



**MEMORANDUM**

Agenda Item No. 11(A)(20)

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


**DATE:** January 21, 2010

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

**SUBJECT:** 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

**Resolution No. R-67-10**

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/cp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(20)  
1-21-10

RESOLUTION NO. R-67-10

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

**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 with 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 that only a few counties in the State of Florida must contend with 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

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**WHEREAS**, for certain county elections, two full weeks of early voting is not needed;  
and

**WHEREAS**, the Legislature should provide counties similar flexibility to cities related to early voting for county elections not held in conjunction with state or federal 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.

**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 2010 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Jose “Pepe” Diaz**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of January, 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: **DIANE COLLINS**

Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "JMM", written over a horizontal line.

Jess M. McCarty