



TOWN OF PALM BEACH

Office of Mayor and Town Council

November 1, 2019

Office of Governor Ron DeSantis
State of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399

MAYOR GAIL L. CONIGLIO

COUNCIL
DANIELLE H. MOORE, PRESIDENT
MARGARET A. ZEIDMAN, PRESIDENT PRO TEM
JULIE ARASKOG
LEWIS S.W. CRAMPTON
BOBBIE LINDSAY

RE: Asking for Support - Repealing the Preemption of Plastic Bags over Municipalities

Dear Governor DeSantis:

I am writing to express the desire of the Town of Palm Beach to repeal the preemption of local laws governing municipalities regarding the use or sale of single-use plastic bags. Additionally, we ask for your support in amending Section 403.7033 and Section 500.90, of the Florida State Statutes by encouraging State Legislature to approve Senate Bill 182 and any companion House Bills relating to this matter.

Plastic bags are detrimental to our environment. They do not fully degrade, overburden landfills, introduce unsafe chemicals into the environment, become litter creating hazards for land and aquatic animals due to ingestion, and create impediments to waste reduction and recycling goals. Reducing these types of litter and pollutants on land and in the waters surrounding Florida, keeps the best interest of the public health, safety and welfare of our residents and visitors in mind.

With the support of our residents and businesses, in June of 2019 the Palm Beach Town Council adopted Ordinance No. 24-2019 to prohibit the use of single-use carry-out plastic bags within the corporate limits of the Town of Palm Beach. In the weeks following the approval, the Town received a letter from the Florida Retail Federation and Florida Restaurant & Lodging Association requesting a repeal of the ordinance based upon the regulation of plastic bags under Florida Statutes, Ch. 403.7033 and Ch. 500.90. As recommended, Town Council adopted Emergency Ordinance No. 37-2019 to repeal the prohibition and simultaneously adopted Resolution No. 122-2019 to strongly encourage State Legislature to approve Senate Bill 182.

When House Bill 7135, The Energy, Climate Change and Economic Security Act of 2008, was adopted it created Section 403.7033, Florida Statutes requiring the Florida Department of Environmental Protection (DEP) to perform an analysis and submit a report to State Legislature regarding the necessity and efficacy of both statewide and local regulation of plastic bags used by consumers to carry products from retail establishments. In February 2010, the DEP submitted The Retail Bags Report which identified ways to reduce society's dependency on single-use plastic bags, encouraged working together to support the use of reusable retail bags and determined a need for new or different regulations.

With the data of the report and the need for a local change, along with the full support of the residents, the Town of Palm Beach is asking for your partnership in supporting the efforts to repeal Section 403.7033 and Section 500.90, of the Florida State Statutes and encourage the approval of Senate Bill 182 and all companion House Bills eliminating preemptive language from allowing local governments to enact appropriate legislation in this regard.

Sincerely,

Gail L. Coniglio
Mayor

Enclosure

CC: Town of Palm Beach Town Council
Florida Legislature

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