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ORANGE COUNTY RESOLUTION NO. 90-LEG-03

A RESOLUTION URGING THE
CITIZENS OF ORANGE COUNTY,
FLORIDA, TO SUPPORT
CONSTITUTIONAL AMENDMENT NO. 3
ON THE NOVEMBER 1990 BALLOT
LIMITING UNFUNDED STATE
MANDATES ON CITIES AND
COUNTIES

WHEREAS, since 1981 the Florida Legislature has placed over 330 unfunded mandates upon cities and counties in Florida with over 86 percent having an undetermined fiscal impact on cities and counties; and

WHEREAS, "unfunded mandates" are governmental actions required of cities and counties by state law without adequate funding resources; and

WHEREAS, cities and counties are continuously forced to adjust local service priorities and raise local taxes and user fees to pay for such unfunded state mandated programs; and

WHEREAS, cities and counties are forced to pass these increased costs of delivery of state mandated programs on to the citizens; and

WHEREAS, the Florida Constitution preempts all taxing sources to the state (except ad valorem property taxes), it becomes irresponsible for the state government to require and mandate programs to other governments without sharing the fiscal responsibility and political consequences of their actions; and

WHEREAS, there can be no certainty and predictability in the growth planning process if the state can continue to mandate new and expensive programs without regard to adequate funding; and

WHEREAS, the priorities and programs of local citizens of cities and counties have often been curtailed when limited local funds have to be diverted to pay for a state mandated program; and

WHEREAS, the state constitution "preempts" all taxing powers to the state (other than local property taxes), and the state has been unwilling to allow sufficient local discretionary taxing powers directly to municipalities and has refused to adjust unfair and antiquated formula allocations of revenue sharing programs; and

WHEREAS, unfunded mandates are not fair to the local property owner or the locally elected official who is trying to address local priorities and problems with a limited amount of financial resources; and

WHEREAS, during the 1988 legislative session nearly 100 members of the legislature cosigned or supported a proposed constitutional amendment to limit the legislature's ability to mandate programs and costs to city and county governments; and

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WHEREAS, during the 1989 legislative session a proposed amendment to the Constitution was passed to give Florida citizens an opportunity to vote in 1990 on a proposal that would limit unfunded state legislative mandates on cities and counties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, ORANGE COUNTY, FLORIDA:

SECTION 1. That the Board of County Commissioners, Orange County, Florida, calls upon all citizens of Orange County to become aware of the seriousness of unfunded mandates and to be prepared to support and vote "yes" on Amendment #3 which will appear on the ballot in November.

SECTION 2. That a copy of this resolution be sent to the Home Rule Committee, Inc., the political action committee which was formed to organize a campaign to educate citizens about Amendment #3.

ADOPTED this 1st day of October, 1990.

ORANGE COUNTY, FLORIDA

BY: Hal Marston
Hal Marston, Chairman