

HB

264

<TARGET><BILL>HB 264</BILL><SUBJECT>HB
264</SUBJECT><COMM>HCRA30</COMM></TARGET>

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 264

BY REPRESENTATIVE PARISH

1 Page 1, line 8:

2 Delete "and (c)"

3 Insert ", (c), and (i)"

4

5 Page 3, following line 21:

6 Insert a new subsection to read:

7 "(i) This section does not apply to a retail seller in a municipality or an
8 unincorporated community if the municipality or unincorporated community has a
9 population of less than 5,500 people."

10

11 Reletter the following subsection accordingly.

12

13 Page 4, line 1:

14 Delete all material.

15

16 Renumber the following sub-subparagraph accordingly.

17

18 Page 4, line 5:

19 Delete "an"

20 Insert "a retail"

21 Delete "\$100,000"

22 Insert "\$250,000"

23

1 Page 4, line 13:

2 Delete "2.25"

3 Insert "four"

4

5 Page 4, following line 31:

6 Insert a new subsection to read:

7 "(e) This section does not apply to a retail seller in a municipality or an
8 unincorporated community if the municipality or unincorporated community has a
9 population of less than 5,500 people."

10

11 Reletter the following subsection accordingly.

12

13 Page 5, line 3:

14 Delete "AS 43.98.080(i)"

15 Insert "AS 43.98.080(j)"

16

17 Page 5, line 4:

18 Delete "AS 43.98.080(i)"

19 Insert "AS 43.98.080(j)"

20

21 Page 5, line 5:

22 Delete "AS 43.98.080(i)"

23 Insert "AS 43.98.080(j)"

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 21, 2018

SUBJECT: Retail Bag Fee; Equal Protection
(Amendment J.1 to HB 264; Work Order No. 30-LS1178J.1)

TO: Representative Justin Parish

FROM: Emily Nauman 
Legislative Counsel

Please find the abovementioned amendment attached. I have three notes.

1. Communities. Does the exemption capture the communities you intended? Would you like to further define community? The term "community" is defined in several statutes for specific purposes: under AS 04.06.020(d) to mean "a city as that term is defined in AS 29.71.800, and an established village that is located in a borough or the unorganized borough"; under AS 06.05.990(8), for the purpose of AS 06.05, to mean "a city, town, unincorporated village, or, in the absence of one of the foregoing, a trade area"; under AS 29.60.879, for the purposes of AS 29.60.850 - 29.60.879, and under AS 44.42.400(d), to mean "a place in the unorganized borough, in a borough, or in a unified municipality that is not incorporated as a municipality, that is not a reserve, and in which 25 or more individuals reside as a social unit"; under AS 42.45.299(1), for the purposes of AS 42.45.250 - 42.45.299, to mean "an organized municipality or an unincorporated village that is a social unit if the organized municipality or unincorporated village has a population of less than 2,000 people"; and under AS 44.88.610(a), to mean "a city as defined in AS 29.71.800 or a place in the unorganized borough that is not incorporated as a city and in which 25 or more individuals reside as a social unit."¹ Please let me know if you would like the amendment changed.

2. Recycling Requirements. You did not specify whether you wanted retail sellers in communities of under 5,500 people to be exempt from the bag recycling and reusable bag requirements in sec. 46.06.145, added by sec. 2 of the bill. The amendment adds an exemption to these requirements. Please let me know if this is not what you intended.

3. Equal Protection. Exempting retail sellers in communities under a certain size from the retail bag fee and recycling and reusable bag requirements of the bill triggers an equal

¹ In addition, "rural community" is defined under AS 18.20.499 and "small community" is defined under AS 18.56.600.

Representative Justin Parish
February 21, 2018
Page 2

protection concern under the state and federal constitutions. "The common question in addressing equal protection cases is whether two groups of people who are treated differently are similarly situated and thus entitled to equal treatment."² In order for an exemption from tax to be valid under the state's equal protection test, it must be reasonable, not arbitrary, and must bear a fair and substantial relation to a legitimate governmental objective.³ To survive judicial scrutiny, at a minimum, a legitimate governmental purpose must be served. You will be responsible for building a legislative record that demonstrates both the governmental purpose in the exemption provided to retail sellers in the amendment and how the exemption fairly relates to the purpose. The outcome of a challenge to the exemption may very well depend on the record you build.

If I may be of further assistance, please advise.

ELN:dls
18-076.dls

Attachment

² *Anderson v. State ex rel. Cent. Bering Sea Fishermen's Ass'n*, 78 P.3d 710, 718 (Alaska 2003).

³ *Wilson v. Municipality of Anchorage*, 669 P.2d 569, 572 (Alaska 1983).

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sponsor Statement

House Bill 264: *"An Act relating to a fee for disposable shopping bags; relating to the sale of reusable shopping bags; relating to the recycling of disposable shopping bags; and providing for an effective date."*

Single-use plastic bags are harmful to our environment, our wildlife, and our economy. Researchers have shown that wildlife, such as caribou and moose, will eat plastic bags, which cannot be digested and will ultimately kill the animal – typically through starvation. There have been countless cases of birds dying from ingesting plastic fragments found on beaches, including single-use plastic bags. Plastics in the ocean get broken down into microplastics, which are finding their way into our seafood, which then finds its way onto our plates – along with whatever chemicals are leaching out of the plastic. For a subsistence state, this is unacceptable.

Our resources should not be succumbing to plastic pollution and our residents should not have to worry about their health after enjoying a subsistence harvest.

Health and well-being aside, plastic bag pollution is detrimental to the aesthetic of our beautiful state. Tourists come to Alaska to experience some of the most pristine wild places in America, not to see plastic-filled alders tarnishing our mountain-scapes.

It is up to us as a state to stop needless pollution and change wasteful behavior. Alaskan communities are already stepping up and taking control; it's time the state follows suit.

HB 264 is an effort to reduce waste and pollution, and protect our renewable resources. I invite you to discuss this issue with me further and urge you to support this legislation.

Please contact my staff, Lisa Delaney, with any questions: 465-4967, lisa.delaney@akleg.gov

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sectional Analysis

HB 264 - *"An Act relating to a fee for disposable shopping bags; relating to the sale of reusable shopping bags; relating to the recycling of disposable shopping bags; and providing for an effective date."*

Section 1: Adds a new section to AS 43.98—Article 5: Disposable Shopping Bag Fees.

AS.43.98.080(a) imposes a fee on single-use plastic bags.

AS.43.98.080(b) outlines plastic bags that do not fall under (a) of this section and so are permitted for use.

AS.43.98.080(c) modifies the state regulations to account for when a city or borough has implemented their own single-use plastic bag regulations.

AS.43.98.080(d-f) outlines the responsibilities of the retailer.

AS.43.98.080(g) imposes a penalty for non-compliance.

AS.43.98.080(h) outlines the dissemination and use of collected fees.

AS.43.98.080(i) defines terms used in this section.

Section 2: Adds a new section to AS 46.06.

AS 46.06.145 explains to retailers recycling program requirements for single-use plastic bags and outlines penalties for non-compliance.

Section 3: Adds an effective date of January 1, 2019.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 264
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB 264 DOR-TAX-1-28-18
Title: SHOPPING BAG FEES & RECYCLING
Sponsor: JOSEPHSON
Requester: House Community & Regional Affairs

Department: Department of Revenue
Appropriation: Taxation and Treasury
Allocation: Tax Division
OMB Component Number: 2476

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates					
			FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES								
Personal Services	172.0		172.0	172.0	172.0	172.0	172.0	172.0
Travel	10.0		10.0	10.0	10.0	10.0	10.0	10.0
Services	40.0		40.0	40.0	40.0	40.0	40.0	40.0
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	222.0	0.0	222.0	222.0	222.0	222.0	222.0	222.0

Fund Source (Operating Only)

1004 Gen Fund (UGF)	222.0		222.0	222.0	222.0	222.0	222.0
Total	222.0	0.0	222.0	222.0	222.0	222.0	222.0

Positions

Full-time	2.0		2.0	2.0	2.0	2.0	2.0
Part-time							
Temporary							

Change in Revenues

1250 UGF Rev (UGF)	1,650.0		3,300.0	3,300.0	3,300.0	3,300.0	3,300.0
Total	1,650.0	0.0	3,300.0	3,300.0	3,300.0	3,300.0	3,300.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 500.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/19

Why this fiscal note differs from previous version/comments:

Initial version

Prepared By: Brandon Spanos, Deputy Director
Division: Tax Division
Approved By: Ken Alper, Director
Agency: Tax Division

Phone: (907)269-6736
Date: 01/26/2018 05:00 PM
Date: 01/27/18

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. 0

Analysis

Bill Analysis

The bill establishes a fee of \$0.20 for each disposable shopping bag provided by a retailer, with reduction for any municipal levy. The fee would apply to any bag that is not "reusable" with a minimum lifetime of 75 uses. The fee would be itemized and listed as a line item on the sales receipt. The bill also requires retailers that provide disposable shopping bags to also provide a bag recycling location at the entrance to their store. The fee would be collected by the retailer. The retailer would remit 75% of the fee to the state and would retain 25% of the fee to help cover costs associated with recycling disposable bags. The fee would be effective January 1, 2019.

Revenue Estimate

Revenue from this bill is uncertain, as we do not have an accurate estimate of the fee base in Alaska, how consumer behavior will change in response to the fee, or the extent to which municipalities will impose their own fees.

One jurisdiction with a similarly structured fee to this bill is Montgomery County, MD which has a \$0.05 per bag fee applied to all retail establishments. In FY 2015, that fee was applied to 61.6 million qualifying bags for a county with just over 1 million people. Scaling this consumption to Alaska's population would yield a revenue estimate of \$6.5 million; however since our fee would be 4 times as high we believe this is an unrealistic revenue number because of the increased likelihood individuals will stop using disposable bags due to the higher fee in Alaska. Our revenue estimate assumes that Alaska consumption is half of Montgomery County's as a result of the higher fee, generating about \$3.3 million per year after deducting the retailer's 25 percent of the fee. This is before adjusting for any municipal levies. However, because of the ability for municipalities to claim this revenue with zero net fiscal impact, we expect that many municipalities will add a similar tax or fee, which could dramatically reduce state revenue from what is reflected in our estimate. Depending on how businesses and consumers respond to the fee, and the extent to which municipalities enact offsetting levies, revenue could be significantly higher or lower than our estimate.

Implementation Cost

This bill would create a new tax type to be administered by the Tax Division. According to the 2012 Economic Census, there are 2,508 retail trade establishments in the state, 983 full- and limited-service restaurants and eating establishments and 390 dry cleaning or laundry establishments. We anticipate that some of these establishments will not offer disposable shopping bags and therefore will not collect and remit the disposable shopping bag fee. If there are 3,000 taxpayers submitting returns, this would amount to 12,000 quarterly tax returns filed per year. This would be the second-largest tax type in Alaska in terms of number of returns filed (behind corporate income tax). After a period of time, it is possible that some establishments will stop offering disposable shopping bags entirely, reducing the number of taxpayers and quarterly returns.

We recently completed implementation of the Tax Revenue Management System (TRMS), which created an integrated online tax application used by both taxpayers and administrators for the 25 tax types currently administered by the Division. We expect to engage FAST enterprises, the TRMS contractor, to build a disposable shopping bag fee module into TRMS. This will require the mobilization of at least one additional FAST contractor to Alaska to develop the new module, and is the majority of the estimated cost within the \$500.0 capital request.

The Department would need to adopt regulations to implement this new fee, and the Division would plan to carry out a public outreach program in the second half of 2018. The cost for regulations and outreach will be paid from the capital request.

Ongoing costs for tax return processing, examination and audit will include two new employees, an auditor and tax technician. The Tax Division's fiscal note for a similar bill in 2008 stated it would require 5 new positions to administer. However, because of efficiencies gained through implementation of our TRMS system, we anticipate that we will be able

I am Carol Montgomery from Palmer AK and I am the chair of the Mat-Su Zero Waste Coalition Plastic Bag Committee.

I applaud Rep Josephson, and Drummond for sponsoring HB 264 and the members of this Committee for considering this legislation to reduce the harmful effects of plastic.

I would like to suggest two changes or amendments to this legislation. First would be to ban disposable bags to make HB 264 consistent with the growing number of local plastic bag laws in AK, and second, to apply the 20 cent fee to all remaining carry out bags including the "reusable" ones.

I will try to keep my comments brief, but bag laws get complicated, so bear with me.

First let me explain why this legislation should ban the disposable bags rather than charge for them. As HB 264 is now written, consumers will have a choice. They can pay a 20 cent fee for a flimsy disposable bag or accept a thicker "reusable" plastic bag which is exempt from the fee, and stores generally offer them at no charge. Faced with this choice, I think it goes without saying that consumers will choose free reusable bags. Why would anyone pay 20 cents for a flimsy bag when they can get a nicer one for free? So this legislation will, in effect, eliminate disposable bags from the marketplace, acting as a de facto ban. There is a groundswell of local support to ban disposable bags. Hooper Bay, Bethel, Cordova, Wasilla, and Kodiak have all passed legislation banning them. Amending this legislation to ban disposable bags rather than charging a fee for them makes HB 264 consistent with and supportive of existing local laws. I believe this will reduce confusion.

The fee part of this legislation is critical, but it would be more effective if it were applied to the bags that will be used to replace the disposable ones. As it is written, HB 264 charges for the disposable bags but offers a free pass on the "reusable" plastic bags. A common misconception is that reusable bags get reused. By definition

“reusable” bags include plastic bags that are thicker than 2.25 mil, which makes them less flimsy, so that they can hold more weight and be used multiple times. These slightly thicker bags are the cheapest alternative for retailers to replace disposable bags. When Chicago, California, and Hawaii, for example, passed their first bag bans, these so-called reusable bags simply replaced the disposable ones and were offered for free to customers every time they went through the check out line. There was no incentive for customers to reuse the bags, or reduce their use. Even though the bags were reusable, consumers treated them as disposable and added even more plastic to the waste stream. Chicago, Honolulu and California all had to go back and modify the original plastic ban legislation to add a fee for the so called reusable bags.

Major retailers want a bag fee to accompany any ban on plastic. I have spoken with corporate representatives from Walmart, FM/Kroeger, Carrs/Safeway, and others. While their position is to support whatever bag legislation the community wants, they ask that any plastic bag ban include a mandated fee for the bags that will be used to replace them. They have 2 reasons for this. First, these bags, are more expensive, and will raise costs. Retailers are reluctant to be the store that chooses to charge for “reusable” bags because it puts them at a competitive disadvantage. Second, they have also found that consumers treat these bags the same as the disposable ones, defeating the purpose of a ban.

By amending HB 264 to ban disposable bags and apply the 20 cent fee to all other carryout bags, this legislation will not only support the growing number of AK communities that have banned plastic bags, but it will close the loophole that allows retailers to undermine the purpose of the ban by giving out heavier plastic bags for free.

Thank you for listening and considering my comments.

From: mary dokken
To: [House Community and Regional Affairs](#)
Subject: HB264
Date: Monday, February 12, 2018 5:16:20 PM

I am Mary Wilson from Wasilla, AK and I am the co-chair of the Mat-Su Zero Waste Coalition Plastic Bag Committee.

You have heard from Mat-Su Zero Waste Coalition Plastic Bag Committee, chair - Carol Montgomery of Palmer and so I won't repeat all the great points she made.

I too, would like to applaud Representative Josephson and Drummond for sponsoring HB264 and the members of this Committee for considering this legislation to reduce the wasteful use of plastic that has a life span of approximately 11 minutes before it is trash.

I think this is a great time to get the state on board since many of the smaller communities have passed legislation to ban bags. It is a big under taking but look at California and Hawaii and they have succeeded.

