

MEMORANDUM

Agenda Item No. 11(A)(5)

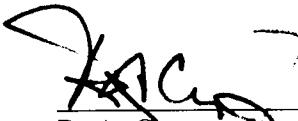
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: September 20, 2011

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

SUBJECT: Resolution urging the Florida
Legislature not to pass state
legislation related to
immigration, while supporting
comprehensive immigration
reform at the federal level

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

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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

Agenda Item No. 11(A)(5)

Veto _____

9-20-2011

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE NOT TO PASS STATE LEGISLATION RELATED TO IMMIGRATION, WHILE SUPPORTING COMPREHENSIVE IMMIGRATION REFORM AT THE FEDERAL LEVEL

WHEREAS, Miami-Dade County has the most diverse population in the State of Florida, and one of the most diverse populations in the U.S.; and

WHEREAS, 65 percent of the residents of Miami-Dade County are Hispanic or Latino; and

WHEREAS, of the non-Hispanic population, 17 percent are White and 17 percent are African American or Black with a significant part being of Caribbean descent; and

WHEREAS, approximately one-half of the people living in Miami-Dade County were born in another country, with the most common countries of origin being Cuba, Nicaragua, Colombia, Haiti, Venezuela, Dominican Republic and Jamaica; and

WHEREAS, among people at least five years old living in Miami-Dade County in 2010, 71 percent spoke a language other than English at home, with 88 percent speaking Spanish and 12 percent speaking some other language; and

WHEREAS, the issue of immigration is an important one to the residents of Miami-Dade County, and protecting the people of Miami-Dade County from unnecessary and unwarranted requests for immigration documents is of paramount importance; and

WHEREAS, during its 2010 session, the Arizona Legislature passed an immigration bill, Senate Bill 1070 as amended by HB 2162 (“SB 1070”); and

WHEREAS, while the final version of SB 1070 did include language prohibiting racial profiling, it nonetheless requires immigrants to carry with them documents verifying their

immigration status and also requires police officers to determine immigration status during any lawful stop, detention or arrest if there is reasonable suspicion that the person is in the country illegally; and

WHEREAS, one report estimated that Arizona's passage of SB 1070 triggered financial implications that included the loss of \$217 million in direct spending by convention attendees and tourists, along with an additional \$535.4 million in lost tax revenues, economic output and earnings; and

WHEREAS, a federal judge in Arizona eventually blocked the most controversial parts of SB 1070 from taking effect, including provisions of the law that required immigrants to carry alien registration documentation with them; and

WHEREAS, during the 2011 session, the Florida Legislature considered Senate and House bills related to immigration; and

WHEREAS, the Senate's bill, SB 2040, would have required immigration checks of inmates and also would have required employers to use the federal e-verify system to verify employees immigration status; and

WHEREAS, the House's bill, HB 7189, would have provided for immigration checks when a person is under a criminal investigation and there is reasonable suspicion that the person is an illegal immigrant; and

WHEREAS, a diverse group of business associations, faith-based groups, labor and civil rights organizations and immigrant groups opposed the Florida Legislature passing immigration legislation; and

WHEREAS, after contentious debate on the Senate floor, no immigration bill passed the Florida Legislature during the 2011 session; and

WHEREAS, Governor Rick Scott has expressed his support for state legislation addressing illegal immigration during the 2012 session, and some members of the Florida

Legislature have indicated their intention to file illegal immigration bills for consideration during the 2012 session; and

WHEREAS, passage of an immigration bill in Florida could lead to racial profiling and could adversely impact Florida's economy; and

WHEREAS, a Florida immigration law may deter international tourists from traveling to Florida, hurting a key sector of the Florida economy, and Miami-Dade County's economy in particular; and

WHEREAS, the e-verify aspects of the immigration bills considered during the 2011 session would place additional burdens on Florida businesses to determine immigration status; and

WHEREAS, immigration is a federal responsibility that should be left in the hands of the federal government to address,

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 not to pass state legislation related to immigration, while supporting comprehensive immigration reform by the federal government that includes better securing the national borders.

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

Section 3. Directs the County's state lobbyists to advocate against passage of the state legislation identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2012 Federal and State Legislative Packages.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Audrey M. Edmonson. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day September, 2011. 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