

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2014

Bill Number: S.205 Name of Bill: n/a (Fee for disposable bags)

Agency/Dept.: ANR/DEC

Author of Bill Review: Cathy Jamieson

Date of Bill Review: 1/6/2014

Status of Bill (check one):

☒ Upon Introduction ☐ As passed by 1st body ☐ As passed by both bodies ☐ Fiscal

Recommended Position:

☐ Support ☐ Oppose ☐ Remain Neutral ☒ Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

This bill would require retailers to charge 10 cents per disposable bag. One cent per disposable bag would be retained by retailers and the remaining nine cents per bag must be submitted to the Dept. of Tax, to be placed in the Waste Management Assistance Fund (for use as the Solid Waste Management Assistance Fund). This bill would also require that disposable bags be recyclable and made of certain specifications and labeled. Both requirements would be effective July 1, 2015.

2. Is there a need for this bill? *Please explain why or why not.* Yes. Disposable bags use resources and, when disposed, can take up landfill space. Plastic bags are easily blown away, contribute to litter, and pose a threat to wildlife.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

ANR would be responsible for approving alternative labeling of "please recycle this bag", to be on each disposable bag. ANR would also be given rule making and enforcement authorities. This proposal should not take much staff time, if there is overall compliance with the bag labeling requirement.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it? The Tax Department would be responsible for the oversight of the disposable bag fees to be collected by retailers and submitted to the Tax Department and deposited into the Waste Management Assistance Fund.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? *(for example: public, municipalities, organizations, business, regulated entities, etc.)*

Retailers would have to charge customers for the use of disposable bags. Some retailers may not want to have to charge customers for bags. Retailers would have to track the number of disposable bags "sold" and the amount of money to be submitted to the Tax Department. Customers would be subject to paying for disposable bags if they did not use/bring their own bags for use.

6. Other Stakeholders:

Please return this bill review as a Microsoft Word document to Laura.Gray@state.vt.us

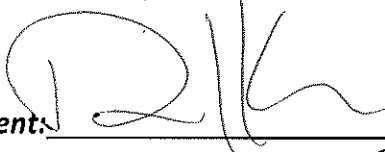
6.1 Who else is likely to support the proposal and why? Environmental groups and solid waste planning entities who promote more sustainable options for items and landfill operators (plastic bags get blown around landfills and can be carried off site by winds and facility operators are the ones responsible to collect these bags).

6.2 Who else is likely to oppose the proposal and why? Retailers who would have to charge customers for disposable bags; bag manufacturers and distributors who would lose sales of disposable bags; consumers and groups representing lower income individuals who may view the payment for disposable bags or the purchase of more durable bags a financial burden; and owners of recycling facilities that will have the challenges of recycling plastic bags.

7. Rationale for recommendation: *Justify recommendation stated above.* Plastic bags cause negative impacts to the environment, particularly to wildlife who inadvertently get tangled in the bag or consume it. Use of more durable bags can conserve resources and reduce waste to landfills. In other areas where a fee has been required for disposable bags at retailers, the number of disposable bags used has dramatically decreased in a relatively short period of time. Several cities and counties in the US, and regions in other countries, have passed bans on disposable bags and/or charge fees for disposable bags. Some states are currently considering legislation similar to this bill.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*
The requirement of charging a fee for disposable bags at retailers should decrease the amount of bags used and disposed. It will, however, be challenging to recycle plastic disposable bags in zero-sort recycling systems. There is an issue currently with VT materials recycling facilities' ability to process plastic disposable bags, where it is challenging to separate plastic bags from other types of plastic films in order to market the material. In addition, it is difficult to find recycling markets for the plastic bags. Therefore, plastic disposable bags should not be required to be labeled "please recycle this bag". A potential solution to this is to require the retailers to take back plastic bags (as they currently do in many large grocery operations) and to establish the fees necessary to cover the costs of finding and using established recycling markets.

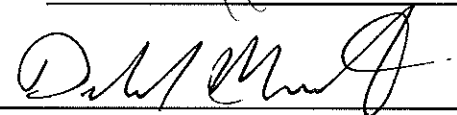
Commissioner has reviewed this document:



Date:

1/9/14

Secretary has reviewed this document:



Date:

1-13-14