I believe as a state we have an obligation to the many people living here. Tourism is a huge resource for Alaska. We don't want our tourist investing in beautiful train rides through pristine Alaska and as they get closer to the cities they see a whole different picture with plastic bags torn and shredded in the trees and stuck in fencing along the highways.

I also worry about our fishing industry. The fish population is decreasing and we need to do everything we can to keep the plastic pollution out of the waterways. I fear that one day we may not want to eat the salmon that I enjoy so much. There is plenty of information out about the microplastics and how they are being found in the fish.

This is only a small part of the plastic problem effecting our planet and we can't fix it over night but this is a beginning and something we all can do.

Thank you for your time,

Mary Wilson
Mat-Su Zero Waste Plastic Bag Committee - Co-Chair

From: Brad De Noble
To: [House Community and Regional Affairs](#)
Subject: plastic bag legislation
Date: Monday, February 12, 2018 10:08:06 AM

To Whom It May Concern:

I am e-mailing to voice my support for HB 264 concerning plastic bags. Single-use plastic ultimately must be banned and this is a good start. Please support and pass Bill 264. Thank you.

Brad De Noble
Eagle River, AK

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From: Genny Rietze
To: [House Community and Regional Affairs](#)
Subject: Support for Bill HB264
Date: Tuesday, February 13, 2018 8:38:26 AM

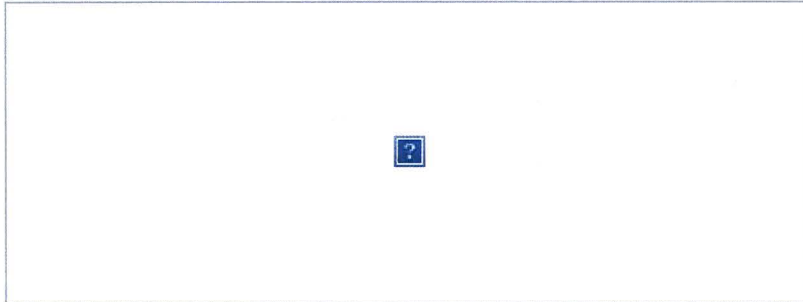
I am writing to support Michelle Putz's testimony this morning and to support the bag fee proposed in HB264.

Sweden instituted a bag tax and saw a 96% reduction in plastic bag use.

THIS IS THE FUTURE.

I am so proud to be an Alaskan with this bag tax proposal and I sincerely hope it passes. We can do this, together.

Genny Rietze
Haines, AK
lifelong Alaskan.



From: Harry Reitze
To: [House Community and Regional Affairs](#)
Subject: Support for Bill HB264
Date: Tuesday, February 13, 2018 8:33:22 AM

Hi, I am writing in support for HB264.
Every major city in America is moving to a bag tax or ban...this is the future and does Alaska want to be a leader in sustainability and responsibility OR behind?
Thank you.

--

Harry Rietze
Haines Packing Company
Office: (907) 766-2883
Cell: (541) 231-6886
hainespacking.com

From: William Deaton
To: [Rep. Justin Parish](#)
Subject: HB 264 Public Testimony (PLEASE INCLUDE ONLINE)
Date: Monday, February 12, 2018 10:03:32 PM

Dear House Community and Regional Affairs,

I am testifying on behalf of myself against HB264 which relates to shopping bag fees. I oppose this legislation because it is growing the size and scope of government. I am a fiscal and social conservative. Therefore, I abhor the thought of government getting even larger. A shopping bag fee is an attempt to limit the amount of plastic that gets into the ocean, which I support. That is the reason that I supported Cordova's successful attempt to ban plastic shopping bags. I support initiatives like this at the local level, the lowest level of government. However, I can not, in good conscience ask you to impose a tax on the entire state that would indeed be growing the size of government.

Therefore, all who claim to be conservatives, I ask you to vote NO and hold your objections on this legislation. It grows the size of government which is a very bad thing. If you support liberty without tyranny and you do not want to see local decisions made at the state level, vote NO.

Thank you for allowing me to testify,

William Deaton, Cordova

From: David Nees
To: [Rep. Justin Parish](#)
Cc: [Info](#)
Subject: HB 264 testimony
Date: Tuesday, February 13, 2018 8:33:09 AM

Rep Parrish and the committee,

Alaska Policy forum believe in the value of less regulation, smaller government intervention in free markets and good public policy.

This bill is more regulation, loss of free market decisions and bad public policy.

This bill imposes new regulations on all of Alaska.

It decides for the consumers by imposing state choice on them.

HB 26 is also about Local control vs state control, good public policy allows local control.

Alaska has a long history of allowing cities, communities and boroughs to exercise local control. This bill is state control imposed on local areas.

Alaska will be the only state imposing a fee, Washington DC imposes fees but it is not a state. The fee is ½ of the fee suggest in the bill.

None of the testimony on this bill has included the biggest users, Fred Meyer, Carrs and Safeway.

3 states ban plastic bags outright, 9 states prohibit banning plastic bags and 4 require recycling labling.

Here is a link

<http://www.ncsl.org/research/environment-and-natural-resources/plastic-bag-legislation.aspx>

While keeping plastic bags out of the environment is a good thing, this bill is not. It will have a negative economic effect during a depression.

David Nees

NFIB

The Voice of Small Business.®

ALASKA

February 10, 2018

The Honorable Andy Josephson
State Capitol Building
Juneau, Alaska 99801-1182

RE: House Bill 264 – Shopping Bag Fees & Recycling

Dear Representative Josephson:

On behalf of the NFIB/Alaska, I wish to respectfully share our opposition to House Bill 264. NFIB, the Voice of Small Business, is the largest small-business advocacy group in Alaska.

House Bill 264 would involve a clerk in a store in deciding the amount of a purchase in a retail store for a customer. Should two or three bags be used? This will create conflict at the cash register and is bad public policy. The process required by this bill will slow down the check out process since the sale cannot be concluded until all the merchandise is placed in bags so the clerk can know the number of bags that will be used.

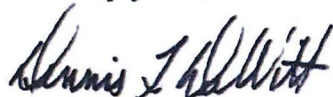
HB 364 requires a retailer to collect disposable bags, not limited to plastic bags, and recycle them even if there is no recycling available in the community. This will be a problem for many small businesses. The differential between urban and rural retail practices and costs will cause unequal treatment of like businesses.

There is an exemption for retailers that are not in a permanent building. This creates an unfair competitive situation with retailers who also pay property taxes not paid by movable retailers. There seems to be an intent not to cover tourist gift shops, but they are probably covered if they sell candy bars. Would hardware stores be covered because they stock paper towels?

The administrative burdens required by this bill will negatively impact small businesses. The confusing definitions and application will make interactions among the regulator, the owner, the employee and the customer very difficult at best.

We do not believe this bill should be enacted.

Sincerely yours,



Dennis L. DeWitt
Alaska State Director

Cc: NFIB/AK Leadership Council
House Community and Regional Affairs Committee

From: [Rep. Andy Josephson](#)
To: [Lisa Delaney](#)
Subject: FW: Proposed SB 133 & others
Date: Friday, January 12, 2018 9:17:12 AM

From: Gloria Manni [mailto:glmanni@gci.net]
Sent: Wednesday, January 10, 2018 1:19 PM
To: Sen. Berta Gardner <Sen.Berta.Gardner@akleg.gov>
Cc: Rep. Harriet Drummond <Rep.Harriet.Drummond@akleg.gov>; Rep. Andy Josephson <Rep.Andy.Josephson@akleg.gov>
Subject: RE: Proposed SB 133 & others

Dear Senator Gardner,

Continuing my conversation on proposed legislation, this is express my support to all the new legislation you are proposing and especially SB 133.

The issue of allowable under age marriages in Alaska came to my attention only a few months ago in reading a NY Times article.

Thank you very much for sponsoring the due update of the pertinent law.

