

RESOLUTION BY BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA

78 - 21

WHEREAS, Senate Bill 35 is under consideration by the United States Senate, and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, deems it essential that the United States Senate and particularly the United States Senators from the State of Florida, The Honorable Lawton Chiles and The Honorable Richard Stone, be apprised of the position taken by the Board of County Commissioners of Nassau County, Florida, with respect to Senate Bill 35,

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Nassau County, Florida, does hereby oppose the passage of Senate Bill 35 for the following reasons:


1. Senate Bill 35 will eliminate the common law concept of sovereign immunity of state and local governments from liability under Section 1983 of the United States Code.
2. The passage of Senate Bill 35 would have substantial adverse impact on the budget of Nassau County and other local and state governments by virtue of authorizing the award of money damages against local and state governments.
3. By making state and local governments further liable for money damages for "injury to reputation", Senate Bill 35 would further strain the budgets of county governments.
4. Senate Bill 35 would encourage litigation by authorizing the award of attorneys' fees on behalf of plaintiffs' attorneys in suits under Section 1983 against local governments and would impact county budgets with attorneys' fees in defending all such suits.

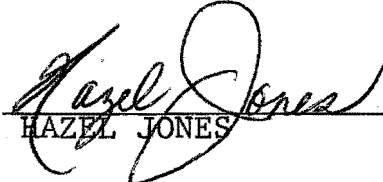
5. The total financial impact of Senate Bill 35 on Nassau County could well result in the substantial impairment or destruction of the financial integrity and ability of the County.

BE IT FURTHER RESOLVED, that the Board of County Commissioners of Nassau County, Florida, strongly urges the United States Senate and particularly the Senators from Florida, The Honorable Lawton Chiles and The Honorable Richard Stone to vote against Senate Bill 35.

ADOPTED this 11th day of July, 1978, by vote of the Board of County Commissioners of Nassau County, Florida, the signatures of each Commissioner appearing hereon.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY, FLORIDA


DOUGLAS HODGES, Chairman

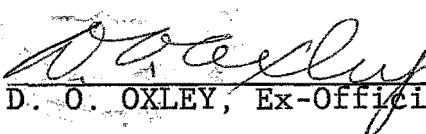

HAZEL JONES


GENE R. BLACKWELDER

JOHN F. CLAXTON


JOHN F. ARMSTRONG SR.

ATTEST:


D. O. OXLEY, Ex-Officio Clerk

R E S O L U T I O N

WHEREAS Senate Bill 35 is under consideration by the United States Senate; and

WHEREAS the Board of County Commissioners of Gadsden County, Florida deems it essential that the United States Senate and particularly the United States Senators from the State of Florida, The Honorable Lawton Chiles and The Honorable Richard Stone, be apprised of the position taken by the Board of County Commissioners of Gadsden County, Florida with respect to Senate Bill 35,

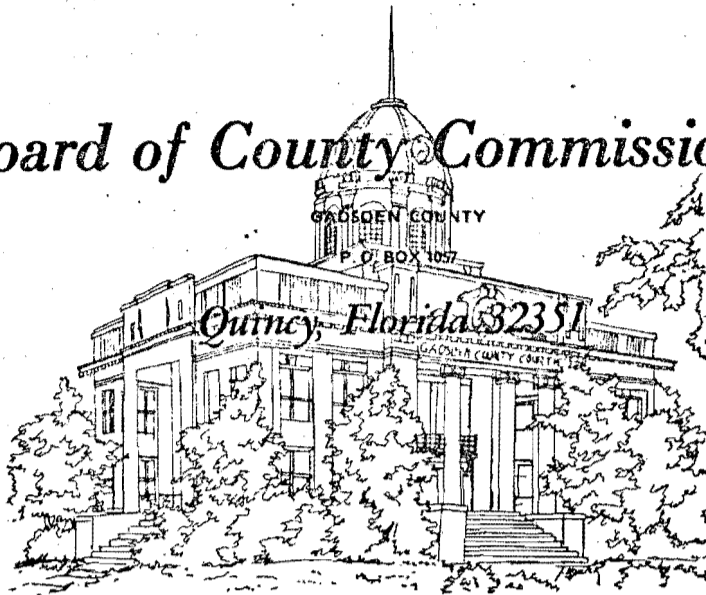
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Gadsden County, Florida does hereby oppose the passage of Senate Bill 35 for the following reasons:

1. Senate Bill 35 will eliminate the common law concept of sovereign immunity of state and local governments from liability under Title 42, Section 1983 of the United States Code.
2. The passage of Senate Bill 35 would have substantial adverse impact on the budget of Gadsden County and other local and state governments by virtue of authorizing the award of money damages against local and state governments.
3. By making state and local governments further liable for money damages for "injury to reputation", Senate Bill 35 would further strain the budgets of county governments.
4. Senate Bill 35 would encourage litigation by authorizing the award of attorney's fees on behalf of plaintiffs' attorneys in suits under Title 42, Section 1983 against local governments and would impact county budgets with attorneys' fees in defending all such suits.
5. The total financial impact of Senate Bill 35 on Gadsden County could well result in the substantial impairment or destruction of the financial integrity and ability of the County.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Gadsden County, Florida that copies of this resolution be sent to the Board of County Commissioners of all counties in the State of Florida.

Board of County Commissioners

Ben S. Duncan, Chairman
Murray Spooner, Vice Chairman
Louise Blackburn
Earl W. Lodge
Lamar Massey



Wayne Hanna, Clerk, Auditor
Emmett G. Gainous, Road Supt.
John Shaw Curry, Attorney

STATE OF FLORIDA

COUNTY OF GADSDEN

I, WAYNE HANNA, Clerk of the Circuit Court and Ex Officio Clerk to the Board of County Commissioners of said county and state do hereby certify the above and foregoing to be a true and correct excerpt of action taken by the Board of County Commissioners while in regular session on June 20, 1978, as appears in County Commissioners Minutes of the public record of Gadsden County, Florida.

WITNESS my hand and official seal this 30th day of June, A.D., 1978.

WAYNE HANNA, CLERK OF THE CIRCUIT COURT
AND EX OFFICIO CLERK TO THE BOARD OF
COUNTY COMMISSIONERS OF GADSDEN COUNTY,
FLORIDA

By: Peggy L. Parrish
Peggy L. Parrish, Deputy Clerk