

A RESOLUTION SUPPORTING SB228 TO REPEAL THE LAW PREVENTING LOCAL
ORDINANCES TO BAN PLASTIC BAGS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

FEBRUARY 7, 2024

WHEREAS, it is a goal of Washtenaw County to promote the economic, environmental and physical welfare of the County and all of its communities; and

WHEREAS, Washtenaw County has long grappled with the environmental and health consequences of single-use plastics. Single-use plastics are a glaring example of consumers and manufacturer desire for convenience instead of investing in quality packaging that is durable and sustainable for the long-term health and environment of communities; and

WHEREAS, the over-reliance on these plastics has resulted in the accumulation of waste at a staggering rate. Reducing the use of plastics is the most effective means of avoiding this waste and the impacts linked to plastic production; and

WHEREAS, plastic by itself does not break down; plastics just break up. Over time, sun and heat slowly turn plastics into smaller and smaller pieces until they eventually become what are known as microplastics. Microplastics end up in the water, eaten by wildlife, pets and inside our bodies. Exposure to microplastics, as well as the chemicals that are added to plastics during processing are harmful to the County's physical and environmental health; and

WHEREAS, many of the chemicals in plastics are known endocrine disruptors, and research has suggested that human exposure could cause health impacts including hormonal imbalances, reproductive problems like infertility, and even cancer; and

WHEREAS, in 2016, the passage of Michigan Public Act (PA) 389 of 2016, prohibited local jurisdictions from regulating the use of reusable and single-use plastic containers. Specifically, MCL 445.592 restricted a local unit of government in the State of Michigan from adopting or enforcing an ordinance that:

- (a) Regulates the use, disposition, or sale of auxiliary containers.
- (b) Prohibits or restricts auxiliary containers.
- (c) Imposes a fee, charge, or tax on auxiliary containers.

Pursuant to the PA 389 of 2016, auxiliary container means a bag, cup, bottle, or other packaging, whether reusable or single-use, that meets both of the following requirements:

- (a) is made of cloth, paper, plastic, cardboard, corrugated material, aluminum, glass, postconsumer recycled material, or similar material or substrates, including coated, laminated, or multilayer substrates, and
- (b) is designed for transporting, consuming, or protecting merchandise, food, or beverages from or at a food service or retail facility; and

WHEREAS, Senator Shink introduced SB 228 that would repeal PA 389 of 2016 and would restore local control and aid community efforts to control litter and waste by allowing the implementation of plastic bag bans or any motion regulating the use or sale of plastic bags, or imposing any fee, charge, or tax on certain containers; and

WHEREAS, The Washtenaw County Board of Commissioners supports the elimination and repeal of the prohibition against local municipalities from regulating single-use or reusable plastics. Local municipalities are best positioned to assess and mitigate the environmental and health impacts of such materials within their communities.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners does hereby fully support SB228 and the elimination and repeal of the prohibition against local municipalities from regulating single-use and reusable plastic containers.

BE IT FURTHER RESOLVED, that the Washtenaw County Commission expresses its collective belief that local municipalities should have the right to enact ordinances that are in the best interest of their residents and the environment.

BE IT FURTHER RESOLVED, that the Washtenaw County Commission strongly urges the Michigan Legislature and Governor Gretchen Whitmer to support SB228, sponsored by Senator Sue Shink.

BE IT FURTHER RESOLVED, the Washtenaw County Board of Commissioners directs the County Clerk to send a copy of this resolution to the Washtenaw County delegation of both the Michigan Senate and House of Representatives; the Michigan State Senate Committee on Energy and Environment; Governor Gretchen Whitmer; and as a communication to other Michigan Counties.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
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Beeman	X			Maciejewski	X			Somerville	X		
Hodge	X			Rabhi	X						
LaBarre	X			Sanders	X						
Lyte	X			Scott	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

ROLL CALL VOTE:

9 0 0

STATE OF MICHIGAN)

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 7th, 2024, as it appears of record in my office.