Gloria Manni

From: Gloria Manni <glmanni@gci.net>
Sent: Tuesday, January 9, 2018 1:13 PM
To: Rep. Andy Josephson
Cc: Sen. Berta Gardner; Rep. Harriet Drummond
Subject: Proposed HB 264 - Tax on disposable plastic bags

Dear Representative Josephson,

Non degradable disposable plastic bags are indeed a problem; however I suggests that the proposed HB 264 is amended to reflect that ONLY BIODEGRADABLE DISPOSABLE BAGS ARE USED/STOCKED BY VENDORS OF ANY TYPE IN ALASKA.

As I see it this is a better cure to the problem than a penalty tax in that:

The biodegradable plastic bags may cost a few cents more and the cost will be carried by the buyer (not a tax penalty, but the cost of using a better quality product);

The biodegradable bags will no longer be a menace in solid waste landfills.

Biodegradable bags are widely used and available. A small note/example: MOA/Park & Rec has been using for quite some time biodegradable bags in their dog waste stations.

I appreciate your consideration to my proposed change.

Respectfully,

Gloria Manni
2208 Churchill Drive, Anchorage 99517
Tel 276-8498



Virus-free. www.avast.com

From: Carol Montgomery
To: [Lisa Delaney](#)
Cc: [Patti Fisher](#); [Mollie Boyer](#); [Liz Jackson](#)
Subject: Info on plastic bags and legislation
Date: Friday, January 12, 2018 11:58:00 AM
Attachments: [article Dec. PP.docx](#)
[article Jan FM Spectrum .docx](#)

Hi Lisa,

The Zero Waste Coalition Plastic Bag Committee is an informal group of volunteers who became mobilized after we found out that local caribou and reindeer were dying from ingesting them. Our approach was to raise awareness of the hazards which include: Local ruminant animals such as caribou, moose and reindeer are attracted to plastic bags, eat them and die when the bags block their rumen. Dr. Collins was our first contact. 746-6326. The winds in the Valley create a unique problem. There is no way to safely dispose of these bags out here, as they will blow out of the landfill, dumpsters, and when being loaded onto garbage trucks when it's windy.

These bags create an unsightly litter situation which hurts tourism, an important industry. Plastic litter eventually ends up in the ocean. Plastic never biodegrades, but breaks up into small particles called micro plastics. Plankton eat these particles. Salmon eat plankton, so it comes back to up on our dinner plates.

Here are some preliminary links I put together to support the above. We have been working on this issue for a long time so please feel free to contact me by email or phone if I can be of any help.

Andy wanted to see the video of Dr. Collins at the Matanuska Experiment Farm. Scroll down our Facebook page to videos and click on the two videos: <https://www.facebook.com/BagItMatSu/>. On that page you should also find all the local newspaper articles, TV coverage, etc.

Plastics in the ocean:

http://ec.europa.eu/environment/marine/good-environmental-status/descriptor-10/pdf/GESAMP_microplastics_full_study.pdf

This relates to our salmon:

https://www.researchgate.net/publication/278041328_Ingestion_of_Microplastics_by_Zooplankton_in_the_Northeast_Pacific_Ocean

Bag Legislation:

<http://www.ncsl.org/research/environment-and-natural-resources/plastic-bag-legislation.aspx>

https://www.huffingtonpost.com/entry/why-carryout-bag-fees-are-better-than-plastic-bag-bans_us_588187ace4b08f5134b61f79

<https://www.cawrecycles.org/list-of-national-bans>

Chicago went from ban to ban with

fee: <http://www.chicagotribune.com/news/opinion/editorials/ct-chicago-plastic-bag-7-cent->

tax-edit-0206-20170203-story.html

Hawaii went from banning single use plastic to banning all plastic with a fee for paper <http://khon2.com/2017/07/23/honolulu-mayor-to-sign-expanded-plastic-bag-ban-bill-for-oahu/>

A couple of local Mat-Su newspaper articles

Wasilla's Bag Ordinance:

[https://cityofwasilla.civicweb.net/filepro/documents/search?keywords=ordinance 17-24&location=108&preview=13644](https://cityofwasilla.civicweb.net/filepro/documents/search?keywords=ordinance%2017-24&location=108&preview=13644)

Good luck!

Carol Montgomery
Chair, Mat-Su Zero Waste Coalition Plastic Bag Committee
907 355-4451



From: [Rep. Andy Josephson](#)
To: [Gloria Manni](#)
Cc: [Lisa Delaney](#); [Thomas Atkinson](#); [Megan Holland](#)
Subject: RE: Proposed HB 264 - Tax on disposable plastic bags
Date: Wednesday, January 10, 2018 7:36:53 AM

From: Gloria Manni [mailto:glmanni@gci.net]
Sent: Tuesday, January 9, 2018 1:14 PM
To: Rep. Andy Josephson
Cc: Sen. Berta Gardner ; Rep. Harriet Drummond
Subject: Proposed HB 264 - Tax on disposable plastic bags

Dear Representative Josephson,

Non degradable disposable plastic bags are indeed a problem; however I suggests that the proposed HB 264 is amended to reflect that ONLY BIODEGRADABLE DISPOSABLE BAGS ARE USED/STOCKED BY VENDORS OF ANY TYPE IN ALASKA.

As I see it this is a better cure to the problem than a penalty tax in that:

The biodegradable plastic bags may cost a few cents more and the cost will be carried by the buyer (not a tax penalty, but the cost of using a better quality product) ;

The biodegradable bags will no longer be a menace in solid waste landfills. Biodegradable bags are widely used and available. A small note/example: MOA/Park & Rec has been using for quite some time biodegradable bags in their dog waste stations.

I appreciate your consideration to my proposed change.

Respectfully,

Gloria Manni

2208 Churchill Drive, Anchorage 99517

Tel 276-8498



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From: [Rep. Andy Josephson](#)
To: [Courtney Munson](#)
Cc: [Rep. Harriet Drummond](#); [Lisa Delaney](#); [Thomas Atkinson](#); [Megan Holland](#)
Subject: RE: House Bill 264 / single use plastic bags
Date: Wednesday, January 10, 2018 7:36:54 AM

From: Courtney Munson [mailto:courtneyanne12@gmail.com]
Sent: Tuesday, January 9, 2018 11:56 AM
To: Rep. Andy Josephson <Rep.Andy.Josephson@akleg.gov>
Cc: Rep. Harriet Drummond <Rep.Harriet.Drummond@akleg.gov>
Subject: House Bill 264 / single use plastic bags

Hello Rep. Josephson,

Just saw the news about this bill and wanted to say thank you for your action on this issue to lend my support. A group of us recently started a zero waste group on Facebook (Alaska Zero Waste if you want to search it) and it is taking off rapidly. With the ban in Wasilla it seems like there is momentum right now among a very diverse group of people across the political spectrum. Great timing for your bill! I really think addressing plastic consumption/waste is an issue that can bring people together and maybe provide some lessons on how we can get beyond the divisiveness that other environmental issues seemed to be mired in.

About a year ago I was working on building a network of individuals and groups in Anchorage interested in trying to address our seeming addiction to single use plastic (particularly the bags). I met with folks at the muni and with my Assembly member, friend, and neighbor Erik Croft, and also talked to people in other communities around the state who have tried to address this issue in different ways. I stopped working on it mostly because I didn't have the bandwidth personally because I went back to work full time last spring. With the FB group I feel like we are getting more organized. Many of the individuals in the group were involved in the Wasilla ban that just passed. I have some ideas for grassroots efforts that could complement the proposed legislation if your staff would like to reach out to me, or to get connected to the zero waste community we've started online.

I was also curious why you decided to go with the tax instead of the ban. I know there are pros and cons to each approach.

Thanks,
Courtney

P.S. Ccing Harriet since she is my neighbor and knows my passion about stuff like this and can vouch that I'm a real live person. :-)

--

Courtney Munson
courtneyanne12@gmail.com
(907) 231-7037

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Dear House Community & Regional Affairs Committee Members,

Please find the answers to outstanding questions from the February 10th, 2018 hearing below:

1. Stats request from JKT – 10:58

What proportion of plastic pollution is made up of plastic bags?

From my research, it seems like plastic pollution is measured by weight, not type. This is likely due to the staggering numbers of different plastic types, which are difficult to separate during cleanup efforts. Further, on this metric, a flimsy single-use bag is not going to amount to a significant source of plastic pollution – they are extremely light and compact relative to many other plastics. However, plastic bags are often mistaken by wildlife for food, making them a particularly troublesome form of plastic pollution, regardless of their size and weight. Further, they are delicate and photo-degrade easily (break apart into tiny pieces), so enter the food chain more readily than many other plastics.

We did manage to find the below graphic; relative proportions (volume/weight) were not available.



2. Other locations that have banned bags? Rep. Lincoln – 11:07

Communities in Alaska that have banned or taken measures to curtail use of plastic bags		
Community	Authority/Notes	Year
Arctic Village	Not actual ban, but the village council successfully asked the store to stop using plastic bags	Not Known
Bethel	Municipal Code 8.12; Ordinance 09-12 § 2	2009
Chefornak	Have not been able to confirm, but a few years ago Chefornak was reportedly working on a plastic bag ban and purchasing canvas bags for the store to use	Not Known
Chevak	No actual ban, but started a recycling program in 2003, which encourages residents to drop off bags where they are used to make crocheted bags for the community	2003
Cordova	Municipal Code 8.37; Ordinance 1137	2015
Emmonak	Municipal Code 8.04	2002
Fort Yukon	City Ordinance and Tribal Council Resolution	2003
Galena	Municipal Code 13.04.045; Ordinance 09-01	1998
Hooper Bay	City Ordinance	2009
Kodiak	City Ordinance 1372	2018
Kotlik	Banned by City Ordinance. Stores have not used plastic bags in over a decade. At the time, plastic bags were so rampant that the sheer numbers of them were impacting fish habitat and subsistence fishing grounds.	~2005
Koyuk	Resolution 07-03-01-01 Native Village of Koyuk IRA Council. A grant from Alaska Conservation allowed Koyuk to give two canvas bags to each household. The Koyuk Native Store also provided canvas bags to customers.	2001
New Stuyahok	The Traditional Council convinced local store to stop ordering plastic bags. Paper bags with handles are now used.	Not Known
Newtok	Tribal Council; Nelson Island Consortium. Stores no longer use plastic bags.	~2008
Saint Paul	Bags not officially banned, but the city of Saint Paul in lease agreement with AC Store and Tribe negotiated with them to stop using plastic bags.	Not Known
Tanana	Banned by Resolution of Tanana Tribal Council, according to the city clerk, the city typically follows tribal resolutions.	~2014
Wasilla	City Ordinance No. 17-24	2018

3. Do unincorporated towns comply? Rep. Lincoln – 11:10

Yes, it appears so (see table from previous question).

4. Kodiak Borough or city? Towns that ban and continue to ban or have repealed ban? – Rep. Drummond – 11:16

Kodiak City. See previous table for current list. Homer (ban) and Fairbanks (fee) had regulations that were repealed.

5. Environmental impact of plastic vs paper vs cloth? Rep. Saddler – 11:21

PAPER: It takes three reuses of a paper bag to neutralize its environmental impact, relative to plastic.

Manufacturing a paper bag requires about four times as much water as does a plastic bag. Additionally, the chemicals used in paper manufacturing contribute more to eutrophication of waterways.

In terms of disposal, paper bags are much better than their plastic counterparts. Paper is compostable and if the bag isn't overly contaminated with food, paper, it can go in any municipal recycling bin.

PLASTIC: A standard disposable plastic bag is made from high-density polyethylene (HDPE). These bags carry the smallest ecological footprint (in their production) of plastic bags, as a class. But, plastic is derived from petroleum, a non-renewable resource that is damaging to the environment (both in extraction and consumption).

Further, recycling plastic bags can be difficult. They often gum up machinery and many cities do not accept them in the municipal recycling stream. Some large grocery stores offer plastic bag recycling options on site. But unlike metal or glass, plastic can only be reincarnated a limited number of times before it is too costly to revive. Most disposable plastic bags end up in landfills or simply blow away to degrade in the environment

Many people can only reuse plastic bags once or twice, because they're so delicate. And this does lower their carbon footprint — but only to a point. Plastic bags simply don't have the reusable potential of cloth or even paper bags.

REUSABLE: Reusable bags may be made from many different materials, but the two most common types are cotton and nonwoven polypropylene (a more durable plastic than HDPE).

An average cotton shopping bag would need to be reused 131 times to account for its higher impact on the production side; note that this should be well within the bag's expected life span. Nonwoven polypropylene, on the other hand, is less costly than cotton. These bags need to be reused only 11 times to break even with the conventional plastic.

6. Who is the Zero Waste Coalition (and plastic bag committee)? – Rep. Saddler – 11:24 –

This may have been answered adequately from public testimony. They are a volunteer committee in the Mat-Su working towards reducing waste, and specifically plastic bag pollution.

Chevak has a
crochet program
that turns
disposable
plastic bags into
reusable.



Grocery bags not welcome in many Alaska villages

Posted: Sunday, May 04, 2003

By JOEL GAY

Anchorage Daily News

ANCHORAGE (AP) Outside the Western Alaska village of Emmonak, white plastic shopping bags used to start appearing 15 miles from town. They blew out of the dump and rolled across the tundra like tumbleweeds. In Galena, they snagged in the trees and drifted into the Yukon River. Outside Kotlik, on the Yukon Delta, bags were found tangled around salmon and seals.

No more. The villages are among at least 30 communities statewide that have banned plastic bags.

It's working out good here," said Peter Captain Sr., chief of the tribal council in Galena, where the city banned stores from using plastic bags in 1998. You used to find plastic bags all over the place, up in the trees. But you don't see that now."

Other places around the world also have decided the bags' nuisance outweighs their convenience. Ireland and Taiwan started taxing bags to curtail their use. South Africa banned them completely, as did Bangladesh after devastating floods were attributed to stray plastic bags blocking drains.

In Alaska, other communities are now considering prohibitions, including the largest city off the road system, Bethel.

They're horrible. They're all over," said Bethel City Councilman Jerry Drake. Once, he said, driving to the airport outside town, in a one-mile stretch I counted over 200 bags."

Drake's proposal would ban Bethel stores but not restaurants from using plastic bags, essentially requiring them to use paper. Elsewhere, shoppers have been encouraged to provide their own canvas or nylon bags, though in some paper-only villages, shoppers hoard plastic bags and reuse them. Violating the Bethel ban could cost up to \$500.

The Bethel council largely supports the proposed ban, members said. Public hearings later this month will gauge local opinion, but Drake and other people believe the council will put the decision before Bethel voters in October.

In my four years on the council, I've never heard people talk to me like this" about any other community issue, Drake said.

The council approved a ban two years ago only to see a voter initiative repeal the measure months later.

The only reason it got repealed was that it was a poorly written ballot measure, where yes meant no and no meant yes," Drake said. I had to read the ballot about three times before I realized what was going on with it, and I knew all about it."

Others say that banning plastic bags is the wrong way to solve Bethel's trash problem. Restaurant owner Yolanda Jorgensen sponsored the repeal initiative two years ago and said she'll work to defeat the ban again this fall. There are many angles to attack, she said.

Jorgensen doesn't dispute they're ugly but added, There are a lot more things littering our tundra than plastic bags."

Banning plastic wasn't easy in Emmonak or Galena, officials said, and attempts in other villages have failed because plastic bags have loyal fans.

Ban supporters, however, can point to places like Galena. The Yukon River village feared losing its plastic bags, but according to store owner Max Huhndorf, it's worked out OK. It took a little bit of adjustment, but we did it."

In Emmonak, the village corporation store pays a nickel for each paper bag returned, said Albert Westlock of the tribal council.

If the bag bans spread, there may soon be a bounty for plastic bags. Bill Stokes, the rural environmental specialist for the Department of Environmental Conservation, promotes recycling plastic bags into valuable crafts using nothing more than a size 6 crochet hook.

He first saw the method practiced in Mekoryuk in 1993, but it has spread statewide. People cut plastic bags into strips, then crochet them into backpacks, handbags, sweat bath mats and baskets.

Nevertheless, Stokes encourages bag bans.

Village by village by village, they're just really tired of them," he said.

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Cordova will ban plastic bags and foam containers starting Oct. 1

✍ Author: Suzanna Caldwell 🕒 Updated: September 11, 2016 📅 Published September 11, 2016



The Eyak Preservation Council has provided reusable shopping bags to Cordova residents since the city council voted unanimously to ban plastic bags and polystyrene foam food containers. (Eyak Preservation Council)

Starting Oct. 1, plastic bags will be banned in the Prince William Sound town of Cordova.

The ban has been a year in the making, since the Cordova City Council voted unanimously in November 2015 to ban plastic bags and polystyrene foam food containers in the community of 2,200 residents.

Bethel and Hooper Bay are two other Alaska communities with plastic bag bans. Others, including Homer, have attempted similar bans in recent years. Homer's ban, first approved by the City Council, lasted only several months before being overturned by a popular vote in 2013. A Fairbanks tax on plastic bags was considered by the City Council in 2009, but community pushback forced the city to rescind the measure before it ever went into effect.

Cordova's one-year lag was to give businesses — there are two main grocery stores in the town — time to adapt to the change, according to Emily Stolarcyk, program manager for the Eyak Preservation Council, the organization that spearheaded the bag ban.

Enforcement will be through the police department, with violators facing a fine of up to \$1,000. But interim city manager and Police Chief Mike Hicks said it's unlikely the maximum fine would be imposed. He said most retailers have been receptive to the change.

"I don't think we're going to have any problems with people switching over," he said. "I think it's going to go just fine."

The council brought the idea to the city last year, but it wasn't exactly new. The Cordova High School club Future Problem Solvers suggested the idea to the city years earlier, though it never gained traction.

Stolarcyk decided to change that, gathering 300 signatures last summer before bringing the ordinance to the council.

She said Cordova, a fishing hub near the mouth of the Copper River, is dependent on healthy oceans. She said a plastic bag ban would help reinforce that message in the community.

It would also help clean things up. Stolarcyk said Cordova has some informal recycling but no regular program. She said it's not unusual to see plastic grocery sacks stuck in trees or bushes along the highway leading out to the landfill, 17 miles from the city center.

Former mayor Jim Kacsh, who approved the ordinance, said he often goes hunting for rabbits along the road. Bags and plastic foam clamshell boxes dot the landscape.

"You wind up sneaking up on a little plastic bag because they look just like the bunny," he said in a phone interview Wednesday. "They're everywhere."

He said there was some pushback from retailers during the debate, but it was minimal. Kacsh said he supports the ban, but he admits he's struggled with what to do at his own NAPA Auto Parts store. He's been saving boxes and looking into buying reusable cloth bags for customers. But those are expensive, and customers would have to pay for them.

James Brand, branch manager of the AC Value Center in Cordova, the city's largest retailer, said the store is still working through its stock of regular plastic bags. Last year the store handed out 140,000 plastic bags.

He said biodegradable bags are in the process of being shipped and will likely be there in time for the ban's implementation Oct. 1. But he said if they aren't the store will still have paper bags.

Brand said there was precedent for using biodegradable bags, since the Bethel AC store also uses them. He said the biggest challenge has been trying to get Cordova's sizable transient population to understand the upcoming ban. This summer the store handed out 400 reusable bags hoping to target those customers. They were a hit.

"We have a lot of people come through with the cloth bags," Branch said. "It's really is cool to see people embracing it."

About this Author

Suzanna Caldwell

Suzanna Caldwell is a former reporter for Alaska Dispatch News.

http://www.frontiersman.com/news/the-problem-with-plastics/article_eb8be30a-7a50-11e7-be99-cfc5e3db4146.html

The problem with plastics

Litter a threat to Mat-Su moose, reindeer

By CHRIS FORD Frontiersman.com Aug 5, 2017



Research biologist Bill Collins shows Liz Jackson of Hatcher Pass Bed and Breakfast one of the moose from the small herd he keeps at the Palmer Experiment Farm. The mammals have fistulas on their sides allowing researchers and scientists direct access to their rumen where the first stage of food digestion takes place.

Courtesy photo

WASILLA — According to the Wall Street Journal, 100 billion plastic shopping bags are distributed throughout the United States each year, costing retailers an estimated \$4 billion annually. Included in that tally is 90 percent of all grocery bags and only 1 to 3 percent of the total is recycled.

A portion ends up in landfills, while others are spotted floating in lakes and rivers, stuck to trees or blowing across the landscape. Some of those are consumed by a multitude of wildlife and domesticated animals. Here in the Mat-Su, plastic bag consumption has led to the death of reindeer and caribou.

Plastic bags are made of polyethylene, a petroleum product. According to the national watchdog group EcoWatch, it takes approximately 1,000 years for polyethylene to break down. They do not biodegrade but instead photodegrade—breaking down into smaller and smaller bits. It's at this point where most reported cases of the product entering the food stream take place.

It is estimated approximately one billion seabirds and mammals die each year as a result of plastic bag ingestion. Death can also be painful. For larger animals such as mammals that ingest the entire bag or large piece of plastic, the product can wrap around their intestines or they choke and suffocate.

Dr. Bill Collins, a research biologist at the University of Alaska Matanuska Experiment Farm in Palmer, is heading up a program for Alaska Department of Fish and Game. He maintains a small herd of moose at the Palmer facility to study feeding habitats and nutritional values of the animal. As part of the research, the moose have fistulas located outside their rumen. The fistula is basically a hole with a rubber stopper that allows for direct access into the rumen.

The rumen is the first stomach of a ruminant, or mammal, which receives food or cud, and nutrients from esophagus. There the food is partially digested with the aid of bacteria and enzymes. The animal then regurgitates the food, or cud, and then chews it further allowing it to enter the digestive tract.

In a video supplied by the Mat-Su Zero Waste Coalition, Collins pours the contents of a moose's rumen onto the ground. It is littered with plastic shopping bags and Zip-Lock style plastic bags. Collins said he periodically finds the plastic in the samples.

Collins said given the Farm's location, it is subject to strong winds. That makes it easy for plastic-based litter to frequently find its way onto the open pastures and surrounding land.

"It blows into the pens," Collins said. "It has happened elsewhere."

Collins said he spent 20 years in a similar position in Kenai where he observed the problem appearing in livestock. He's been in the Mat-Su for the past 35 years and started his current program gathering nutritional data on moose 12 years ago. Although he hasn't lost an animal, at least not a direct cause and effect, he is not ruling out that digestion of plastics hasn't impacted any of the animals in his study.

"If a portion of their rumen is filled partially with plastic, it limits the rumen's capacity and reduces digestion which can reduce nutrition. That can range from light to severe to death."

Collins said he constantly scours the landscape for stray plastics, adding there is no shortage. Collins added he hasn't seen an increase in the amount that makes its way onto the farm.

"Every time the wind blows, it's always there. If you're downwind from anything, it's prevalent," Collins said.

Carol Montgomery, chair of the Coalition's Plastic Bag Committee, said Williams Reindeer Farm has lost many animals over the years from plastic bag ingestion. She said the farm has necropsy reports to verify the cause. Agate Inn owners Harvey and Sandy Bowers, who have reindeer, or domesticated caribou, also confirm the plastic bag issue.

Harvey Bowers said vigilant scouring of their property results in approximately one pickup truck bed load of collected plastics each year. He said since the bags don't decompose, his animals are often digging up 30-year-old plastic bags while grazing. He made the age determination based on imprinted logos on the recovered bags.

"It's a long-term thing so we have to be constantly vigilant," Bowers said. "We've done necropsies on some of the reindeer. It's a miserable death...our age will be known as the age of plastic."

He said most of the collected trash through his property is blown-in plastic.

Montgomery said regarding wildlife, the only way to determine cause of death is through necropsy, which is expensive and not often done.

