

H.19

Introduced by Representatives Obuchowski of Rockingham and Partridge of
Windham

Referred to Committee on

Date:

Subject: Conservation and development; waste management; plastic bags

Statement of purpose: This bill proposes to prohibit retail establishments from
providing plastic carry-out bags. The bill would also require retail
establishments to provide compostable plastic bags, recyclable paper bags, or
reusable bags for the purpose of carrying goods, food, or other products from a
retail establishment.

An act relating to the use of plastic carry-out bags by retail stores

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The general assembly finds that:

(1) Plastic bags provided to customers by retail stores, restaurants, and
grocery stores have a harmful effect on the environment of the state.

(2) Discarded plastic bags contribute to overburdened landfills, threaten
the health of wildlife, degrade the environment as litter, and accumulate in the
soil and water.

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 “reusable” 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:

(B) durable plastic that is at least 2.25 mils thick.

Beginning July 2012, no retail establishment shall provide customers with plastic carry-out bags and shall provide only compostable plastic bags, recyclable paper bags, or reusable bags for the purpose of carrying goods, food, or other products from the retail establishment.

A person who violates a provision of this chapter shall be fined not more than \$500.00 for each violation.

(a) The secretary may take action under this chapter to enforce the following statutes and rules, permits, assurances, or orders implementing the following statutes:

* * *

(20) 10 V.S.A. chapter 50, relating to the control of aquatic species and
production of algicides, pesticides, and herbicides;

(22) 10 V.S.A. chapter 167, relating to the use of plastic carry-out bags.

§ 8503. APPLICABILITY

(1) The following provisions of this title:

* * *

(Q) chapter 167 (use of plastic carry-out bags).

* * *

This act shall take effect on July 1, 2011.