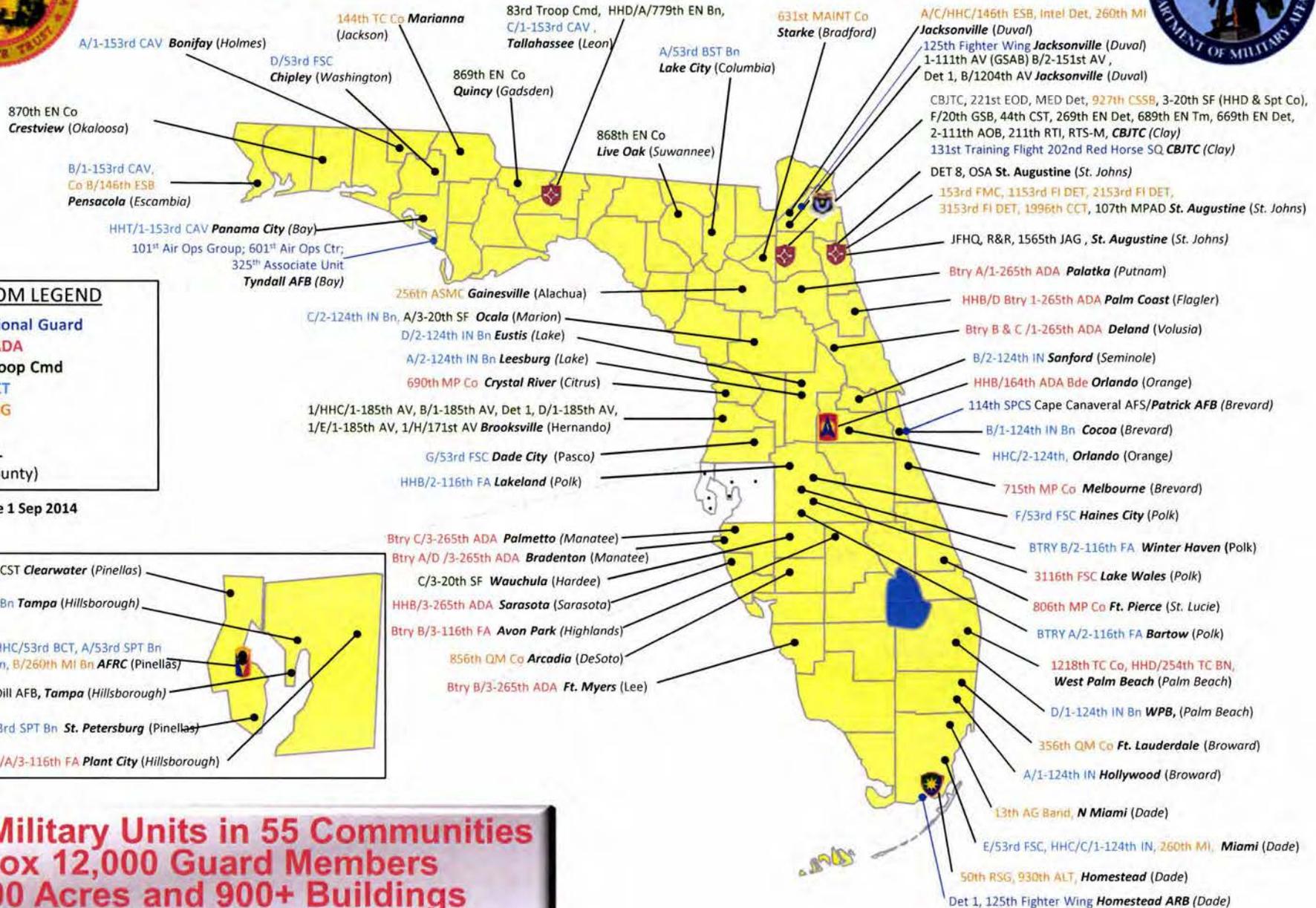
– Hurricanes, storms, floods, wildfires, tornadoes, mass evacuation

– Immigration Control – Haiti, Southwest Border





Florida National Guard Units





Camp Blanding Joint Training Center



Overview

- Identified as Regional Collective Training Capability (RCTC)
- One of eleven National Guard RCTC (27 in the total Army)
- “State-of-the Art” National Guard training site
- More than 150 training areas and live fire ranges
- Open on average 322 days a year for training
- Premier Unmanned Aerial System training location
- Component Services have utilized Camp Blanding Facilities and Equipment more than 1.3 million times over the last five years



Facilities

- Continuity of Government
- Continuity of Operations Site
- Joint Operations Training Facility
- World Class Regional Training Institute



