

MEMORANDUM

Agenda Item No. 11(A)(32)

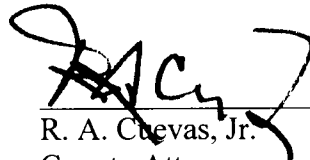
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 10, 2010

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

SUBJECT: Resolution urging the Florida
Legislature to provide counties
additional flexibility related to
early voting & county elections
that do not involve state or
federal offices or issues so as to
allow counties to provide only
one week of early voting rather
than two weeks for such
elections

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners **DATE:** September 10, 2010

FROM: R. A. Cuevas, Jr. **SUBJECT:** Agenda Item No. 11(A)(32)
County Attorney

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)(32)
9-10-10

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROVIDE COUNTIES ADDITIONAL FLEXIBILITY RELATED TO EARLY VOTING AND COUNTY ELECTIONS THAT DO NOT INVOLVE STATE OR FEDERAL OFFICES OR ISSUES SO AS TO ALLOW COUNTIES TO PROVIDE ONLY ONE WEEK OF EARLY VOTING RATHER THAN TWO WEEKS FOR SUCH ELECTIONS

WHEREAS, early voting has become a popular way for citizens to exercise their right to vote; and

WHEREAS, early voting is extensively regulated by state statute that limits the timeframe and hours when, and sites where early voting can occur; and

WHEREAS, for most elections, state statute requires two weeks of early voting, beginning on the 15th day before an election and ending on the second day before an election; and

WHEREAS, the only exceptions to the requirement that there be two weeks of early voting is municipal elections not held in conjunction with state or county elections where municipalities may opt out; and

WHEREAS, unlike municipal elections, state statute does not provide an exception for county elections that are not held in conjunction with state or federal elections; and

WHEREAS, this is an issue with which only a few counties in the State of Florida must contend as a result of not benefiting from a consolidated elections calendar; and

WHEREAS, every county election that is not held in conjunction with a state or federal election must include two full weeks of early voting at significant cost to the taxpayers; and

WHEREAS, turnout at such elections is often low, with few voters using early voting sites during these elections resulting in an expensive and inefficient use of government resources; and

WHEREAS, the Florida Legislature should provide counties flexibility similar to cities related to early voting for county elections not held in conjunction with state or federal elections, so as to allow counties to provide only one week of early voting rather than two weeks for such elections,

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

Section 1. Urges the Florida Legislature to provide more flexibility related to early voting and countywide elections that do involve state or federal offices or issues, so as to allow counties to provide only one week of early voting rather than two weeks for such elections.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro
Carlos A. Gimenez
Barbara J. Jordan
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Audrey M. Edmonson
Sally A. Heyman
Joe A. Martinez
Natacha Seijas
Rebeca Sosa

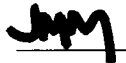
The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of September, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty