

MEMORANDUM

Agenda Item No. 11(A)(18)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 2, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact SB 306, HB
143, or similar legislation that
would authorize small coastal
municipalities to establish a pilot
program to regulate or ban
disposable plastic bags

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(18)
2-2-16

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 306, HB 143, OR SIMILAR LEGISLATION THAT WOULD AUTHORIZE SMALL COASTAL MUNICIPALITIES TO ESTABLISH A PILOT PROGRAM TO REGULATE OR BAN DISPOSABLE PLASTIC BAGS

WHEREAS, according to the Environmental Protection Agency, approximately 100 billion disposable plastic bags are used in the United States every year; and

WHEREAS, disposable plastic bags contribute to litter and pollution, harm land and marine wildlife, clog storm drains, interfere with landfill operations, burden public works departments, and can adversely affect water quality; and

WHEREAS, according to the Florida Department of Environmental Protection, in one year a single reusable bag replaces between 56.8 and 315.15 disposable plastic bags; and

WHEREAS, Florida law, however, currently prohibits local governments from banning, regulating, or taxing disposable plastic bags; and

WHEREAS, identical Senate and House bills, SB 306 by Senator Dwight Bullard (D-Miami) and HB 143 by Representative David Richardson (D-Miami Beach), have been filed for consideration during the 2016 session of the Florida Legislature; and

WHEREAS, SB 306 and HB 143 would provide coastal municipalities with populations under 100,000 the authority to establish a short-term pilot program to regulate or ban disposable plastic bags; and

WHEREAS, by authorizing small coastal municipalities to establish short-term pilot programs regulating disposable plastic bags, these bills would enable such municipalities to determine how to most effectively address the environmental concerns caused by disposable plastic bags in their communities, and would also help illuminate which measures can be most effective in discouraging the use of disposable plastic bags and encouraging the use of reusable bags instead; and

WHEREAS, this Board would like to support SB 306, HB 143, or similar legislation that would authorize small coastal municipalities to establish a pilot program to regulate or ban disposable plastic bags,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact SB 306, HB 143, or similar legislation that would authorize small coastal municipalities to establish a pilot program to regulate or ban disposable plastic bags.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Dwight Bullard, Representative David Richardson, and the Chair and remaining Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of February, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA

BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MJM

Michael J. Mastrucci