

MEMORANDUM

Agenda Item No. 14(A)(15)

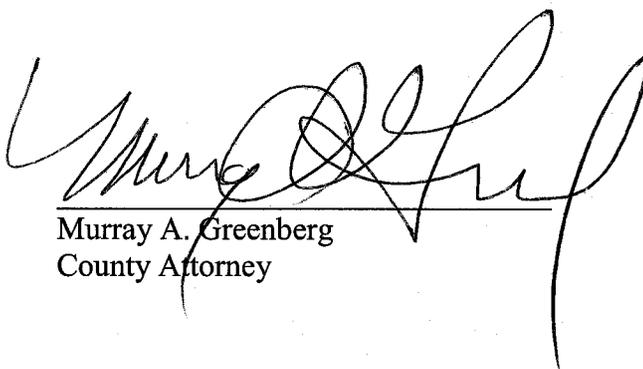
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 19, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution urging the
Governor-Elect to issue
an executive order restoring
civil rights to convicted
felons who have completed
their sentences

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson, Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Commissioner Dennis C. Moss.



Murray A. Greenberg
County Attorney

MAG/bw

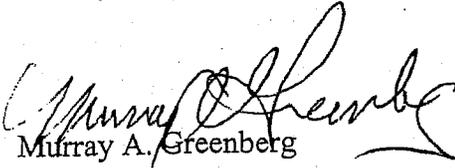


MEMORANDUM

(Revised)

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

DATE: December 19, 2006

FROM: 
Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 14(A)(15)

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**

2

Approved _____ Mayor

Agenda Item No. 14(A)(15)

Veto _____

12-19-06

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE GOVERNOR-ELECT PROMPTLY UPON TAKING OFFICE TO ISSUE AN EXECUTIVE ORDER AUTOMATICALLY RESTORING CIVIL RIGHTS, INCLUDING THE RIGHT TO VOTE, TO CONVICTED FELONS WHO HAVE COMPLETED THEIR SENTENCES; AND FURTHER URGING THE FLORIDA LEGISLATURE TO PLACE A CONSTITUTIONAL AMENDMENT ON THE STATEWIDE BALLOT REMOVING THE BAN ON FELONS VOTING WHO HAVE NOT HAD THEIR CIVIL RIGHTS RESTORED

WHEREAS, the Florida Constitution currently bans citizens with a felony conviction who have not had their civil rights restored from voting; and

WHEREAS, Florida is one of only three states in the U.S. that bans citizens with a felony conviction from being able to vote after they have completed their sentences; and

WHEREAS, this ban is a 170 year old law that dates back to the Jim Crow era; and

WHEREAS, it is estimated that more than 700,000 Floridians with a felony conviction cannot vote despite have completed their sentences; and

WHEREAS, joint resolutions and bills have been filed over the last several years in the Florida Legislature through the leadership of Senator Frederica Wilson of the Miami-Dade Delegation and others that would automatically restore the right to vote to citizens with a felony conviction who have completed their sentences, but these joint resolutions and bills have not passed; and

WHEREAS, the Governor-Elect indicated during the fall campaign that he would issue an executive order automatically restoring the civil rights, including the right to vote, to citizens with a felony conviction who have completed their sentences; and

WHEREAS, this Board believes that citizens who have been convicted of felonies and who have completed their sentences should be permitted to participate in civic activities, including the right to choose their elected representatives,

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

Section 1. Urges the Governor-Elect promptly upon taking office to issue an executive order automatically restoring civil rights, including the right to vote, to citizens with a felony conviction who have completed their sentences.

Section 2. Urges the Florida Legislature to place a constitutional amendment on the next statewide ballot removing the voting ban on citizens with a felony conviction who have completed their sentences and who are otherwise eligible to vote under the laws of the State of Florida.

Section 3. Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, the Governor-Elect, Senate President, House Speaker, and Chair and members of the Miami-Dade State Legislative Delegation.

Section 4. This Board directs the County's state lobbyists to advocate for the passage of the legislation and action set forth in sections 1 and 2 above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Katy Sorenson, Commissioner Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Commissioner Dennis C. Moss 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 | Jose "Pepe" Diaz |
| Audrey M. Edmonson | Carlos A. Gimenez |
| Sally A. Heyman | Barbara J. Jordan |
| Dorin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of December, 2006. 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.

JMM

Jess M. McCarty

By: _____
Deputy Clerk