

AN ACT

1 Establishing the Plastic Bag Recycling Advisory Board and
2 providing for a study and report.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

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

8 Section 2. Definitions.

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

12 "Board." The Plastic Bag Recycling Advisory Board
13 established under section 3.

14 "Department." The Department of Environmental Protection of
15 the Commonwealth.

16 "Plastic bag." A bag or pouch of flexible packaging made of
17 thin, flexible, plastic film that is designed and intended to be

1 used for the carrying of goods purchased at a retail
2 establishment and that is provided to the consumer by the retail
3 establishment at the point of sale. The term does not include:

4 (1) A reusable bag or pouch specifically designed for
5 multiple use and that is made of cloth, fabric or durable
6 plastic 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 (3) A bag or pouch made of compostable material that
10 meets the American Society for Testing and Materials (ASTM)
11 D6400 standard for compostable plastic.

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

14 Section 3. Plastic Bag Recycling Advisory Board.

15 (a) Establishment.--A Plastic Bag Recycling Advisory Board
16 is established.

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

19 (1) The Secretary of the Department of Environmental
20 Protection or a designee.

21 (2) The Secretary of the Department of Agriculture or a
22 designee.

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

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

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

29 (6) A representative of the waste disposal industry
30 recommended by the Pennsylvania Independent Waste Haulers

1 Association.

2 (7) A representative of plastic bag manufacturers
3 recommended by a leading manufacturer of plastic retail bags
4 in this Commonwealth.

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

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

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

14 (e) Compensation.--Members of the board shall not be
15 compensated for their services, but actual and necessary
16 expenses incurred in the performance of their duties shall be
17 reimbursed by the department.

18 (f) Study and report.--The board, in consultation with
19 national, State and local organizations, agencies and
20 researchers shall examine plastic bag pollution, production,
21 disposal and the levels of plastic bag waste management in this
22 Commonwealth. The board shall:

23 (1) Examine and make recommendations regarding existing
24 plastic bag recycling efforts, programs and policies
25 implemented in this Commonwealth.

26 (2) Develop a regulatory scheme that provides for
27 environmental oversight and enforcement specifically
28 applicable to the production, manufacture and disposal of
29 plastic bags in this Commonwealth.

30 (3) Ensure that its study addresses the need to preserve

1 the plastic bag disposal and recycling industries.

2 (4) Issue a report of its findings and recommendations
3 under paragraph (1) to the General Assembly within two years
4 of the effective date of this section.

5 (g) Duties of board.--The board shall have the following
6 duties:

7 (1) To assist the department and the Department of
8 Agriculture by providing written comments on departmental
9 policy that will or could impact plastic bag recycling in
10 this Commonwealth.

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

14 (3) To provide institutional support for the plastic bag
15 recycling industry of this Commonwealth by ensuring effective
16 cooperation and communication between the plastic bag
17 recycling industry, governmental agencies and academic,
18 environmental and research communities.

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

21 (5) To develop a plan to increase public awareness
22 related to plastic bag recycling programs in this
23 Commonwealth.

24 (6) To develop a joint working group with the department
25 and the Department of Agriculture to explore and develop
26 economically viable plastic bag disposal and recycling
27 options.

28 (h) Administrative support.--The department shall provide
29 administrative support, office space and any other technical
30 assistance required by the board to carry out its duties under

1 this act.

2 Section 4. Effective date.

3 This act shall take effect immediately.