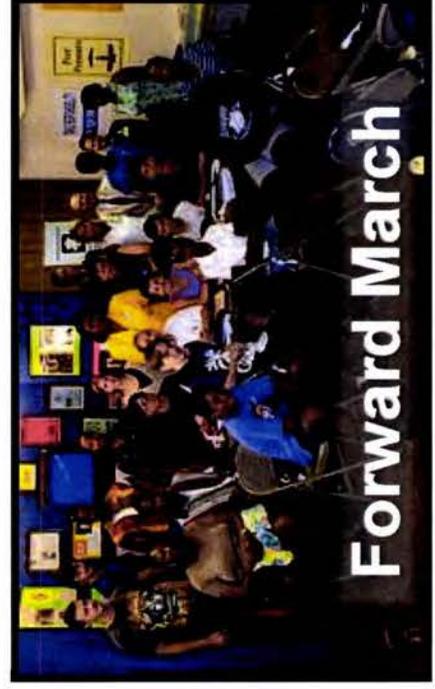
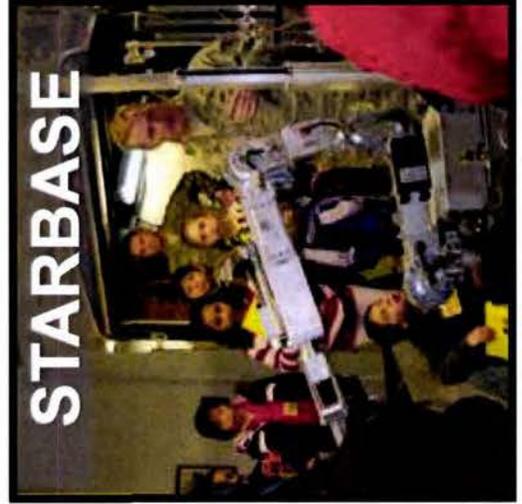
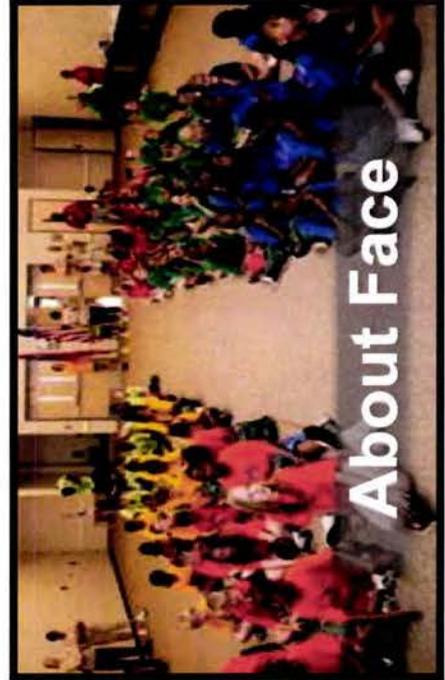
“State-of-the-art” Training Location for the Nation



Programs that Add Value Community Role

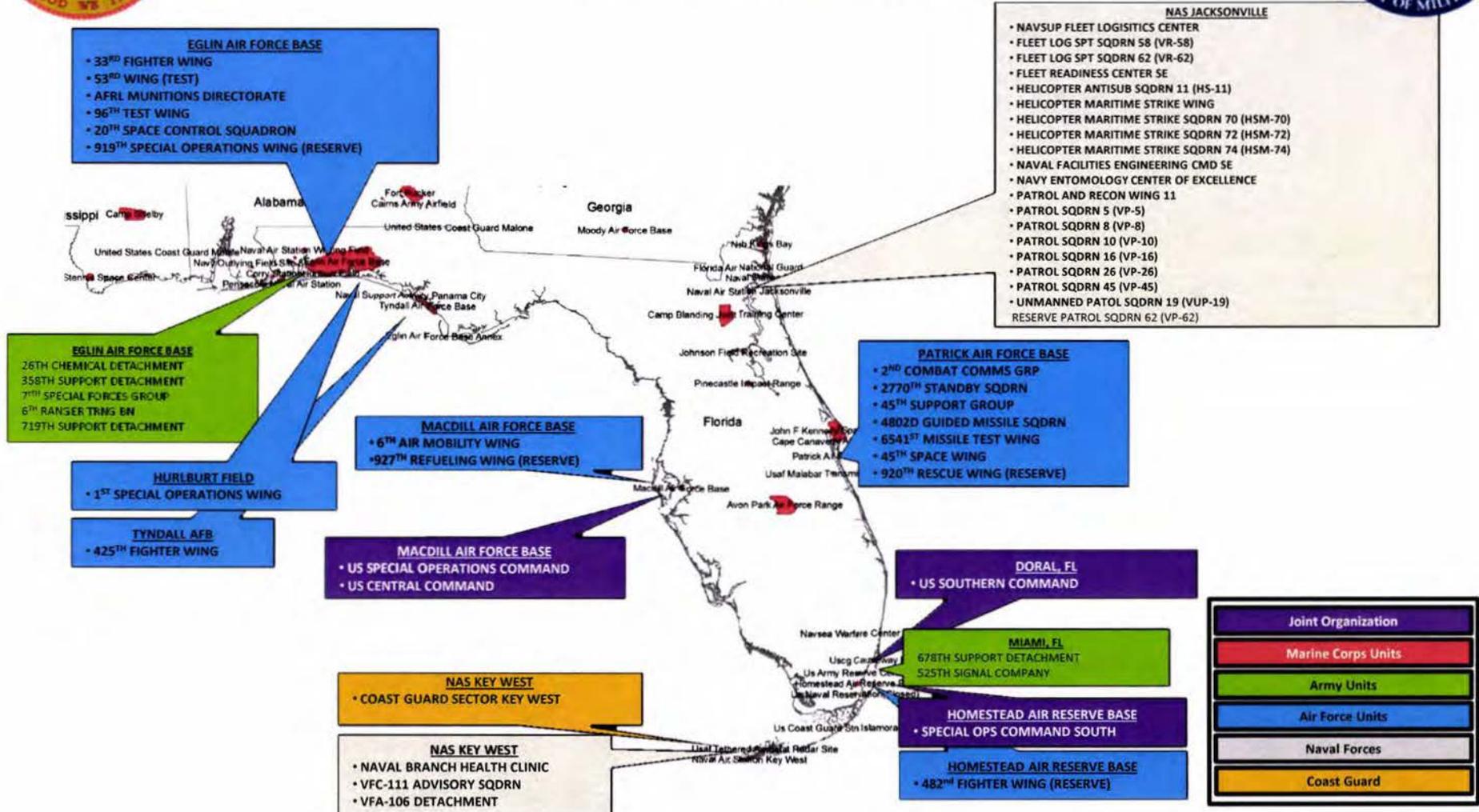


A Key Responsibility





Florida Military Bases Active Duty





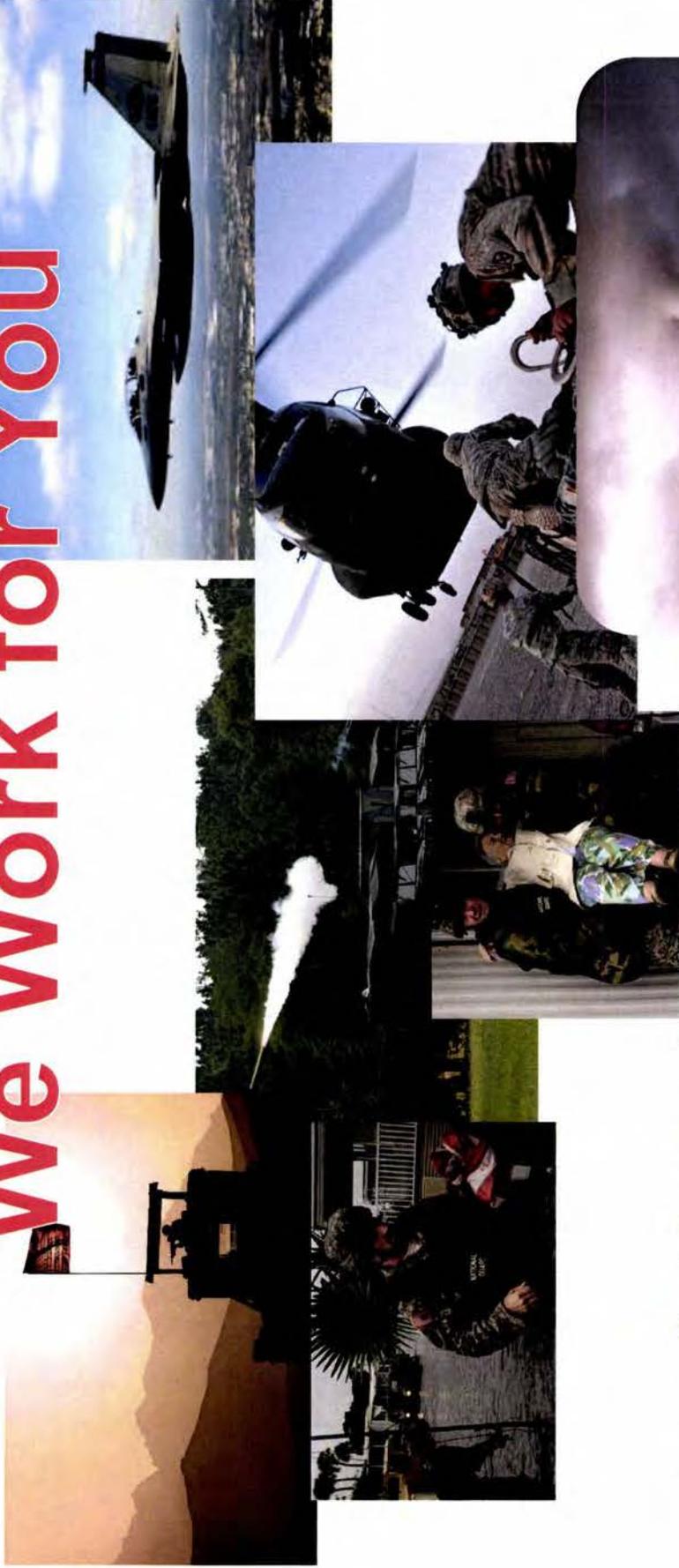
DMA's Vision Moving Forward



- ***Air National Guard – F-35***
- ***Youth ChalleNGe***
- ***Emergency Managers Course***



We Work for You



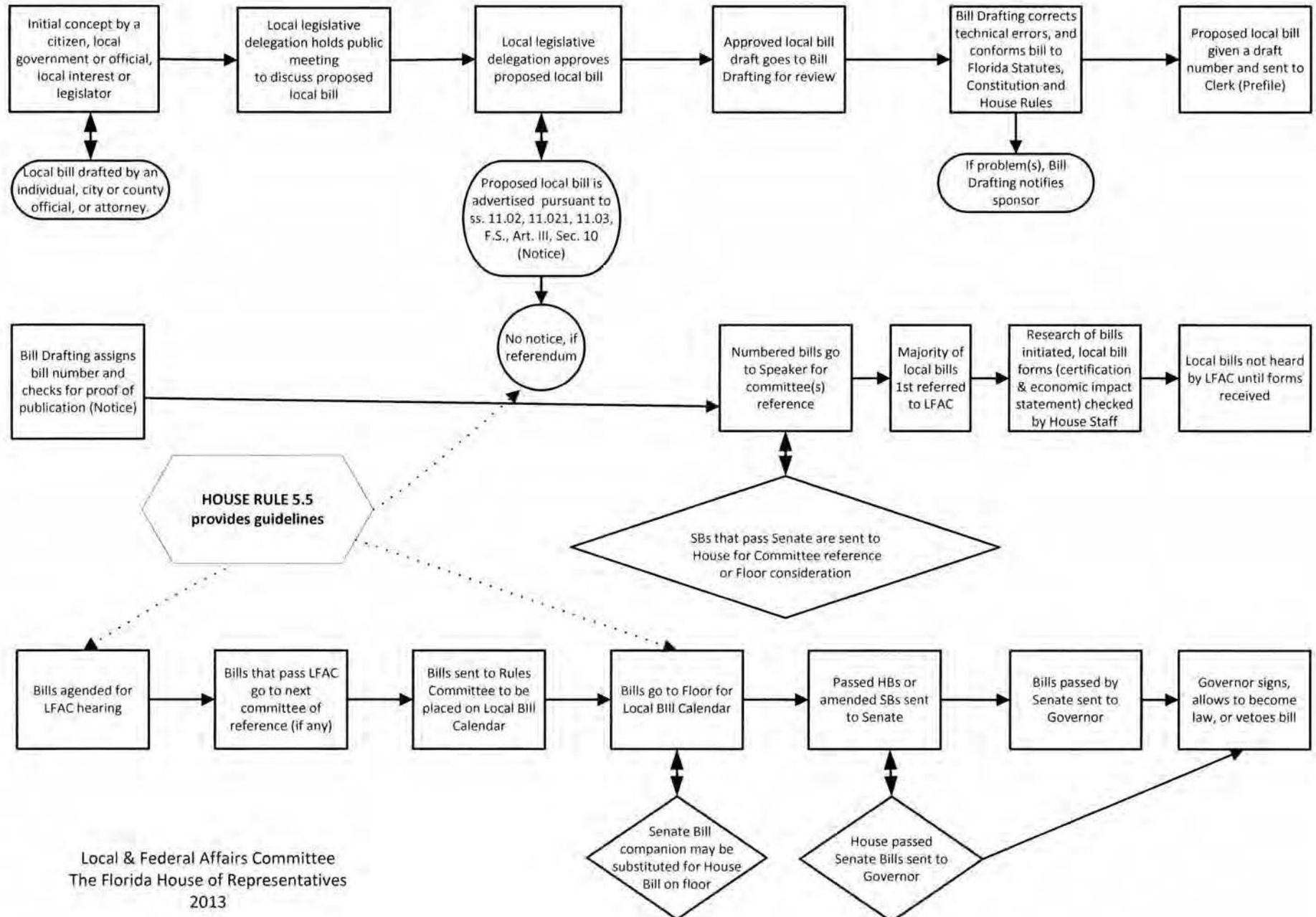
www.floridaguard.army.mil/news

<http://dma.myflorida.com>

www.twitter.com/flguard

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Local Bill Process Flow Chart



ARTICLE VIII
LOCAL GOVERNMENT

- SECTION 1. Counties.
SECTION 2. Municipalities.
SECTION 3. Consolidation.
SECTION 4. Transfer of powers.
SECTION 5. Local option.
SECTION 6. Schedule to Article VIII.

SECTION 1. Counties.—

- (a) **POLITICAL SUBDIVISIONS.** The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment or apportionment of the public debt.
- (b) **COUNTY FUNDS.** The care, custody and method of disbursing county funds shall be provided by general law.
- (c) **GOVERNMENT.** Pursuant to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.
- (d) **COUNTY OFFICERS.** There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office. When not otherwise provided by county charter or special law approved by vote of the electors, the clerk of the circuit court shall be ex officio clerk of the board of county commissioners, auditor, recorder and custodian of all county funds.
- (e) **COMMISSIONERS.** Except when otherwise provided by county charter, the governing body of each county shall be a board of county commissioners composed of five or seven members serving staggered terms of four years. After each decennial census the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable. One commissioner residing in each district shall be elected as provided by law.
- (f) **NON-CHARTER GOVERNMENT.** Counties not operating under county charters shall have such power of self-government as is provided by general or special law. The board of county commissioners of a county not operating under a charter may enact, in a manner prescribed by general law, county ordinances not inconsistent with general or special law, but an ordinance in conflict with a municipal ordinance shall not be effective within the municipality to the extent of such conflict.

(g) CHARTER GOVERNMENT. Counties operating under county charters shall have all powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors. The governing body of a county operating under a charter may enact county ordinances not inconsistent with general law. The charter shall provide which shall prevail in the event of conflict between county and municipal ordinances.

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

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

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

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

History.—Am. H.J.R. 1907, 1973; adopted 1974; Am. H.J.R. 452, 1984; adopted 1984; Am. H.J.R. 125, 1998; adopted 1998; Am. proposed by Constitution Revision Commission, Revision No. 8, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

SECTION 2. Municipalities.—

(a) ESTABLISHMENT. Municipalities may be established or abolished and their charters amended pursuant to general or special law. When any municipality is abolished, provision shall be made for the protection of its creditors.

(b) POWERS. Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. Each municipal legislative body shall be elective.

(c) ANNEXATION. Municipal annexation of unincorporated territory, merger of municipalities, and exercise of extra-territorial powers by municipalities shall be as provided by general or special law.

SECTION 3. Consolidation.—The government of a county and the government of one or more municipalities located therein may be consolidated into a single government which may exercise any and all powers of the county and the several municipalities. The consolidation plan may be proposed only by special law, which shall become effective if approved by vote of the electors of the county, or of the county and municipalities affected, as may be provided in the plan.

Consolidation shall not extend the territorial scope of taxation for the payment of pre-existing debt except to areas whose residents receive a benefit from the facility or service for which the indebtedness was incurred.

SECTION 4. Transfer of powers.—By law or by resolution of the governing bodies of each of the governments affected, any function or power of a county, municipality or special district may be transferred to or contracted to be performed by another county, municipality or special district, after approval by vote of the electors of the transferor and approval by vote of the electors of the transferee, or as otherwise provided by law.

SECTION 5. Local option.—

(a) Local option on the legality or prohibition of the sale of intoxicating liquors, wines or beers shall be preserved to each county. The status of a county with respect thereto shall be changed only by vote of the electors in a special election called upon the petition of twenty-five per cent of the electors of the county, and not sooner than two years after an earlier election on the same question. Where legal, the sale of intoxicating liquors, wines and beers shall be regulated by law.

(b) Each county shall have the authority to require a criminal history records check and a 3 to 5-day waiting period, excluding weekends and legal holidays, in connection with the sale of any firearm occurring within such county. For purposes of this subsection, the term "sale" means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access. Holders of a concealed weapons permit as prescribed by general law shall not be subject to the provisions of this subsection when purchasing a firearm.

History.—Am. proposed by Constitution Revision Commission, Revision No. 12, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

SECTION 6. Schedule to Article VIII.—

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

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

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

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

(e) **CONSOLIDATION AND HOME RULE.** Article VIII, Sections 19, 210, 311 and 424, of the Constitution of 1885, as amended, shall remain in full force and effect as to each county affected, as if this article had not been adopted, until that county shall expressly adopt a charter or home rule plan pursuant to this article. All provisions of the Metropolitan Dade County Home Rule Charter, heretofore or hereafter adopted by the electors of Dade County pursuant to 3Article VIII, Section 11, of the Constitution of 1885, as amended, shall be valid, and any amendments to such charter shall be valid; provided that the said provisions of such charter and the said amendments thereto are authorized under said 3Article VIII, Section 11, of the Constitution of 1885, as amended.

