soil and water.

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1	H.19
2	Introduced by Representatives Obuchowski of Rockingham and Partridge of
3	Windham
4	Referred to Committee on
5	Date:
6	Subject: Conservation and development; waste management; plastic bags
7	Statement of purpose: This bill proposes to prohibit retail establishments from
8	providing plastic carry-out bags. The bill would also require retail
9	establishments to provide compostable plastic bags, recyclable paper bags, or
10	reusable bags for the purpose of carrying goods, food, or other products from a
11	retail establishment.
12	An act relating to the use of plastic carry-out bags by retail stores
13	It is hereby enacted by the General Assembly of the State of Vermont:
14	Sec. 1. FINDINGS
15	The general assembly finds that:
16	(1) Plastic bags provided to customers by retail stores, restaurants, and
17	grocery stores have a harmful effect on the environment of the state.
18	(2) Discarded plastic bags contribute to overburdened landfills, threaten
19	the health of wildlife, degrade the environment as litter, and accumulate in the

1	(3) It is in the best interests of the citizens and the environment of
2	Vermont to phase out the use of noncompostable plastic bags.
3	Sec. 2. 10 V.S.A. chapter 167 is added to read:
4	CHAPTER 167. RETAIL USE OF PLASTIC CARRY-OUT BAGS
5	§ 7601. DEFINITIONS
6	As used in this chapter:
7	(1) "Compostable plastic bag" means a plastic bag that meets the current
8	American Society for Testing Materials (ASTM) D6400 standard for
9	compostable plastic, as that standard may be amended from time to time.
10	(2) "Plastic carry-out bag" means a bag composed primarily of
11	thermoplastic synthetic polymeric material that is provided by a retail
12	establishment to a consumer at the time of sale.

- 13 (3) "Recyclable paper bag" means a bag that:
- 14 (A) is composed of 100 percent recyclable material;
- 15 (B) contains 40 percent postconsumer recycled content; and
- 16 (C) displays the words "reusbable" and "recyclable."
- 17 (4) "Retail establishment" means a place where goods, food, or other
 18 products are offered to the public for sale, including supermarkets, grocery
 19 stores, convenience stores, retail merchandise stores, and restaurants.
- 20 (5) "Reusable bag" means a bag designed and manufactured for multiple
 21 reuse composed of:

1	(A) cloth or machine-washable fabric; or
2	(B) durable plastic that is at least 2.25 mils thick.
3	§ 7602. PROHIBITION ON USE OF PLASTIC CARRY-OUT BAGS
4	Beginning July 2012, no retail establishment shall provide customers with
5	plastic carry-out bags and shall provide only compostable plastic bags,
6	recyclable paper bags, or reusable bags for the purpose of carrying goods,
7	food, or other products from the retail establishment.
8	§ 7603. PENALTY
9	A person who violates a provision of this chapter shall be fined not more
10	than \$500.00 for each violation.
11	Sec. 3. 10 V.S.A. § 8003(a) is amended to read:
12	(a) The secretary may take action under this chapter to enforce the
13	following statutes and rules, permits, assurances, or orders implementing the
14	following statutes:
15	* * *
16	(18) 10 V.S.A. chapter 164, relating to comprehensive mercury
17	management;
18	(19) 24 V.S.A. chapter 61, subchapter 10, relating to salvage yards;
19	(20) 10 V.S.A. chapter 50, relating to the control of aquatic species and
20	introduction of algicides, pesticides, and herbicides;

1	(21) 10 V.S.A. chapter 155, relating to collection and recycling of
2	electronic waste; and
3	(22) 10 V.S.A. chapter 167, relating to the use of plastic carry-out bags
4	Sec. 4. 10 V.S.A. § 8503 is amended to read:
5	§ 8503. APPLICABILITY
6	(a) This chapter shall govern all appeals of an act or decision of the
7	secretary, excluding enforcement actions under chapters 201 and 211 of this
8	title and rulemaking, under the following authorities and under the rules
9	adopted under those authorities:
10	(1) The following provisions of this title:
11	* * *
12	(Q) chapter 167 (use of plastic carry-out bags).
13	* * *
14	Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2011.

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