

MEMORANDUM

Agenda Item No. 11(A)(9)

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

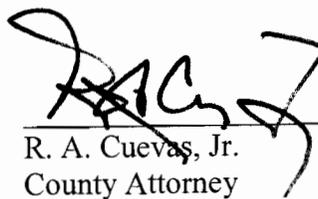
DATE: March 17, 2009

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

SUBJECT: Resolution urging the Florida
Legislature to pass SJR 1302,
HJR 833 or similar legislation
that would propose a
constitutional amendment to
allow a property tax credit on
homestead property for
military personnel deployed
on active duty outside the U.S.

Resolution No. R-299-09

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz, and Co-Sponsor Commissioner Carlos A. Gimenez.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

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

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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)(9)
3-17-09

RESOLUTION NO. R-299-09

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SJR 1302, HJR 833 OR SIMILAR LEGISLATION THAT WOULD PROPOSE A CONSTITUTIONAL AMENDMENT TO ALLOW A PROPERTY TAX CREDIT ON HOMESTEAD PROPERTY FOR MILITARY PERSONNEL DEPLOYED ON ACTIVE DUTY OUTSIDE THE U.S.

WHEREAS, according to the most recent data provided by the Florida Department of Military Affairs, approximately 25,000 military personnel who claim Florida as their home are currently deployed overseas on active duty; and

WHEREAS, joint resolutions have been filed for consideration during the 2009 session in both the House and Senate, SJR 1302 by Senator Andy Gardiner and HJR 833 by Representative Mike Horner, that would place on the statewide ballot an amendment to the Florida Constitution authorizing the Legislature to provide a tax credit on homestead property for military personnel deployed on active duty outside the U.S.; and

WHEREAS, the property tax credit would apply to members of the United States military or its reserves, the United States Coast Guard or its reserves and the Florida National Guard who received a homestead exemption in Florida at the time they were deployed on active duty outside the continental U.S., Alaska, or Hawaii; and

WHEREAS, the property tax credit would be based on the number of days in a calendar year that the person is deployed on active duty outside the U.S. in support of military operations that are designated by the Legislature, and the credit could be applied to future property taxes on the person's homestead property until the amount of the credit is exhausted; and

WHEREAS, the cost of providing this property tax credit was estimated at less than \$15 million statewide; and

WHEREAS, the Florida House passed a substantially similar house joint resolution, HJR 7003, by a unanimous 115-0 vote during the 2008 session, but HJR 7003 died in messages when the Senate did not take it up before the end of the session; and

WHEREAS, the property tax credit proposed by SJR 1302 and HJR 833 would serve to help military families when one or more family members are deployed overseas, especially during these trying economic times,

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 pass SJR 1302, HJR 833 or similar legislation that would propose a constitutional amendment to allow a tax credit on homestead property for military personnel deployed on active duty outside the U.S.

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

Section 3. Directs the County's state lobbyists to advocate for the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2009 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Vice-Chairman Jose "Pepe" Diaz, and Co-Sponsor Commissioner Carlos A. Gimenez. It was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 17th 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.

Jess M. McCarty