



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact**

Fiscal Years	<u>2017</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>Net Fiscal Impact</b>	<u>0*</u>	_____	_____	_____	_____

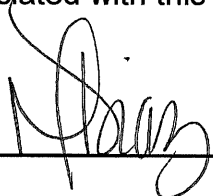
**# ADDITIONAL FTE POSITIONS (Cumulative)**      0                      0                      0                      0                      0

Is Item Included In Current Budget?    Yes \_\_\_\_ No \_\_\_\_

Budget Account Exp No: Fund \_\_\_\_ Department \_\_\_\_ Unit \_\_\_\_ Object \_\_\_\_  
 Rev No: Fund \_\_\_\_ Department \_\_\_\_ Unit \_\_\_\_ Object \_\_\_\_


**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

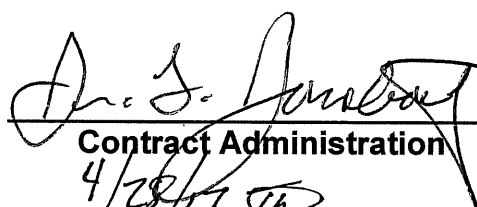
There is no fiscal impact associated with this agenda item.

Departmental Fiscal Review:  4/18/2017

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

 4/20/17  
 OFMB Et 4/19 4/20

 4/28/17  
 Contract Administration  
 4/28/17

**B. Legal Sufficiency:**

  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

This summary is not to be used as a basis for payment.

**RESOLUTION NO. R-2017-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO REACTIVATE ITS ANIMAL CARE SEARCH TOOL TO MAKE ANIMAL WELFARE RECORDS PUBLICALLY ACCESSIBLE.**

**WHEREAS**, United States Department of Agriculture (the "USDA") Division of Animal and Plant Health Inspection Service ("APHIS") inspectors are responsible for inspecting breeders, pet dealers, transporters and carriers involved in the pet trade to ensure compliance with the Animal Welfare Act, 7 U.S.C. s. 2131 et seq., and to ensure that horses are not sore in violation of the Horse Protection Act, 15 U.S.C. s. 1821 et seq.; and

**WHEREAS**, for over ten years the USDA has posted information on its internet website including violations, inspection records and annual reports for all commercial animal facilities in the nation; and

**WHEREAS**, by identifying individuals and organizations that have failed to adhere to animal welfare laws, the information provided on the USDA website has been an invaluable tool for government officials, law enforcement agencies and advocates seeking to protect animal welfare; and

**WHEREAS**, despite the negative implications for animal welfare law enforcement and advocacy, the USDA has removed this information from its website; and

**WHEREAS**, Palm Beach County recently adopted an ordinance which relied upon this information and required pet stores to use such information to ensure that its puppies are purchased from and transported by entities that adhere to minimal

animal welfare standards; and

**WHEREAS**, by removing this information from its website, the USDA has rendered the Palm Beach County ordinance unenforceable as it relates to the USDA enforcement records of breeders, pet dealers, transporters and carriers that supply puppies to Palm Beach County; and

**WHEREAS**, the USDA asserts that governmental entities and members of the public may still access the information through a Freedom of Information Act ("FOIA") request; however, because requests of this nature often take many months, if not years, to process, a requestor is unlikely to receive the information within the timeframe necessary to make use of the information; and

**WHEREAS**, in addition to long processing times, FOIA requests can be extremely burdensome for small businesses such as pet stores that rely on the information posted on the USDA website to ensure that their breeders adhere to minimal animal welfare standards; and

**WHEREAS**, removing internet access to this information may increase FOIA requests thereby creating a greater burden on the already taxed federal agencies and further delaying responses to FOIA requests; and

**WHEREAS**, removing of this information, which the public has the right to access, runs contrary to the Federal government's policy of working towards transparency and electronic access to information; and

**WHEREAS**, by removing this vital information from its website, the USDA has delivered a devastating setback to local governments and animal welfare advocaeytes throughout the country and made it far easier for those with a history of

violating animal welfare laws to continue to engage in unscrupulous practices that result in animal suffering.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

1. The Palm Beach County Board of County Commissioners expresses profound disagreement with the decision of the United States Department of Agriculture to remove information concerning violations of the Animal Welfare Act, 7 U.S.C. s. 2131 et seq., and the Horse Protection Act, 15 U.S.C. s. 1821 et seq., from its website.

2. The Palm Beach County Board of County Commissioners urges the United States Department of Agriculture to restore all deleted information concerning complaints, violations, and inspection reports under the Animal Welfare Act, 7 U.S.C. s. 2131 et seq., and the Horse Protection Act, 15 U.S.C. s. 1821 et seq., to its website.

3. Copies of this Resolution shall be transmitted by the Clerk of Court to the President of the United States, the Secretary of the United States Department of Agriculture and every member of Florida's Congressional Delegation Congress elected from the State of Florida.

The foregoing Resolution 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:

Commissioner Mayor Paulette Burdick -

Commissioner Vice Mayor Melissa McKinley -

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- Commissioner Hal R. Valeche -
- Commissioner Dave Kerner -
- Commissioner Steven L. Abrams -
- Commissioner Mary Lou Berger -
- Commissioner Mack Bernard -

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
County Attorney