

MEMORANDUM

Agenda Item No. 11(A)(20)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

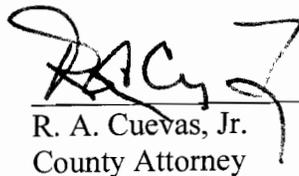
DATE: March 3, 2009

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

SUBJECT: Resolution urging the Florida
Legislature not to cut children's
related programs such as
education, health care, social
services and the like

Resolution No. R-241-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dorrin D. Rolle, and Co-Sponsors Commissioner Audrey M. Edmonson, Commissioner Barbara J. Jordan, Commissioner Joe A. Martinez, and Commissioner Katy Sorenson.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** March 3, 2009
and Members, Board of County Commissioners

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

SUBJECT: Agenda Item No. 11(A)(20)

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 Mayor'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. 11(A) (20)
3-3-09

RESOLUTION NO. R-241-09

RESOLUTION URGING THE FLORIDA LEGISLATURE NOT TO MAKE FURTHER CUTS TO PROGRAMS FOR CHILDREN SUCH AS EDUCATION, CHILDREN'S HEALTH CARE, CHILDREN'S SOCIAL SERVICES, AND AFFORDABLE HOUSING, AND URGES THE LEGISLATURE INSTEAD TO ENACT TARGETED NEW REVENUE SOURCES DURING THE UPCOMING 2009 REGULAR SESSION

WHEREAS, the Florida Legislature recently concluded a special session in which \$2.3 billion in budget cuts were made to the state budget, including:

1. An approximately \$500 million budget cut to education;
2. A \$700 million diversion of funds from the Lawton Chiles Endowment, an endowment that provided critical funding for services to children;
3. A \$190 million fund diversion from affordable housing trust funds, which in many cases provide housing to low income families with children;
4. A 6.2 percent budget cut to state agencies, some of which provide a safety net of services to children in the areas of health care and human services;
and

WHEREAS, new revenue sources were not included in the Call for the recent Special Session, as such, the \$2.3 billion budget gap was closed entirely by making state budget cuts and diverting trust fund revenues; and

WHEREAS, in addition to the \$2.3 billion budget gap recently closed, current state revenue projections point toward another \$3 to \$4 billion budget gap for state fiscal year 2009-2010, which the Legislature is slated to address in the regular session that begins March 3;
and

WHEREAS, education, health care and human services programs make up approximately two of every three dollars in the state budget, meaning that if new revenue sources are not considered during the upcoming regular session, it will be necessary to make additional, drastic cuts to education, health care, human services and affordable housing programs, all of which will disproportionately affect children; and

WHEREAS, Florida currently has the fourth lowest cigarette tax in the U.S, with only Kentucky, Missouri and Mississippi having lower cigarette taxes, and tobacco-producing states, such as Virginia and North Carolina, having higher cigarette taxes than Florida when local options surtaxes are included; and

WHEREAS, the state Revenue Estimating Conference projects that raising Florida's cigarette tax to \$1 a pack would raise between \$700 million and \$1 billion annually, which would have entirely covered the funds diverted from the Lawton Chiles Endowment; and

WHEREAS, the state Revenue Estimating Conference also projects that better enforcement of existing sales tax laws on internet and catalog sales would generate an additional \$1 to \$3 billion annually; and

WHEREAS, closing existing sales tax exemptions and corporate tax loopholes could generate substantial additional revenue; and

WHEREAS, Florida is one of only three states in the U.S., for example, that exempts bottled water from sales tax, and closing Florida's sales tax exemption on bottled water would generate an estimated \$42.3 million annually; and

WHEREAS, the Legislature should look to new revenue sources to close the projected \$3 to \$4 billion budget gap for state fiscal year 2009-2010 so as to avoid further cuts to critically important education, health care, human services and affordable housing programs that impact children,

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 cut programs that affect children such as education, health care, social services and affordable housing to close the state budget gap and urges the Legislature instead to enact targeted new revenue sources, including an increased tax on cigarettes, closing corporate tax loopholes, better enforcement of the existing sales tax on internet and catalog sales, and eliminating sales tax exemptions on products such as bottled water.

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 the Florida Legislature not to cut programs that affect children and instead enact targeted new revenue sources, as set forth in Section 1 above, and authorizes and directs that the 2009 State Legislative Package be amended to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Dorrin D. Rolle, and the Co-Sponsors are Commissioner Audrey M. Edmonson, Commissioner Barbara J. Jordan, Commissioner Joe A. Martinez, and Commissioner Katy Sorenson. It was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2009. 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: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty