

RESOLUTION NO. 2010-29

RESOLUTION OPPOSING UNFUNDED LOCAL GOVERNMENT MANDATES AND ADDITIONS TO LOCAL GOVERNMENT MAINTENANCE OF EFFORT REQUIREMENTS.

WHEREAS counties have been hard hit by the economic downturn and are struggling to fund their budgets in the face of drastically diminishing revenue collections, just as the state is doing; and

WHEREAS, county governments in Tennessee are fundamental political subdivisions of our State and already are the primary providers of numerous essential government services including, but not limited to, public K-12 education, jails and law enforcement, road building and maintenance, election administration and voter registration, property assessment, solid waste disposal, record keeping and administration for the various state courts, and the many services provided by the offices of County Clerk, Circuit Court, Clerk and Master, Register of Deeds, Property Assessor, Election Administrator, Trustee, Sheriff, and Highway Superintendent; and

WHEREAS, counties are required under existing laws to maintain certain levels of funding for numerous services they provide, including but limited to education, law enforcement, highways and roads, and libraries; and

WHEREAS, county governments have limited taxing powers under state law and have limited sources of revenue available to them to fund the services they provide; and

WHEREAS, property values and income levels are declining, and increases in property taxes will be especially difficult in the current economic environment; and

WHEREAS, even before the current economic downturn, counties were struggling to find sufficient revenue sources to meet the growing demands of their citizens for services which are vital to the health, welfare, and safety to the people of this state, to provide improvements to infrastructure required by population and economic growth, and to meet constitutional responsibilities and state legislative mandates such as those required by state's Basic Education Program; and

WHEREAS, the Tennessee Constitution, in Article II, Section 24, provides that no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost; and

WHEREAS, in dealing with the State's budget crisis it must be remembered that county governments are facing the same budget crisis coupled with an inability to secure alternate sources of revenue; and

WHEREAS, in balancing the state's budget, the General Assembly should not cut state funding to programs and pass the cost of funding those payments to counties.

NOW, THEREFORE BE IT RESOLVED, by the county legislative body of Weakley County, Tennessee assembled in regular session on this the 22nd day of March, 2010 in Dresden, Tennessee that:

Section 1. The Tennessee General Assembly is strongly urged to pass no new law imposing increased expenditure requirements on counties unless the General Assembly provides additional funding to cover the increased expenditures; and

Section 2. The Tennessee General Assembly is strongly urged either to eliminate programs or continue to fund them at the state level, rather than passing these responsibilities to county governments; and

Section 3. The Tennessee General Assembly is strongly urged to pass no laws that would increase above current levels any maintenance of local funding requirements ("maintenance of effort"), including but not limited to education funding.

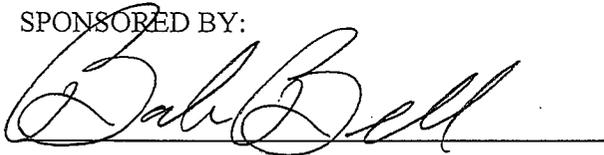
BE IT FURTHER RESOLVED, that the county clerk shall mail certified copies of this resolution to the Governor, the Speaker of the House and the Lieutenant Governor, and the members of the Tennessee General Assembly representing the citizens of Weakley County.

BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee, which are in conflict with this resolution are hereby rescinded.

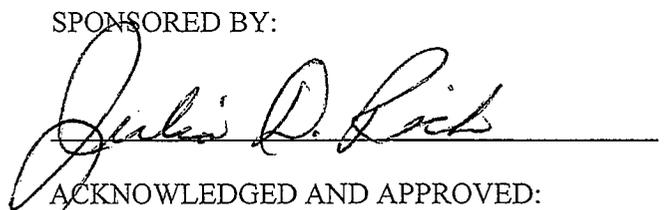
NOW, THEREFORE BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

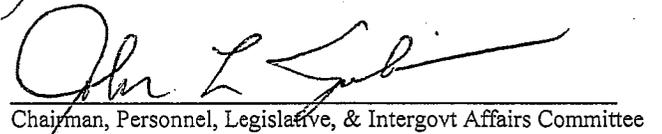
SPONSORED BY:



SPONSORED BY:



ACKNOWLEDGED AND APPROVED:

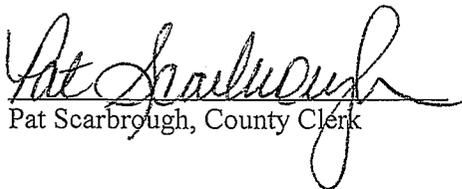


Chairman, Personnel, Legislative, & Intergovt Affairs Committee

Motion made by Commissioner Stewart that the foregoing resolution be adopted:
Motion seconded by Commissioner Owen.

Upon being put to a roll call vote, Motion carried by a vote of 17 Yeas, 0 Nays,
0 Passed and 1 Absent.

ATTESTED:

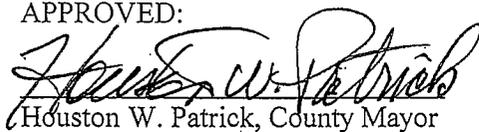

Pat Scarbrough, County Clerk

APPROVED:


Richard Phebus, Chairman

This the 22nd Day of March 2010.

APPROVED:


Houston W. Patrick, County Mayor

VETOED:

Houston W. Patrick, County Mayor

DATE: 03-23-10

DATE: _____