

RESOLUTION 17-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA, URGING MEMBERS OF THE FLORIDA CONSTITUTIONAL REVISION COMMISSION TO PLACE PROPOSAL 61, WHICH AMENDS THE FLORIDA CONSTITUTION TO CREATE A HIGH BAR THAT THE FLORIDA STATE LEGISLATURE MUST EXCEED TO PREEMPT LOCAL REGULATIONS, ON THE BALLOT IN 2018 FOR CONSIDERATION BY ALL THE VOTERS OF THE STATE OF FLORIDA; AUTHORIZING TRANSMISSION OF THE RESOLUTION TO THE FLORIDA CONSTITUTIONAL REVISION COMMISSION, THE INDIAN RIVER COUNTY LEGISLATIVE DELEGATION, THE FLORIDA LEAGUE OF CITIES, AND OTHER INTERESTED PARTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1968 Florida voters amended the State Constitution conferring broad Home Rule powers to counties and municipalities, authorizing local officials to pass local ordinances and exercise all powers not specifically prohibited by law; and

WHEREAS, the Town's residents through their duly elected Town Council believe that it is proper for the Town to determine the appropriate regulations governing the Town for truly local matters; and

WHEREAS, the Constitutional Revision Commission Proposal 61 to amend the Home Rule provision of the Florida State Constitution sets an appropriate high bar that the Florida State Legislature must exceed to preempt local home rule by: requiring justification for a local rule preemption; requiring a two-thirds affirmative vote by each House of the Florida Legislature to pass such a preemption; and creating transparency by requiring only one preemption per bill and 48-hours of public notice to allow local leaders and all Floridians to review any proposed bills that could restrict the rights and freedoms of local communities; and

WHEREAS, the Town Council of Indian River Shores believes that supporting the Constitutional Revision Commission's Proposal 61 is in the best interest of Town residents.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA urges the members of the Florida Constitutional Revision Commission to take the appropriate steps to place Proposal 61 to amend the Florida State Constitution on the ballot for consideration by the voters of the State of Florida in 2018.

FURTHERMORE, the Town Council of the Town of Indian River Shores directs the transmission of this Resolution to the Florida Constitutional Revision Commission, the Indian River County delegation of the Florida Legislature, the Florida League of Cities and to other interested parties.

This Resolution 17-11 was introduced and approved by the Town Council of the Town of Indian River Shores, Florida, on the 14th day of December, 2017.

/s _____
Brian M. Barefoot, Mayor

ATTEST:

/s _____
Laura Aldrich, Town Clerk

(SEAL)