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

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

1Note.—Section 9 of Art. VIII of the Constitution of 1885, as amended, reads as follows:

SECTION 9. Legislative power over city of Jacksonville and Duval County.—The Legislature shall have power to establish, alter or abolish, a Municipal corporation to be known as the City of Jacksonville, extending territorially throughout the present limits of Duval County, in the place of any or all county, district, municipal and local governments, boards, bodies and officers, constitutional or statutory, legislative, executive, judicial, or administrative, and shall prescribe the jurisdiction, powers, duties and functions of such municipal corporation, its legislative, executive, judicial and administrative departments and its boards, bodies and officers; to divide the territory included in such municipality into subordinate districts, and to prescribe a just and reasonable system of taxation for such municipality and districts; and to fix the liability of such municipality and districts. Bonded and other indebtedness, existing at the time of the establishment of such municipality, shall be enforceable only against property theretofore taxable therefor. The Legislature shall, from time to time, determine what portion of said municipality is a rural area, and a homestead in such rural area shall not be limited as if in a city or town. Such municipality may exercise all the powers of a municipal corporation and shall also be recognized as one of the legal political divisions of the State with the duties and obligations of a county and shall be entitled to all the powers, rights and privileges, including representation in the State Legislature, which would accrue to it if it were a county. All property of Duval County and of the municipalities in said county shall vest in such municipal corporation when established as herein provided. The offices of Clerk of the Circuit Court and Sheriff shall not be abolished but the Legislature may prescribe the time when, and the method by which, such offices shall be filled and the compensation to be paid to such officers and may vest in them additional powers and duties. No county office shall be abolished or consolidated with another office without making provision for the performance of all State duties now or hereafter prescribed by law to be performed by such county officer. Nothing contained herein shall affect Section 20 of Article III of the Constitution of the State of Florida, except as to such provisions therein as relate to regulating the jurisdiction and duties of any class of officers, to summoning and impanelling grand and petit jurors, to assessing and

collecting taxes for county purposes and to regulating the fees and compensation of county officers. No law authorizing the establishing or abolishing of such Municipal corporation pursuant to this Section, shall become operative or effective until approved by a majority of the qualified electors participating in an election held in said County, but so long as such Municipal corporation exists under this Section the Legislature may amend or extend the law authorizing the same without referendum to the qualified voters unless the Legislative act providing for such amendment or extension shall provide for such referendum.

History.-Added, S.J.R. 113, 1933; adopted 1934.

2Note.—Section 10, Art. VIII of the Constitution of 1885, as amended, reads as follows:

SECTION 10. Legislative power over city of Key West and Monroe county.—The Legislature shall have power to establish, alter or abolish, a Municipal corporation to be known as the City of Key West, extending territorially throughout the present limits of Monroe County, in the place of any or all county, district, municipal and local governments, boards, bodies and officers, constitutional or statutory, legislative, executive, judicial, or administrative, and shall prescribe the jurisdiction, powers, duties and functions of such municipal corporation, its legislative, executive, judicial and administrative departments and its boards, bodies and officers; to divide the territory included in such municipality into subordinate districts, and to prescribe a just and reasonable system of taxation for such municipality and districts; and to fix the liability of such municipality and districts. Bonded and other indebtedness, existing at the time of the establishment of such municipality, shall be enforceable only against property theretofore taxable therefor. The Legislature shall, from time to time, determine what portion of said municipality is a rural area, and a homestead in such rural area shall not be limited as if in a city or town. Such municipality may exercise all the powers of a municipal corporation and shall also be recognized as one of the legal political divisions of the State with the duties and obligations of a county and shall be entitled to all the powers, rights and privileges, including representation in the State Legislature, which would accrue to it if it were a county. All property of Monroe County and of the municipality in said county shall vest in such municipal corporation when established as herein provided. The offices of Clerk of the Circuit Court and Sheriff shall not be abolished but the Legislature may prescribe the time when, and the method by which, such offices shall be filled and the compensation to be paid to such officers and may vest in them additional powers and duties. No county office shall be abolished or consolidated with another office without making provision for the performance of all State duties now or hereafter prescribed by law to be performed by such county officer. Nothing contained herein shall affect Section 20 of Article III of the Constitution of the State of Florida, except as to such provisions therein as relate to regulating the jurisdiction and duties of any class of officers, to summoning and impanelling grand and petit juries, to assessing and collecting taxes for county purposes and to regulating the fees and compensation of county officers. No law authorizing the establishing or abolishing of such Municipal corporation pursuant to this Section shall become operative or effective until approved by a majority of the qualified electors participating in an election held in said County, but so long as such Municipal corporation exists under this Section the Legislature may amend or extend the law authorizing the same without referendum to the qualified voters unless the Legislative Act providing for such amendment or extension shall provide for such referendum.

History.-Added, S.J.R. 429, 1935; adopted 1936.

3Note.—Section 11 of Art. VIII of the Constitution of 1885, as amended, reads as follows:

SECTION 11. Dade County, home rule charter.—(1) The electors of Dade County, Florida, are granted power to adopt, revise, and amend from time to time a home rule charter of government for Dade County, Florida, under which the Board of County Commissioners of Dade County shall be the governing body. This charter:

(a) Shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms and compensation of the commissioners, and their method of election.

(b) May grant full power and authority to the Board of County Commissioners of Dade County to pass ordinances relating to the affairs, property and government of Dade County and provide suitable penalties for the violation thereof; to levy and collect such taxes as may be authorized by general law and no other taxes, and to do everything necessary to carry on a central metropolitan government in Dade County.

(c) May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County, whether such governmental units are created by the Constitution or the Legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the Board of Public Instruction of Dade County.

(d) May provide a method by which any and all of the functions or powers of any municipal corporation or other governmental unit in Dade County may be transferred to the Board of County Commissioners of Dade County.

(e) May provide a method for establishing new municipal corporations, special taxing districts, and other governmental units in Dade County from time to time and provide for their government and prescribe their jurisdiction and powers.

(f) May abolish and may provide a method for abolishing from time to time all offices provided for by Article VIII, Section 6, of the Constitution or by the Legislature, except the Superintendent of Public Instruction and may provide for the consolidation and transfer of the functions of such offices, provided, however, that there shall be no power to abolish or impair the jurisdiction of the Circuit Court or to abolish any other court provided for by this Constitution or by general law, or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses against ordinances passed by the Board of County Commissioners of Dade County and none of the other courts provided for by this Constitution or by general law shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts, and provided further that if said home rule charter shall abolish any county office or offices as authorized herein, that said charter shall contain adequate provision for the carrying on of all functions of said office or offices as are now or may hereafter be prescribed by general law.

(g) Shall provide a method by which each municipal corporation in Dade County shall have the power to make, amend or repeal its own charter. Upon adoption of this home rule charter by the electors this method shall be exclusive and the Legislature shall have no power to amend or repeal the charter of any municipal corporation in Dade County.

(h) May change the name of Dade County.

(i) Shall provide a method for the recall of any commissioner and a method for initiative and referendum, including the initiation of and referendum on ordinances and the amendment or revision of the home rule charter, provided, however, that the power of the Governor and Senate relating to the suspension and removal of officers provided for in this Constitution shall not be impaired, but shall extend to all officers provided for in said home rule charter.

(2) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.

(3) This home rule charter shall be prepared by a Metropolitan Charter Board created by the Legislature and shall be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Until a home rule charter is adopted the Legislature may from time to time create additional Charter Boards to prepare charters to be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Such Charter, once adopted by the electors, may be amended only by the electors of Dade County and this charter shall provide a method for submitting future charter revisions and amendments to the electors of Dade County.

(4) The County Commission shall continue to receive its pro rata share of all revenues payable by the state from whatever source to the several counties and the state of Florida shall pay to the Commission all revenues which would have been paid to any municipality in Dade County which may be abolished by or in the method provided by this home rule charter; provided, however, the Commission shall reimburse the comptroller of Florida for the expense incurred if any, in the keeping of separate records to determine the amounts of money which would have been payable to any such municipality.

(5) Nothing in this section shall limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties in the state of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida, and the home rule charter provided for herein shall not conflict with any provision of this Constitution nor of any applicable general laws now applying to Dade County and any other one or more counties of the State of Florida except as expressly authorized in this section nor shall any ordinance enacted in pursuance to said home rule charter conflict with this Constitution or any such applicable general law except as expressly authorized herein, nor shall the charter of any municipality in Dade County conflict with this Constitution or any such applicable general law except as expressly authorized herein, provided however that said charter and said ordinances enacted in pursuance thereof may conflict with, modify or nullify any existing local, special or general law applicable only to Dade County.

(6) Nothing in this section shall be construed to limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties of the state of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida relating to county or municipal affairs and all such general laws shall apply to Dade County and to all municipalities therein to the same extent as if this section had not been adopted and such general laws shall supersede any part or portion of the home rule charter provided for herein in conflict therewith and shall supersede any provision of any ordinance enacted pursuant to said charter and in conflict therewith, and shall supersede any provision of any charter of any municipality in Dade County in conflict therewith.

