

RESOLUTION NO. 2013-1089

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, OPPOSING CONGRESSIONAL BILL S. 743, INTERNET SALES TAX; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO IMPLEMENT THIS RESOLUTION; DIRECTING THE STATE LOBBYIST TO PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, S. 743 would allow states to force retailers that have zero physical presence, in a state outside of their own, to collect and remit sales tax to it; and

WHEREAS, one of the Town of Miami Lakes (the “Town”) top concerns and priorities is to protect our small businesses from unnecessary burdens ; and

WHEREAS, the Town Council desires to oppose S. 743, which would result in crippling compliance costs on small Internet businesses. These costs include not only those associated with the new collection and remittance requirements, but these small businesses will also be on the hook for expensive audits and legal bills if there are any errors in the thousands of tax calculations and distribution they must make every day; and

WHEREAS, Congress should enact measures that are designed to promote innovation and entrepreneurial risk-taking; its priority should not be to look for creative ways to plug state budget holes; and

WHEREAS, S. 743 will hobble the internet economy by forcing businesses to jump through new bureaucratic hoops. This legislation will also force small businesses to play tax

collectors for other states with no benefit to them. Also, this piece of legislation does not grow the economy nor create jobs; and

WHEREAS, the Town Council finds that it is in the Town's best interests to oppose S. 743 in order to protect our small businesses and consumers.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Supporting Adoption of Legislation. The Town Council of the Town of Miami Lakes urges the U.S. Congress to oppose S. 743, in order to protect Miami Lakes consumers and small businesses.

Section 3. Authorization of Town Manager. The Town Manager and/or his designee and the Town Attorney are authorized to coordinate with the Town's Federal Lobbyist to oppose S. 743.

Section 4. Transmittal. The Town Manager is authorized to forward a certified copy of this Resolution to the Town's Congressman and two U.S. Senators.

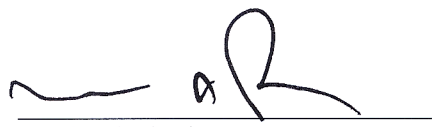
Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14 day of May, 2013.


Motion to adopt by M. Cid, second by Mayor Pizzi.

FINAL VOTE AT ADOPTION

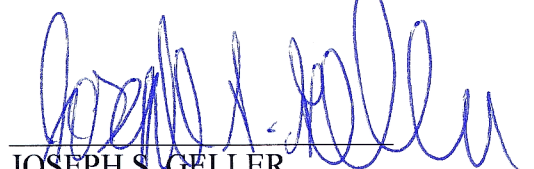
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Caesar Mestre	<u>no</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>


Michael Pizzi
MAYOR

Attest:


MARJORIE TEJEDA
TOWN CLERK

APPROVE AS TO FORM AND LEGAL SUFFICIENCY:


JOSEPH S. GELLER
GREENSPOON MARDER
TOWN ATTORNEY