"We were able to confirm the death of a musk ox calf in Nome from plastic bag asphyxiation through Kimberlee Beckmen, M.S., D.V.M., PhD, a wildlife veterinarian at ADFG in Fairbanks," Montgomery said. "She also confirmed a sea turtle death from plastic obstruction in the Gulf of Alaska."

"So, while there are few necropsies done on wild animals, we are able to confirm deaths in domesticated animals, and efforts to prevent further casualties by patrolling their environment. This raises concerns about the mortality from plastic ingestion in the wild where animals are not protected in these ways. We know that moose eat plastic, but so far I have not heard of any necropsies done on them, so we don't know if it is killing them as often as it kills the caribou and reindeer. With all the pressure on subsistence and game resources it seems a shame to lose wildlife to such a preventable human cause," Montgomery concluded.

Contact reporter Chris Ford at 352-2270 or chris.ford@frontiersman.com

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LOCAL POLITICS

Wasilla City Council approves plastic bag ban starting July 1

TOPICS: Plastic Bags Wasilla City Council



(Photo by eflon/Flickr Creative Commons)

POSTED BY: **MATT BUXTON** JANUARY 10, 2018

The city council of Wasilla has voted to ban single-use plastic bags in a move to combat litter.

The council voted on Monday night to approve the ordinance that was put forward by Wasilla Mayor Bert Cottle, **according to Alaska Public Media.**

Unlie the pre-filed House Bill 264 by Rep. Andy Josephson, D-Anchorage, that **seeks to impose a 20-cent tax on single-use plastic bags**, the Wasilla City



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Walker will appoint one candidate by the end of the second week of session.

Here are the three finalists to fill the House District 40 vacancy | The Midnight Sun

Council's actions are an outright ban on plastic bags. It imposes a warning and fine system for businesses that ignore the ban, escalating to \$300 for the third and later offense.

The bill allows businesses to continue handing out paper bags or reusable bags for a free or an additional fee.

The reasoning is a little less bleeding-heart environmentalism than it is an attempt at dealing with rampant litter created by discarded plastic bags caught in the Mat-Su area's strong winds, Carol Montgomery, the unofficial chairwoman of the Mat-Su Zero Waste Commission's Plastic Bag Committee, told Alaska Public Media.

"Those bags, you see them skittering across the street everywhere. There's no way to safely contain plastic bags here in the Valley. There's no way to really dispose of them without them flying away," Montgomery told the radio station. "This is a minimal amount of government regulation to solve a really big problem."

Alaska Public Media also reported that the Plastic Bag Committee plans on handing out free reusable bags and would support a similar ban in the city of Palmer. Similar bans have already been instituted Bethel, Cordova and Hooper Bay.

The lone opposition came from Wasilla Councilman Tim Burney, who told Alaska Public Media, "If I want to shop at a store that has plastic bags, I should have the right to do so."

Full explanation

Bag Requirements – New City of Wasilla bag requirements, effective July 1, 2018

What the requirements mean

- Prohibits all establishments in City limits from providing single-use plastic disposable shopping

midnightsunak.com

The finalists are Leanna Mack of Utqiagvik, Sandy Shroyer-Beaver of Kotzebue and Eugene Smith of Kotzebue.

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The Midnight Sun

20 hours ago

This is pretty cool.

Congratulations again to my friend and colleague Congressman Don Young for becoming the Dean of the House. Today, his colleagues – both Republicans and Democrats – honored his years of service to ...

Senator Dan Sullivan



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Wasilla City Council approves plastic bag ban starting July 1 | The Midnight Sun
midnightsunak.com

The city council of Wasilla has voted to ban single-use plastic bags in a move to combat litter. The council voted on Monday night to...

bags for the purpose of carrying away goods from the point of sale.

- Allows establishments to provide customers with any size recyclable paper or reusable carryout bags.
- Allows establishments to provide carryout bags made of plastic 2.25 mil or thicker, with or without charge at their discretion.
- Imposes a warning to the establishment for the first offense, second offense \$100, and third offense \$300.
- Promotes reusable carryout bags as the best alternative to single-use plastic bags.

Exemptions

- Bags used in stores for bulk items or to protect vegetables, meat, frozen foods, and similar items are exempt.
- Bags sold in packages containing multiple bags intended for use as garbage bags or to contain pet waste, or yard waste bags are exempt.

Additional information

- **Read Ordinance Serial No. 17-24 (AM)**

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Wilson said it felt like she was being held responsible for the incidents.

Rep. Wilson says she was told to "just avoid him" after complaining about harassment by male legislator | The Midnight Sun

midnightsunak.com

Wilson said it wasn't the first time former legislator Bill Stoltze went after her.

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Legislators living within 50 miles of session will no longer be paid per diem starting in January 2019.

Commission ends per diem for legislators living near session, but rejects 10 percent pay cut | The Midnight Sun
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FEATURED

Reusable totes gain popularity in Fairbanks

Julie Herrmann/For the News-Miner Feb 15, 2014



A rack of reusable grocery bags on display at Fred Meyer West on Airport Way Wednesday morning, February 5, 2014. The store recently stopped giving customers a 5-cent refund per bag for using reusable bags.

[Buy Now](#)

Eric Engman/News-Miner

FAIRBANKS — Reusable bags are multiplying across Fairbanks. The soft floppy totes are sold at stores around Fairbanks and are often given out by businesses as well.

Big box retailers have long offered the totes for sale at checkout, touting them as a “green” alternative to plastic and paper. Fred Meyer, Walmart and Safeway all offer reusable bags for sale at or near the checkout line. Local printers also have noticed a sharp increase in the number of businesses wanting their logo and name printed on reusable bags.

“We’ve had quite a few orders lately for different reusable totes,” said Interior Graphics and Printing owner Michelle Maynor. “We actually have some that we use for our customers.”

Trademark, a Fairbanks printing and engraving company, sends its smaller orders out the door in reusable bags and has seen orders for printed bags explode.

“Maybe two years ago, we would get an order or two a year,” said Ron Macom, the owner of Trademark. “Lately, we’ve had probably three or four orders in the past two months. Throughout 2013, probably two or three dozen.”

For several years, Fred Meyer offered customers a 5 cent refund per reusable bag they used at checkout to encourage customers to not only buy reusable bags, but to keep bringing them back and reusing them. A few months ago, Fred Meyer stopped offering the refund, informing customers that the program was a success since customers are using more reusable bags.

“The consumer has changed their behavior and bring their own bags,” said Melinda Merrill, a Fred Meyer spokeswoman. “They don’t do it for 5 cents. They do it because they realized it’s better, and they will continue to use them.”

Safeway shopper Gene Baalam carried a Fred Meyer reusable bag when he shopped last Friday. “I never really liked those plastic bags,” Baalam said, “I think about once they get thrown in the garbage, what happens then?”

Fred Meyer shopper Bonita Post usually brings reusable bags to the store. "I've gotten into the habit, and I use them all the time," Post said. "I even make my own."

Some customers still like the standard plastic grocery bag. Frequent Fred Meyer shopper Nanci Jones uses reusable bags at Sam's Club, which sells reusable bags and doesn't offer bags at checkout, but likes getting plastic ones at Fred Meyer. She reuses them as trash bags, packing material and more.

"They're good for traveling," Jones said. "They make a great shower cap when I forget mine."

Proponents of reusable bags say the bags are environmentally friendly by keeping thousands of plastic bags out of landfills and can carry more items than plastic. Proponents of plastic say plastic bags are usually reused around the house and that reusable bags can spread disease from leaking liquids if not cleaned frequently.

Some cities, like Portland, Ore., have banned plastic grocery bags altogether. Other cities levy a tax of a few cents on every plastic bag a customer uses.

The Fairbanks North Star Borough considered such a tax back in 2009. The ordinance required that all large retailers in the borough tax customers 5 cents per plastic bag used. The profits would go toward a borough recycling program. Many members of the public called the tax premature, and it was rescinded Oct. 8, 2009, a month after it was adopted, without ever going into effect.

Several options available for recycling plastic bags

Customers who use plastic bags have several options for recycling them. Fred Meyer, Safeway and Walmart all have bins for plastic bags in their stores, but don't accept any other recyclables. The recycled bags are collected and hauled out of Fairbanks for recycling.