(7) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the Railroad and Public Utilities Commission or of any other state agency, bureau or commission now or hereafter provided for in this Constitution or by general law and said state agencies, bureaus and commissions shall have the same powers in Dade County as shall be conferred upon them in regard to other counties.

(8) If any section, subsection, sentence, clause or provisions of this section is held invalid as violative of the provisions of Section 1 Article XVII of this Constitution the remainder of this section shall not be affected by such invalidity.

(9) It is declared to be the intent of the Legislature and of the electors of the State of Florida to provide by this section home rule for the people of Dade County in local affairs and this section shall be

liberally construed to carry out such purpose, and it is further declared to be the intent of the Legislature and of the electors of the State of Florida that the provisions of this Constitution and general laws which shall relate to Dade County and any other one or more counties of the State of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida enacted pursuant thereto by the Legislature shall be the supreme law in Dade County, Florida, except as expressly provided herein and this section shall be strictly construed to maintain such supremacy of this Constitution and of the Legislature in the enactment of general laws pursuant to this Constitution.

History.—Added, H.J.R. 858, 1941; adopted 1942; Am. S.J.R. 1046, 1955; adopted 1956.

4Note.—Section 24 of Art. VIII of the Constitution of 1885, as amended, reads as follows:

SECTION 24. Hillsborough County, home rule charter.—

(1) The electors of Hillsborough county are hereby granted the power to adopt a charter for a government which shall exercise any and all powers for county and municipal purposes which this constitution or the legislature, by general, special or local law, has conferred upon Hillsborough county or any municipality therein. Such government shall exercise these powers by the enactment of ordinances which relate to government of Hillsborough county and provide suitable penalties for the violation thereof. Such government shall have no power to create or abolish any municipality, except as otherwise provided herein.

(2) The method and manner by which the electors of Hillsborough county shall exercise this power shall be set forth in a charter for the government of Hillsborough county which charter shall be presented to said electors by any charter commission established by the legislature. The legislature may provide for the continuing existence of any charter commission or may establish a charter commission or commissions subsequent to any initial commission without regard to any election or elections held upon any charter or charters theretofore presented. A charter shall become effective only upon ratification by a majority of the electors of Hillsborough county voting in a general or special election as provided by law.

(3) The number, qualifications, terms of office and method of filling vacancies in the membership of any charter commission established pursuant to this section and the powers, functions and duties of any such commission shall be provided by law.

(4) A charter prepared by any commission established pursuant to this section shall provide that:

(a) The governments of the city of Tampa and the county of Hillsborough shall be consolidated, and the structure of the new local government shall include:

1. An executive branch, the chief officer of which shall be responsible for the administration of government.

2. An elected legislative branch, the election to membership, powers and duties of which shall be as provided by the charter.

3. A judicial branch, which shall only have jurisdiction in the enforcement of ordinances enacted by the legislative branch created by this section.

(b) Should the electors of the municipalities of Plant City or Temple Terrace wish to consolidate their governments with the government hereinabove created, they may do so by majority vote of the electors of said municipality voting in an election upon said issue.

(c) The creditors of any governmental unit consolidated or abolished under this section shall be protected. Bonded or other indebtedness existing at the effective date of any government established hereunder shall be enforceable only against the real and personal property theretofore taxable for such purposes.

(d) Such other provisions as might be required by law.

(5) The provisions of such charter and ordinances enacted pursuant thereto shall not conflict with any provision of this constitution nor with general, special or local laws now or hereafter applying to Hillsborough county.

(6) The government established hereunder shall be recognized as a county, that is one of the legal political subdivisions of the state with the powers, rights, privileges, duties and obligations of a county, and may also exercise all the powers of a municipality. Said government shall have the right to sue and be sued.

(7) Any government established hereunder shall be entitled to receive from the state of Florida or from the United States or from any other agency, public or private, funds and revenues to which a county is, or may hereafter be entitled, and also all funds and revenues to which an incorporated municipality is or may hereafter be entitled, and to receive the same without diminution or loss by reason of any such government as may be established. Nothing herein contained shall preclude such government as may be established hereunder from receiving all funds and revenues from whatever source now received, or hereinafter received provided by law.

(8) The board of county commissioners of Hillsborough county shall be abolished when the functions, duties, powers and responsibilities of said board shall be transferred in the manner to be provided by the charter to the government established pursuant to this section. No other office provided for by this constitution shall be abolished by or pursuant to this section.

(9) This section shall not restrict or limit the legislature in the enactment of general, special or local laws as otherwise provided in this constitution.

History. -Added, C.S. for H.J.R. 1987, 1965; adopted 1966.