

RESOLUTION NO. 06-11 CMS

A RESOLUTION TO OPPOSE CONSTITUTIONAL TAX AND EXPENDITURE LIMITATION PROPOSALS AND DECLARING AN EMERGENCY

WHEREAS, the Citizens for Tax Reform and others are endorsing proposals to amend the Ohio Constitution to institute tax and expenditure limitations at the state and local levels of government that could only be overridden by a popular vote – an example of these proposals is the so-called "Taxpayers Bill of Rights"; and,

WHEREAS, Colorado has instituted a similar Constitutional proposal and faced such severe problems in meeting the basic needs of their citizenry that voters suspended key aspects of the law in November 2005; and,

WHEREAS, such proposals tie the hands of state and local leaders in times of crisis and other unpredictable circumstances, circumventing state and local governments' thoughtful consideration of policy decisions; and,

WHEREAS, such proposals would reduce funding for education, health care, public safety, libraries, economic development, and other vital services to citizens; and,

WHEREAS, such proposals could undercut state constitutional provisions requiring state support of education and require the repeal of all state laws that conflict with the proposal; and,

WHEREAS, such proposals would prevent state and local officials from making the tough decisions they were elected to make, passing the responsibility for learning all aspects of often complex issues to citizens who have other jobs and responsibilities; and,

WHEREAS, such proposals would grant veto power to non-voters, in a perversion of the democratic process, by creating a super-majority requirement that few political subdivisions could meet; and,

WHEREAS, amending the constitution is a virtually irrevocable action and should only be undertaken when legislative remedies have proven enduringly inadequate; and,

WHEREAS, such constitutional tinkering brings great harm to local communities through continued reductions in state funding, erodes decision-making at the local level, and degrades government's ability to provide the basic services residents and businesses expect and deserve; and,

WHEREAS, such proposals would force the State and local governments to spend valuable time and money asking for permission from the same people who elect them before any action can be taken on important issues, and would also force taxpayers to pay twice for governance – once for elections of their State and local officials, and again for elections to make the decision those officials should have made; and,

WHEREAS, such proposals contradict the fundamental principles upon which our constitution and system of representative government are based and damages the ability to craft good public policy.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That this Council believes that state and local elected officials are elected to do a job – that job is to represent the interests of their constituents, to deal with difficult decisions, to thoughtfully debate and determine the best course of action for the state of the community they serve.

SECTION 2. That this Council opposes the proposed changes to the Ohio Constitution that would arbitrarily constrain state and local governments' ability to effectively realize and allocate the tax resources needed to meet the people's needs through a representative democracy, and supports efforts to defeat the proposed changes to the Ohio Constitution.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

"to indicate the opposition of Oberlin City Council to the proposed TEL amendment to the Ohio Constitution at the earliest possible date"

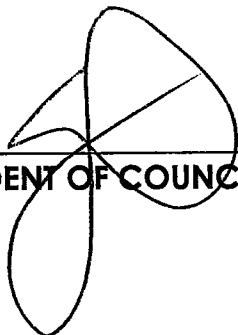
and shall take place at the earliest date allowed by law.

PASSED: 1st Reading – April 17, 2006 (E)
2nd Reading –
3rd Reading –

ATTEST:



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

POSTED: April 18, 2006

EFFECTIVE DATE: April 18, 2006



BOB TAFT
GOVERNOR
STATE OF OHIO

May 1, 2006

Mr. Eugene Simon, Clerk
The City of Oberlin
85 South Main Street
Oberlin, OH 44074

05-08-06A10:22 RCVD

Dear Clerk Simon:

This will confirm receipt by the Governor's Office of Resolution # 06-11 CMS passed by Oberlin City Council on Monday, April 17, 2006 regarding the Tax Expenditure Limitation Proposal.

Expression of your views on this important matter is appreciated and duly noted.

Sincerely,

A handwritten signature in cursive script that reads "Anthony Brigano".

Anthony Brigano
Director of Public Inquiries

ADB/kar