

AMENDMENTS TO HOUSE BILL NO. 1280

Sponsor: REPRESENTATIVE VITALI

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1 Amend Bill, page 1, lines 1 through 11, by striking out all
2 of said lines and inserting
3 Establishing the Plastic Bag Recycling Advisory Board and
4 providing for a study and report.

5 Amend Bill, page 1, lines 14 through 22; page 2, lines 1
6 through 30; page 3, lines 1 through 3; by striking out all of
7 said lines on said pages and inserting

8 Section 1. Short title.

9 This act shall be known and may be cited as the Plastic Bag
10 Recycling Advisory Board Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in the section unless the
14 context clearly indicates otherwise:

15 "Board." The Plastic Bag Recycling Advisory Board
16 established under section 3.

17 "Department." The Department of Environmental Protection of
18 the Commonwealth.

19 "Plastic bag." A bag or pouch of flexible packaging made of
20 thin, flexible, plastic film that is designed and intended to be
21 used for the carrying of goods purchased at a retail
22 establishment and that is provided to the consumer by the retail
23 establishment at the point of sale. The term does not include:

24 (1) A reusable bag or pouch specifically designed for
25 multiple use and that is made of cloth, fabric or durable
26 plastic of at least 2.25 mils.

27 (2) A bag or pouch to carry or bundle produce for
28 delivery to the point of sale at a retail establishment.

29 (3) A bag or pouch made of compostable material that
30 meets the American Society for Testing and Materials (ASTM)
31 D6400 standard for compostable plastic.

32 "Retail establishment." An establishment that sells or
33 offers to sell consumer goods to the public at retail.

34 "Single-use bag." A bag or pouch that is designed and
35 intended to be used for the carrying of goods purchased at a

1 retail establishment and that is provided to the purchaser by
2 the retail establishment at the point of sale. The term does not
3 include:

4 (1) A reusable bag or pouch specifically designed for
5 multiple uses and is made of cloth, fabric or durable plastic
6 of at least 2.25 mils.

7 (2) A bag or pouch to carry or bundle produce for
8 delivery to the point of sale at a retail establishment.

9 Section 3. Plastic Bag Recycling Advisory Board.

10 (a) Establishment.--A Plastic Bag Recycling Advisory Board
11 is established.

12 (b) Composition.--The board shall consist of, but need not be
13 limited to, the following individuals:

14 (1) The Secretary of the Department of Environmental
15 Protection or a designee.

16 (2) The Secretary of the Department of Agriculture or a
17 designee.

18 (3) A representative of retail establishments
19 recommended by the Pennsylvania Retailers' Association.

20 (4) A representative of retail establishments
21 recommended by the Pennsylvania Food Merchants Association.

22 (5) A representative of the waste disposal industry
23 recommended by the Pennsylvania Waste Industries Association.

24 (6) A representative of the waste disposal industry
25 recommended by the Pennsylvania Independent Waste Haulers
26 Association.

27 (7) A representative of plastic bag manufacturers
28 recommended by a leading manufacturer of plastic retail bags
29 in this Commonwealth.

30 (8) A representative of environmental organizations
31 recommended by an organization whose mission is to empower
32 Pennsylvanians to keep communities in this Commonwealth clean
33 and pollution free.

34 (9) A representative of the Professional Recyclers of
35 Pennsylvania.

36 (10) A representative of Keep Pennsylvania Beautiful.

37 (11) A representative of Pennsylvania Recycling Markets
38 Center.

39 (c) Chairperson.--The members of the board shall elect the
40 chairperson from among its members.

41 (d) Meetings.--The board shall meet not less than
42 triannually in person or by teleconference or video conference
43 upon the call of the chairperson.

44 (e) Compensation.--Members of the board shall not be
45 compensated for their services, but actual and necessary
46 expenses incurred in the performance of their duties shall be
47 reimbursed by the department.

48 (f) Study and report.--The board, in consultation with
49 national, State and local organizations, agencies and
50 researchers shall examine plastic bag pollution, production,
51 disposal and the levels of plastic bag waste management in this

1 Commonwealth. The board shall:

2 (1) Examine and make recommendations regarding existing
3 plastic bag recycling efforts, programs and policies
4 implemented in this Commonwealth.

5 (2) Develop a regulatory scheme that provides for
6 environmental oversight and enforcement specifically
7 applicable to the production, manufacture and disposal of
8 plastic bags in this Commonwealth.

9 (3) Ensure that its study addresses the need to preserve
10 the plastic bag disposal and recycling industries.

11 (4) Examine the environmental and economic benefits of
12 durable bags to single-use bags.

13 (5) Examine ways to increase the recycled content of
14 single-use bags.

15 (6) Issue a report of its findings and recommendations
16 under paragraph (1) to the General Assembly within two years
17 of the effective date of this section.

18 (g) Duties of board.--The board shall have the following
19 duties:

20 (1) To assist the department and the Department of
21 Agriculture by providing written comments on departmental
22 policy that will or could impact plastic bag recycling in
23 this Commonwealth.

24 (2) To review and comment on the formulation and
25 drafting of all legislation related to a ban, fee, tax or
26 surcharge on plastic bags in this Commonwealth.

27 (3) To provide institutional support for the plastic bag
28 recycling industry of this Commonwealth by ensuring effective
29 cooperation and communication between the plastic bag
30 recycling industry, governmental agencies and academic,
31 environmental and research communities.

32 (4) To recommend appropriate measures relating to the
33 promotion of plastic bag recycling in this Commonwealth.

34 (5) To develop a plan to increase public awareness
35 related to plastic bag recycling programs in this
36 Commonwealth.

37 (6) To develop a joint working group with the department
38 and the Department of Agriculture to explore and develop
39 economically viable plastic bag disposal and recycling
40 options.

41 (h) Administrative support.--The department shall provide
42 administrative support, office space and any other technical
43 assistance required by the board to carry out its duties under
44 this act.

45 Section 4. Effective date.

46 This act shall take effect immediately.