

Sponsor: \_\_\_\_\_

## **RESOLUTION # 24-06**

### **A RESOLUTION TO OPPOSE TAX AND EXPENDITURE LIMITATION (TEL) CONSTITUTIONAL AMENDMENT**

**WHEREAS**, the City of Jackson, Ohio is a political subdivision of the State of Ohio that owns and operates a municipal electric system, which provides reliable and affordable electric service to residents and businesses; and

**WHEREAS**, in 2005, the so-called "Citizens for Tax Reform" submitted a petition to place a constitutional amendment on the November 2006 ballot which would, among other things, impose an expenditure limitation on state and local governments; and

**WHEREAS**, state, local government, school, library, social service and numerous other local officials, including business leaders, analyzed the TEL and concluded that the TEL was poorly conceived, sloppily drafted and would result in devastating impacts on political subdivisions across the state; and

**WHEREAS**, the TEL would require the approval of a majority of voters at the state level and, almost impossibly, a majority of all registered voters at the local level, to increase expenditures above the threshold identified in the TEL; and

**WHEREAS**, the TEL's expenditure limits would cap all expenditures, with no exceptions for capital expenditures, financings or refinancings, and non-tax supported activities such as municipal utilities that are user funded, and contains no exception for local emergencies; and

**WHEREAS**, the TEL would 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**, amending the Ohio Constitution is a virtually irrevocable action and should only be undertaken when legislative remedies have proven enduringly inadequate; and

**WHEREAS**, the TEL would bring great harm to local communities and degrade government's ability to provide the basic services residents and businesses expect and deserve; and

**WHEREAS**, the TEL would erode decision-making at the local level by overriding Ohio's long-established constitutional Home Rule provisions; and

**WHEREAS**, the Ohio General Assembly recently adopted legislation establishing a process by which certified constitutional amendments can be withdrawn from the ballot by the group that submits the proposal; and

**WHEREAS**, due to the devastating impacts the TEL would have on local governments, many of those which are noted in this resolution, the leadership of the Citizens for Tax Reform has indicated their intention to withdraw the TEL constitutional amendment from the November ballot.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Jackson, Ohio, that this Council expresses its gratitude to the lawmakers of the 126<sup>th</sup> Ohio General Assembly for putting in place a mechanism to address the current TEL issue by adopting legislation to establish the process by which the TEL would be removed from the November ballot.

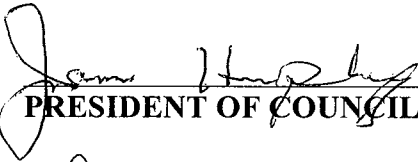
**BE IT FURTHER RESOLVED** by this Council, that the proposed TEL amendment and any future proposal that seeks to impose similar restrictions should be defeated as it would cripple Ohio's local governments and be devastating for the people and the economy of the State of Ohio;


**BE IT FURTHER RESOLVED** 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 and supports efforts to defeat the proposed changes to the Ohio Constitution;

**BE IT FURTHER RESOLVED** that a copy of this resolution be presented to both major party gubernatorial candidates, both major party candidates for state representative, to the current State Senator, and local business leaders.

**BE IT FURTHER RESOLVED** that this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Date: July 10, 06

  
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**PRESIDENT OF COUNCIL**

  
\_\_\_\_\_  
**CLERK OF COUNCIL**

Approved:

Date: \_\_\_\_\_

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**MAYOR**