COUNTY OF WASHTENAW)^{SS}.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 8th day of February 2024.

LAWRENCE KESTENBAUM, Clerk/Register

BY:



Deputy Clerk



Res. No. 24-027

A RESOLUTION SUPPORTING STATEWIDE WATER AFFORDABILITY LEGISLATION

WASHTENAW COUNTY BOARD OF COMMISSIONERS

February 7, 2024

WHEREAS in October 2023, a package of “Water Affordability” bills was introduced in the Michigan Senate and House of Representatives which, if enacted, would establish a first in the nation statewide program to provide eligible low-income households with water bill payments considered affordable based on national standards, along with a sustainable funding source to support the program and protections from water service shut off; and

WHEREAS SB 0549’23 and HB 5088’23 would create a low-income water residential affordability program under which qualifying individuals would not pay more than an average of 3% of their household income for water services and, if eligible, receive arrearage forgiveness for past due water debt and household plumbing repairs to prevent water loss; and

WHEREAS SB 0550’23 and HB 5089’23 would create the low-income water affordability fund within the Michigan Department of Treasury using a \$2 per month, per retail water metered account funding factor which would be used as a dedicated funding source to support the low-income residential water affordability program and, among other things, ensure that water utility providers recover the full cost of services provided to eligible and enrolled customers; and

WHEREAS SB 0551’23 and HB 5090’23 would create the “Water Shutoff Protection Act” which would require water utility providers give various forms of notice to residential customers prior to the disconnection of water service due to non-payment and to prevent water service disconnection for individuals meeting the requirements of a critical care customer whose life would be at imminent risk without household water services; and

WHEREAS the average inflation-adjusted water costs have roughly doubled (increased by 188%) for the state as a whole since 1980 and the cost of water service, on average, has increased at a faster rate than all other essential goods and services, except health care; and

WHEREAS customers who cannot afford water bill payments are at risk of water service shut off, property tax liens that can result in foreclosure, and other potentially devastating consequences including housing insecurity and harm to personal health, dignity, and family relationships; and

WHEREAS the Washtenaw County Board of Commissioners recognizes that access to affordable water services is a fundamental human right, essential for the fiscal stability of water utility providers, necessary to protect public health and safety, and critical to the resilience and prosperity of Washtenaw County and all Michigan residents.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners supports and urges the Michigan Legislature to take action to pass Senate Bills 0549-0551 and House Bills 5088-5090.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners directs the County Clerk to send a copy of this resolution to the Washtenaw County delegation of both the Michigan Senate and House of Representatives; Governor Gretchen Whitmer; and as a communication to other Michigan Counties.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Beeman	X			Maciejewski	X			Somerville	X		
Hodge	X			Rabhi	X						
LaBarre	X			Sanders	X						
Lyte	X			Scott	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

ROLL CALL VOTE:

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COUNTY OF WASHTENAW)SS.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 8th day of February 2024.

LAWRENCE KESTENBAUM, Clerk/Register

BY:



Deputy Clerk



Res. No. 24-028

A RESOLUTION SUPPORTING THE PROTECT MY KIDS BILL PACKAGE IN THE
MICHIGAN LEGISLATURE

WASHTENAW COUNTY BOARD OF COMMISSIONERS

March 6, 2024

WHEREAS, tobacco use is the leading cause of preventable death and disability in Michigan and contributes greatly to heart disease, cancer, and stroke; and

WHEREAS, tobacco retail licensing is an effective tobacco control measure that requires every store that sells tobacco products to have a license and Michigan is one of only 10 states that does not require retailers to obtain a license to sell tobacco making effective enforcement almost impossible; and

WHEREAS, Senate Bills 651 and 652 seek to establish a statewide Tobacco Retail Licensing (TRL) program, requiring all establishments selling nicotine or tobacco products to obtain a license, thereby enhancing compliance with existing tobacco sales regulations and reducing youth initiation to nicotine and tobacco; and

