

**A RESOLUTION TO BE SUBMITTED BY  
CHAIRMAN MILLS**

**Re: Reverse Preemption of Local Law 3-2015**

WHEREAS, in 2015 the Federal Government enacted a law banning the sale and manufacture of cosmetic microbeads which is substantially similar to Erie County Local Law 3-2015; and

WHEREAS, Section 5 of Local Law 3-2015 calls for a resolution of the County Legislature to determine whether or not an identical or substantially similar legislation has been enacted for purposes of triggering the provisions of this section; and

WHEREAS, it is the intention of this resolution to acknowledge the similarity the federal Microbead-Free Waters Act of 2015 has with the local law unanimously passed by the Erie County Legislature; and

WHEREAS, it is in the best interest of businesses, enforcement agencies, and other parties regulated under this law to have a single uniform set of rules and regulations.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby finds and determines that the Microbead-Free Waters Act of 2015 is similar in effect to Local Law 3-2015 and therefore triggers the reverse preemption clause in Section 5; and, be it further

RESOLVED, that certified copies of this resolution be sent the NYS Secretary of State, the Erie County Executive, the Department of Weights and Measures, and any party deemed necessary and proper.

Fiscal Impact: None