

RESOLUTION NO. 89-63

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY REQUESTING THAT THE LEGISLATURE OF THE STATE OF FLORIDA PASS LAWS PROVIDING SOURCES OF FUNDING FOR THE RECENT AMENDMENTS TO CHAPTER 121, FLORIDA STATUTES AND FOR THE IMPLEMENTATION OF CHAPTER 163, FLORIDA STATUTES, AND TO PURSUE OUR AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA THAT REQUIRES THAT ANY FUTURE LEGISLATION MANDATING ACTION BY A UNIT OF LOCAL GOVERNMENT, WHEN SUCH ACTION PLACES A FINANCIAL BURDEN ON THE UNIT OF LOCAL GOVERNMENT, WILL PROVIDE A SOURCE OF FUNDING SUFFICIENT TO COVER THE COSTS OF SUCH ACTION WITHOUT THE REQUIREMENT FOR A REFERENDUM BY THE UNIT OF LOCAL GOVERNMENT.

WHEREAS, Chapter 11 (Section 11.076(1), Florida Statutes requires that "Any general law, enacted by the Legislature after July 1, 1978, which requires a municipality or county to perform an activity or to provide a service or facility which activity, service, or facility will require the expenditure of additional funds, must include an economic impact statement, as defined in s. 11.075, estimating the amount sufficient to cover the total cost to municipalities and counties to implement such activity, service, or facility and must provide a means to finance such activity, service, or facility, and

WHEREAS, the Florida Legislature has passed amendments to Chapter 121, Florida Statutes mandating higher retirement benefits for special risk members of the Florida Retirement Systems without having complied with the requirement of Section 11.076, Florida Statutes, and

WHEREAS, the Florida Legislature has passed the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Florida Statutes) without having complied with the requirements of Section 11.076, Florida Statutes, and

WHEREAS, the Florida Legislature has passed many other laws in recent years mandating actions on the local governmental units of Florida without having complied with the requirements of Section 11.076, Florida Statutes,

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida:

Section 1. That the Board of County Commissioners of St. Johns County, Florida requests that the Florida Legislature pass a law that provides a source of funding for the amendments to Chapter 121, Florida Statutes.

Section 2. That the Board of County Commissioners of St. Johns County, Florida requests the Florida Legislature to pass a law that provides a source of funding for the implementation of Chapter 163, Florida Statutes.

Section 3. That the Board of County Commissioners of St. Johns County, Florida requests that Florida Legislature to pursue an amendment to the Constitution of the State of Florida requiring that any future legislation mandating actions upon units of local government, wherein such actions create a financial burden on such units of local government, provides a source of funding sufficient to cover the costs of such actions.

Section 4. That the sources of funding referred to in Sections 1, 2, and 3 above should be without the requirement for a referendum by the units of local government.

Section 5. That copies of this resolution be sent to the Governor of the State of Florida, the President of the Florida Senate, the Speaker of the Florida House of Representatives, and to each member of the St. Johns County's local legislative delegation.

PASSED AND ADOPTED by the St. Johns County Board of County Commissioners on this 28th day of March, 1989.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

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To: The Legislative Bodies of Local Government  
From: The FGFOA Board of Directors  
Subject: Resolution 89-2

2/15/89

Attached please find Resolution 89-2 as adopted by the Florida Government Finance Officers Association (FGFOA) Board of Directors in February. Also included is a Model Resolution for your consideration.

Local governments are faced with a rapid population combined with increased demands for services. Florida Statutes require State mandates after 1978 to include a means of financing. But, our local governments have had to comply with mandates like increased retirement benefits and comprehensive planning without those means.

We believe that passage of resolutions by a large number of local governments is needed to emphasize this problem and to suggest a solution. We ask you to join us in requesting the Florida Legislature provide adequate funding sources for legislative mandates. We are providing a model resolution outlining the issues. We are requesting adoption of a resolution from your government unit and a copy to be sent to the Governor, President of the Florida Senate, Speaker of the Florida House and to each member of your local legislative delegation.

Please join us in being heard. We need your participation. If you have any questions, please contact Rick Coram, FGFOA President. Thank you for your consideration.