

RESOLUTION NO. 95-67

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, ADVOCATING THE RESTORATION AND REOPENING OF COMMUNICATION CHANNELS BETWEEN ELECTED OFFICIALS AND THEIR CONSTITUENTS

WHEREAS, recent court decisions have resulted in the potential for communications between elected public officials and their constituents being chilled as to important community matters including many types of land use decisions and similar quasi-judicial matters; and

WHEREAS, these decisions impact written, telephonic and personal contacts between elected public officials and their constituents; and

WHEREAS, Article I, Section 5, of the Constitution of the State of Florida provides that "[t]he people shall have the right...to instruct their representatives, and to petition for redress of grievance" (emphasis added) and the United States Constitution provides for protection of each citizen's right to speak to and petition his/her government; and

WHEREAS, elected officials may become timid in their responsiveness to their constituents by reason of the potential legal entanglements which may result from controversial ex parte communications; and

WHEREAS, the passage of appropriate legislation may serve as a mechanism to restore and reopen communication channels between elected officials and their constituents by establishing procedures and regulations providing for the free and full access of each citizen to his/her local elected official when making land use decisions and other quasi judicial decisions;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, that:

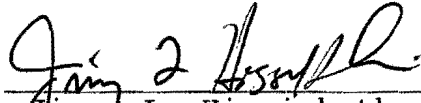
1. The Nassau County Legislative Delegation is urged to study the recent decisions of Florida's courts, such as Jennings v. Dade County and support passage of legislation that would protect communication channels between elected officials and their constituents by ensuring that citizens may freely and openly instruct and petition their elected local officials.

2. A copy of this resolution shall be provided to the Nassau County Legislative Delegation.


Adopted this 13th day of February, 1995.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

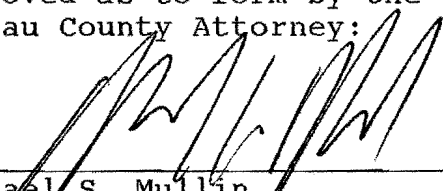
BY:


Jimmy L. Higginbotham
Its: Chairman

ATTEST:


T. J. "Jerry" Greeson
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:


Michael S. Mullin