WHEREAS, Michigan state law prohibits local governments from enacting policies that regulate the sale and licensure of tobacco and nicotine products, keeping local communities from protecting kids' health; and

WHEREAS, 79% of Washtenaw County residents are concerned about young people using tobacco products; and

WHEREAS, Senate Bill 647 aims to repeal preemption provisions that prohibit local governments from enacting ordinances and regulations pertaining to the sale or licensure of tobacco products, empowering local communities to implement tailored tobacco control measures to protect their residents, particularly youth; and

WHEREAS, Michigan currently has no state tax on e-cigarettes or vaping products that contain nicotine and has not increased its tax on cigarettes in nearly 20 years; and

WHEREAS, The U.S Surgeon General has called raising prices on cigarettes "one of the most effective tobacco control interventions because increasing the price is proven to reduce smoking, especially among kids; and

WHEREAS, Michigan spends less than 10% of the Centers for Disease Control recommendation on tobacco prevention programs; and

WHEREAS, Senate Bill 648 proposes to establish a new tax on e-cigarettes and increase taxes on cigarettes and other tobacco products, with revenue generated dedicated to tobacco prevention and cessation programs, tax enforcement, and enforcement of smoke-free air laws, aligning with evidence-based strategies to reduce tobacco use, especially among youth; and

WHEREAS, flavored tobacco products play a key role in youth initiation and continued use of tobacco. More than 80 percent of 12-17-year-olds who have ever used a tobacco product start with a flavored product. Two-thirds of youth have reported using these products

“because they come in flavors [they] like.” More than 72 percent of current tobacco users surveyed have reported using a flavored tobacco product in the past month; and

WHEREAS, many states and over 360 localities have ended the sale of flavored tobacco products to protect kids and reduce health disparities. If Michigan takes this step, it would be a leader in protecting the health of its residents; and

WHEREAS, 77% of Washtenaw County residents support ending the sale of flavored tobacco products, including menthol cigarettes; and

WHEREAS, Senate Bills 649 and 650 aim to prohibit the sale of flavored tobacco products, including flavored e-cigarettes and menthol-flavored cigarettes, recognizing the significant role flavors play in driving youth initiation to tobacco and nicotine products and addressing health disparities within communities disproportionately targeted by the tobacco industry; and

WHEREAS, Michigan laws prohibiting and penalizing the possession, use, and purchase of tobacco products by minors, are ineffective as deterrents to youth smoking are often enforced inequitably and currently retailers are not held accountable for selling to minors; and

WHEREAS; Minors could be criminally charged for attempting to purchase, use, or possess tobacco products and research shows penalizing children is not an effective strategy for reducing youth smoking; and

WHEREAS, Senate Bills 653 and 654 repeal provisions in the Youth Tobacco Act that impose civil and criminal penalties on minors for purchasing, using or possessing tobacco products.

NOW THEREFORE BE IT RESOLVED. that the Washtenaw County Board of Commissioners support the Protect MI Kids Bill Package and urge the Michigan Legislature to swiftly pass these critical bills to protect the health and well-being of Michigan's children and youth.

BE IT FURTHER RESOLVED that Washtenaw County Board of Commissioners directs the County Clerk to send a copy of this resolution to the Washtenaw County delegation of both the Michigan Senate and House of Representatives; Governor Gretchen Whitmer; and as a communication to other Michigan Counties.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Beeman	X			Maciejewski	X			Somerville	X		
Hodge	X			Rabhi	X						
LaBarre	X			Sanders	X						
Lyte	X			Scott	X						

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ROLL CALL VOTE:

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STATE OF MICHIGAN)

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COUNTY OF WASHTENAW)^{SS}.

LAWRENCE KESTENBAUM, Clerk/Register

BY:



Deputy Clerk



Res. No. 24-047