Most recycled plastic bags are turned into composite lumber, a durable wood product made of plastic and sawdust. Plastic bags also can be reused the same way as reusable bags by taking them back to the store and reusing them for groceries.

Another common way of recycling plastic grocery bags is reusing them around the home. Lining trash bins, picking up after pets, lining kitty-litter buckets, storing items to keep them dust-free, carrying lunch or wet laundry, protecting surfaces during painting projects and tying them over plants to protect them from a freeze are all common ways to reuse plastic bags.

One unique way to up-cycle a plastic bag is to use it as a crafting medium. The bags can be cut into strips and then knit, crocheted or woven into a reusable bag or tote.

plasticbaglaws.org

A resource for legislative bodies considering laws limiting the use of plastic bags

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Why Carryout Bag Fees Are More Effective Than Plastic Bag Bans [from Huffington Post Blog]

February 5, 2017

This article by, Jennie Romer, Esq., was cross-posted from the [Huffington Post Blog](#).



DOROTHEE PIERRARD

Photographs of plastic carryout bags littering curbsides in Harlem (part 6).

As New York City moves forward with implementation of its carryout bag fee law, many people are asking why a fee is being pursued instead of a ban. Plastic bag “bans” sound like an ultimate sweeping policy choice, in part because “bag ban” is a term that has entered the American lexicon as shorthand for bag laws generally. However, the fee component is the policy element that’s by far the most effective way to change consumer behavior and reduce carryout bag consumption.

A “straight” plastic bag ban in the U.S. generally means that thin plastic bags are banned and paper and reusable bags are still available for free; this style of ordinance is sometimes called a “first generation” plastic bag ban. Straight bans often result in consumers taking whichever alternatives are still available for free, meaning that consumption of free paper and thicker plastic bags that qualify as a “reusable bag” (2.25 mils thick under most laws) often increases to some extent as consumption of thin single-use plastic bag use decreases.

Straight plastic bag bans implemented in [Chicago](#) and Hawaii in recent years resulted in many stores, including Walmart, simply upping the thickness of their plastic bags to 2.25 mils to cross the threshold that separates “single-use” plastic from “reusable” plastic bags under many bag laws. In response to seeing that a straight plastic bag ban did not work as intended, Chicago recently [scrapped its plastic ban in favor of a 7-cent fee on all carryout bags](#).

Underlying all of this is that the plastics industry, and to a lesser extent the grocers industry, have a history of threatening to [sue any jurisdiction](#) that moves forward with straight plastic bag bans. Plastic bag manufacturers have an obvious interest in protecting an unregulated marketplace for their product and plastics industry trade groups have been lobbying against bag bans and fees practically since the idea was first articulated. Plastic bag manufacturers have also found that litigation – suing cities to stop adoption or implementation of bans and fees – to be incredibly effective in slowing down the speed at which bag laws are adopted. The plastics industry’s best argument against bans has been an environmental one, that if plastic bags are banned then people will just use paper (or whatever is free) and therefore the outcome of bans *could* be worse for the environment.

Grocers’ industry groups have a different motivation for not wanting straight bans, the main reason being that paper bags cost significantly more than plastic: thin plastic bags cost 1-3 cents and paper bags with handles and recycled content cost around 8-10 cents. In practice, laws that ban plastic and don’t mandate a charge on paper bags often result in stores providing paper for free, since stores want to make sure consumers purchase as much as possible and most grocery stores don’t want run the risk of offending customers by charging for paper bags when a charge is not mandated. The cost of supplying for free the more expensive paper bags cuts into the grocers’ profit. As a result, grocery store associations often oppose straight plastic bag bans and sometimes file lawsuits (including [one in New York](#) state) using many of the same arguments that plastics industry groups do.

These plastics industry and grocer lawsuits concentrate on weighting the merits of plastic versus paper and various types of reusable bags in [exhausting detail](#), down to things like comparing the greenhouse gas emissions for paper bags versus plastic because paper takes up more space in trucks and additional trucks idling in front of stores due to increased paper bag consumption could possibly contribute more overall diesel emissions. Many cities have spent years in court battling these lawsuits regarding straight bans, with mixed results.

In response to the lack of real change in consumer behavior resulting from straight bans as well as threatened lawsuits from industry groups with innocuous-sounding names like *Coalition to Support Plastic Bag Recycling* and [Save the Plastic Bag Coalition](#), cities that had pioneered straight plastic bag ban – namely [San Francisco](#) – began to add a minimum charge for paper bags and reusable bags. These new ordinances kept the ban on thin plastic in place and added a 10-cent charge to all other carryout bags including paper and reusable bags of any kind. These new ban/fee hybrids were deemed “second generation bans” and they were much more effective: overall single-use bag consumption decreased. When customers are suddenly presented with the question “Would you like to purchase a bag for that?” bag consumption drops dramatically. For example, in San Jose, California [reusable bag use increased greatly](#) following the implementation of the ordinance, from almost 4 percent of bags observed to approximately 62 percent of bags observed.



DOROTHEE PIERRARD

Photographs of plastic carryout bags littering curbsides in Harlem (part 7).

Washington DC's 5-cent charge on paper and plastic carryout bags that went into effect in 2010, and has led to a 60% drop in overall single-use bags and a corresponding drop in bag litter in the river there. Eighty percent of Washington DC residents surveyed were positive or neutral about the bag fee there. One benefit to the fee on all bags versus a ban/fee hybrid is that many people use thin plastic bags as liners for small trash cans and to pick up after dogs and with a fee those bags are still available for a small fee so that people don't feel the need to spend more money on specialized alternatives, but the fee makes consumers more mindful about whether they need a bag for each purchase.

Where the money from bag fees goes presents its own set of challenges. When cities started mandating fees on bags outside of Washington DC, plastics industry groups found another reason to sue. Cities and towns generally don't have the power to levy taxes unless specifically granted permission to do so by the state. Washington DC isn't part of a state so was able to levy a 5-cent tax on bags and have a portion of the money generated go to a bag education and river clean-up fund. However, when other cities started discussing imposing paper bag fees and sending that money back to local governments for a similar clean-up or education purpose, they were threatened with lawsuits again, this time for unconstitutional taxation.

To avoid this claim of unconstitutionality, municipalities — including the County of Los Angeles — mandated that retailers must charge 10 cents for paper bags and that the entire amount must stay with the retailer. Los Angeles County was sued and the California Court of Appeal found that, because no money went to the government, the mandatory charge could not be considered a tax. LA County's bag law (a ban on thin plastic and 10 cent charge for paper) was upheld. Many other cities across the U.S. then followed LA County's model and required that the entire amount of the charge stay with stores. Plastics industry groups often use the fact that bag ban money must legally remain with the retailer to malign the laws as "grocers-getting-rich" but the truth is that there isn't much of a choice for local lawmakers as far as where the bag fee money can go and, perhaps more importantly, a bag fee of 5-10 cents is roughly equal to the cost of providing a carryout bag.

The take-home lesson here is that either a bag fee on all bags or a ban/fee hybrid that covers all types of bags are the most effective methods to reduce overall bag consumption as well as avoid getting sued in the process. Also, many NYC residents expressed concerns that they re-use plastic bags as garbage liners or for picking up after their dogs, so a fee on all bags was determined to be the best policy option for NYC.

The City Council passed NYC's #BYOBag law, a minimum 5-cent fee on all carryout bags, in May 2016. NYC's law is scheduled to be implemented on February 15, 2017 unless the NY state legislature blocks the fee

with a preemption bill. To learn more about the preemption bill visit NYC Council Member [Brad Lander's website](#), for grassroots activism updates visit the [BagItNYC Facebook](#) page, and if you'd like to show your support for NYC's law, sign this [petition](#) against preemption.

A 5c Fee is an effective reminder to Bring your Own Bag



Support NYC's #BYOBag Law & shop with your #ReusableBag

illustration: DOROTHEE PIERRARD

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