MEMORANDUM

COSHAC
Substitute to
Agenda Item No. 2(A)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 13, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution requesting the Florida Legislature to amend State Constitution to grant right to vote to former felons who have completed their sentences

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson and Commissioner Barbara J. Jordan.

This substitute differs from the original in that it references Senate Bill 1190 introduced by Sen. Frederica Wilson and currently pending in the Florida Legislature.

Robert A. Ginsburg
County Attorney

RAG/bw

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: May 3, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
5-3-05

RESOLUTION NO. _____

RESOLUTION REQUESTING FLORIDA LEGISLATURE TO PLACE A CONSTITUTIONAL AMENDMENT ON THE BALLOT TO GRANT THE RIGHT TO VOTE TO FORMER FELONS WHO HAVE COMPLETED THEIR SENTENCES AND WHO WOULD OTHERWISE BE ELIGIBLE TO VOTE UNDER THE LAWS OF THE STATE OF FLORIDA; DIRECTING THE CLERK OF THE BOARD TO SEND CERTIFIED COPIES OF THIS RESOLUTION TO THE GOVERNOR, CABINET, AND MEMBERS OF THE FLORIDA LEGISLATURE

WHEREAS, persons convicted as felons who have not had their civil rights restored are ineligible to vote under the laws of the State of Florida; and

WHEREAS, the State of Florida's disenfranchisement of felons has a disparate impact on African Americans and Hispanics; and

WHEREAS, currently pending in the Florida Legislature is Senate Bill 1190, which would allow voters to decide on a constitutional amendment that would automatically restore ex-felons' voting rights; and

WHEREAS, this Board believes that persons who have been convicted of felonies but have completed their sentences should be permitted to participate in civic activities, including the choosing of their elected representatives,

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

Section 1. This Board requests the Florida Legislature place a constitutional amendment on the next statewide ballot granting the right to vote to former felons who have completed their sentences and who are otherwise eligible to vote under the laws of the State of Florida.

Section 2. The Clerk of this Board is hereby directed to send a certified copy of this resolution to the Governor, Cabinet, and members of the Florida Legislature.

Section 3. This Board directs the County's state lobbyists to advocate for the passage of the legislation set forth in section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the state legislative package.

The foregoing resolution was sponsored by Commissioner Katy Sorenson and Commissioner Barbara J. Jordan and 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:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of May, 2005. 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

Approved by County Attorney as
to form and legal sufficiency.

By:_____
Deputy Clerk

Jeffrey P. Ehrlich