

RESOLUTION NO. 119 - 2017

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA REQUESTING PROPOSED SENATE BILL 162 AND HOUSE BILL 93 BE AMENDED TO ALSO AUTHORIZE COUNTIES TO QUALIFY AS A "COASTAL COMMUNITY" AS DEFINED IN THE PROPOSED BILLS; PROVIDING FOR THE CREATION OF F.S 403.70325 TO AUTHORIZE THE ESTABLISHMENT OF QUALIFYING PILOT PROGRAMS TO REGULATE OR BAN DISPOSABLE PLASTIC BAGS IN QUALIFYING MUNICIPAL OR COUNTY COASTAL COMMUNITIES; PROVIDING PROGRAM CRITERIA, PROVIDING FOR EXPIRATION OF THE PROGRAM AND PROGRAM REPORTING CRITERIA AND REPORT DISTRIBUTION.

WHEREAS, the Board of Commissioners of Monroe County, Florida is charged with safeguarding the public health, safety, and welfare of the residents of the County; and

WHEREAS, the wise stewardship of our natural resources involves the protection of Florida's water supplies and natural environment for generations to come; and

WHEREAS, protection of the environment is better accomplished by the prevention of contamination and environmental degradation, as opposed to post-contamination, post degradation, or otherwise after-the-fact environmental cleanup and restoration, and

WHEREAS, Monroe County is diligent in its efforts to preserve the beautiful environment that supports the tourism industry which is so vital to the economy of Monroe County and the State of Florida; and

WHEREAS, single-use plastic bags are detrimental because they do not fully degrade in our oceans or land environment and they introduce unsafe chemicals into our environment; and

WHEREAS, single-use plastic bags create the potential for death of land and marine animals through entanglement and ingestion; and

WHEREAS, the potential long-term and cumulative health and environmental impacts of single-use plastic bags pose a risk to the public health, safety, and welfare of the County's residents; and

WHEREAS, the expansive usage of single-use shopping bags and their typical disposal rates creates an impediment to the County's waste reduction and recycling goals while creating unsightly litter; and

WHEREAS, single-use plastic bags are difficult to recycle and frequently contaminate material that is processed through the County's curbside recycling and composting programs; and

WHEREAS, reusable bags are considered to be the best option to reduce waste and litter, protect wildlife and conserve resources; and

WHEREAS, the Board of County Commissioners acknowledges that some businesses have taken affirmative steps to accomplish this goal and recognizes their proactive efforts; and

WHEREAS, F.S. 403.7033 states "*The Legislature finds that prudent regulation of recyclable materials is crucial to the ongoing welfare of Florida's ecology and economy. As such, the Department of Environmental Protection shall undertake an analysis of the need for new or different regulation of auxiliary containers, wrappings, or disposable plastic bags used by consumers to carry products from retail establishments.*"; and

WHEREAS, F.S. 403.7033 also states, "*The analysis shall include input from state and local government agencies, stakeholders, private businesses, and citizens, and shall evaluate the efficacy and necessity of both statewide and local regulation of these materials.*"; and

WHEREAS, F.S. 403.7033 prohibits local government regulation of the use of plastic bags locally stating "*Until such time that the Legislature adopts the recommendations of the department, no local government, local governmental agency, or state government agency may enact any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags.*"; and

WHEREAS, the current proposed bills, Senate Bill 162 and House Bill 93, would authorize "*....certain municipalities to establish pilot programs to regulate or ban disposable plastic bags;*" and

WHEREAS, the Board has repeatedly voiced its support for this type of legislation, provided that it is amended to include coastal counties such as Monroe County, through the adoption of Resolution No. 102a-2015 and Resolution No. 26-2016, as well as the County's 2017 State Legislative Agenda; and

WHEREAS, the Board calls upon the sponsors of these bills to amend Senate Bill 162 and House Bill 93 to include language which would allow counties, in addition to municipalities with less than 100,000 in population, participate in the pilot program; and

WHEREAS, the Board supports Senate Bill 162 and House Bill 93, if amended as set forth herein;

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

Section 1. The sponsors of Senate Bill 162 and House Bill 93 are respectively requested to amend their respective bills to expand the definition of “*coastal community*” to include coastal counties.

Section 2. The Clerk is directed to mail copies of this resolution to the Senators who introduced Senate Bill 162:

Senator Jose Javier Rodriguez, 220 Senate Office Building, 404 South Monroe Street, Tallahassee, FL 32399-1100

Senator Gary Farmer, 216 Senate Office Building, 404 South Monroe Street, Tallahassee, FL 32399-1100

Senator Jeff Clemens, 210 Senate Office Building, 404 South Monroe Street Tallahassee, FL 32399-1100

Senator Linda Stewart, 224 Senate Office Building, 404 South Monroe Street, Tallahassee, FL 32399-1100

Senator Daphne Campbell, 218 Senate Office Building, 404 South Monroe Street Tallahassee, FL 32399-1100

Section 3. The Clerk is directed to mail copies of this resolution to the Representatives who introduced House Bill 93:

Representative David Richardson, 200 House Office Building, 402 South Monroe Street, Tallahassee, FL 32399-1300

Representative Thad Altman, 1101 The Capitol, 402 South Monroe Street, Tallahassee, FL 32399-1300

Representative Daisy Bacz, 1003 The Capitol, 402 South Monroe Street, Tallahassee, FL 32399-1300

Representative Joseph Geller, 1003 The Capitol, 402 South Monroe Street, Tallahassee, FL 32399-1300

Representative Kristin Diane Jacob, 200 House Office Building, 402 South Monroe Street, Tallahassee, FL 32399-1300

Representative Holly Raschein, 209 House Office Building, 402 South Monroe Street, Tallahassee, FL 32399-1300

Representative Emily Slosberg, 1003 The Capitol, 402 South Monroe Street, Tallahassee, FL 32399-1300

Representative Carlos Guillermo Smith, 1402 The Capitol, 402 South Monroe Street, Tallahassee, FL 32399-1300

Section 4. The Clerk is directed to mail copies of this resolution to **Senator Anitere Flores**, 404 Senate Office Building, 404 South Monroe Street, Tallahassee, FL 32399-1100.

Section 5. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting of said Board held on the 12th day of April, 2017.

Mayor George Neugent	<u>Yes</u>
Mayor Pro Tem David Rice	<u>Yes</u>
Commissioner Heather Carruthers	<u>Yes</u>
Commissioner Danny Kolhage	<u>Yes</u>
Commissioner Sylvia Murphy	<u>Yes</u>



ATTEST: KEVIN MADOK, Clerk

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

By: *Kevin Madok*
Deputy Clerk

By: *George E. Neugent*
Mayor

FILED FOR RECORD

2017 APR 28 AM 8:51

REC'D, COUNTY CLERK

**MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:**
Robert B. Shillinger, Jr.
**ROBERT B. SHILLINGER, JR.
COUNTY ATTORNEY**
Date: 4-5-17