

MEMORANDUM

Agenda Item No. 11(A)(2)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners


DATE: February 20, 2013

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

SUBJECT: Resolution urging the Florida
Legislature to pass legislation
during the 2013 session to allow
electors to cast their absentee
ballots at their precincts on
election day using election day
voting equipment; identifying
this issue as a critical county
priority for the 2013 session

Resolution No. R-132-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp




MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: February 20, 2013

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

SUBJECT: Agenda Item No. 11(A)(2)

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 Mayor'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)(2)
2-20-13

RESOLUTION NO. R-132-13

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION DURING THE 2013 SESSION TO ALLOW ELECTORS TO CAST THEIR ABSENTEE BALLOTS AT THEIR PRECINCTS ON ELECTION DAY USING ELECTION DAY VOTING EQUIPMENT; IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2013 SESSION

WHEREAS, electors in Miami-Dade County are increasingly choosing to vote by absentee ballot; and

WHEREAS, during the 2012 General Election over 50,000 absentee ballots were returned to the Supervisor of Elections office on Election Day and the day before Election Day; and

WHEREAS, current State Law requires the Supervisor of Elections and the Miami-Dade County Canvassing Board to separate, canvass, open and tabulate those ballots; and

WHEREAS, the delivery of over 50,000 absentee ballots the day before and on Election Day created delays in tabulating final results for the General Election; and

WHEREAS, permitting electors to go to their precincts on Election Day with their voted absentee ballots and utilize the tabulation equipment at the precincts to cast their ballot will lower the burden imposed upon the Supervisor of Election and the Miami-Dade County Canvassing Board and will decrease delays in reporting election results; and

WHEREAS, the Mayor created the Elections Advisory Group following the November 2012 general election; and

WHEREAS, at the February 1, 2013 meeting of the Elections Advisory Group the group voted to recommend this legislative change to the Board of County Commissioners; and

WHEREAS, this Board strongly supports this recommendation and urges the Florida Legislature to enact this change during the 2013 session; and

WHEREAS, given the importance of addressing these issues for voters in future elections, the Board wishes to identify this issue as a critical County priority in the County's state legislative package for the 2013 session of the Florida Legislature,

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 legislation during the 2013 session to allow electors to cast their absentee ballots at their precincts on Election Day using Election Day voting equipment in addition to the current requirement that absentee ballots be sealed and returned to Supervisors of Elections before 7:00 p.m. on Election Day for subsequent canvassing and tabulation.

Section 2. Identifies these issues as a critical priority of Miami-Dade County for the 2013 session of the Florida Legislature.

Section 3. Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and the Florida Secretary of State.

Section 4. Directs the County's state lobbyists to advocate for the passage of the legislation and action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2013 State Legislative Package to include this item as a critical County priority.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. It was offered by Commissioner **Lynda Bell**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of February, 2013. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal