

# Bag this bill

## Attack on plastic bags illegal, costly and environmentally dubious

A group of students from Kent Denver School were upset enough about a perceived wrong — the environmental damage from plastic grocery bags — that they convinced a couple of lawmakers to introduce a bill to right it.

We appreciate the young Coloradans' passion for the environment. They're obviously persuasive, as well. But their crusade against plastic bags, aka Senate Bill 156, is misguided. On balance, it would almost certainly harm the ecosystem.

The bill also looks like a clear violation of this state's Taxpayer's Bill of Rights.

The bill, sponsored by Sen. Jennifer Veiga and Rep. Joe Miklosi, both Denver Democrats, would, beginning Sept. 1, impose a 6-cent "fee" on every plastic bag provided by retailers at checkout.

Any store that occupies more than 10,000 square feet and rings up at least \$1 million in gross annual sales would be covered; that would include all major supermarkets and department stores, along with some pharmacies, liquor and convenience stores.

Half the fee would be returned to merchants; the rest would underwrite a state "plastic bag reduction education fund . . . for the purpose of educating consumers" about the other part of the bill: an outright ban on plastic bags taking effect July 1, 2012.

The "fee" is almost certainly a tax, as it's not connected to the cost of providing plastic bags (which run about a penny apiece) or disposing of them. Besides, half of the revenue from the fees would support the "education" project, which is also unrelated to the cost or handling of the bags.

Because the 6-cent arbitrary charge appears to be a tax, it must be presented to voters for approval, according to TABOR.

But even if Veiga and Miklosi sought the voters' OK, substituting paper for plastic could actually undermine the sponsors' environmental purpose.

In 2007, San Francisco became the first major U.S. city to ban plastic bags at checkout in major retailers. The upshot, the alternative *SF Weekly* recently concluded, has been more pollution and higher costs.

Reviewing a number of life-cycle analyses, or "cradle to grave" studies of the environmental impact of paper vs. plastic, *SF Weekly* reported, "Again and again, paper bags were found to require more energy to create and transport, emit more greenhouse gases, generate more water and air pollution, consume far more fresh water [and] produce much more solid waste" than their plastic counterparts.

Studies vetted by third-party organizations including the U.S. Environmental Protection Agency and its counterparts in France and Switzerland have found, for instance, that it takes 40 percent more energy to produce paper bags than plastic. Making paper bags can require 16 times more

water than plastic.

And even though SB 156's supporters say 1 trillion disposable plastic bags are used in this country each year, they still account for less than 0.5 percent of the solid waste stream; paper bags contribute slightly more than 1 percent overall.

Last but not least, a shift to paper bags will increase the costs of groceries and other merchandise. Regular paper bags run about a nickel apiece, and heavy-duty ones with handles — the ones that are the best substitutes for plastic — cost as much as a dime. Retailers will pass along or absorb those costs, and neither outcome is particularly welcome at a time of severe economic recession.

So it's not just that SB 156 would inconvenience consumers, many of whom prefer plastic bags because they can carry more stuff. It's the reality that the bill would actually set back environmental goals and raise grocery costs. And by all appearances violate TABOR. That's no bargain.

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