

Plastic Bags: Public Policy vs. Political Power

By Greg Vitali

In the final days of budget negotiations, a powerful State Senator quietly inserted language in a budget related bill that would prevent Pennsylvania from regulating single use plastic bags. Governor Wolf signed this bill into law on June 28. This is another example of political power trumping environmental policy in Harrisburg.

State Senate Majority Leader Jake Corman (R., Centre) inserted a provision in the Fiscal Code that would prohibit the Commonwealth and its municipalities from regulating single use plastic bags and other containers for one year- ostensibly to allow more time to study of the issue.

The Senator added this language only a week after a Philadelphia City Councilman introduced a bill to ban most single use plastic bags in the city. The new Pennsylvania law would block the Philadelphia ban from going into effect.

Senator Corman's district includes a single use plastic bag manufacturing plant owned by Novolex, one of the world's leading manufacturers of these bags.

Legislation regulating plastic bags is sorely needed. Shoppers worldwide use about 500 billion single-use plastic bags annually. Without significant action there may be more plastic than fish in the ocean by weight by 2050, according to a 2016 World Economic Forum report

Unlike Pennsylvania, many countries throughout the world and many US municipalities have already begun to address the plastic bag problem. Three hundred forty-nine states and local governments in the United States have banned or taxed plastic bags according to Forbes magazine. In 2009, for example, the District of Columbia passed legislation requiring businesses to charge a five-cent fee for paper and plastic bags. As a result, a majority of businesses reduced their disposable bag distribution by at least 50%.

Given this backdrop of numerous successful national, state and municipal plastic bag programs, State Senator Corman's assertion that another year of study is needed before Pennsylvania local governments can enact plastic bag regulations lacks plausibility. To the contrary, Senator Corman's actions are consistent with a continuing, parochial effort to protect the Novolex plastic bag manufacturing plant in his district.

Legislation to prevent plastic bag regulation in Pennsylvania was first introduced in 2015 by the State Representative whose legislative district also included the Novolex plant. This bill was defeated in the House. Similar legislation was introduced in 2017 and passed both chambers. Governor Wolf vetoed this bill declaring it unconstitutional.

Legislation to prevent plastic bag regulation has been opposed by most Pennsylvania municipal associations, including the Pennsylvania Municipal League, The Pennsylvania State Association of Township Supervisors and the Pennsylvania State Association of Boroughs. Local governments want the tools of plastic-bag fees and bans to help them deal with local problems such as litter, the clogging of storm drains and sewers, and the stressing of landfills.

Two weeks after Senator Coleman's plastic bag language went into effect, West Chester Borough in Chester County passed an ordinance banning single use plastic bags. The Borough delayed implementation of this ordinance for one year to avoid litigation involving the new state law.

Much needed plastic bag regulations will be prevented or delayed because our elected officials in Harrisburg have allowed the actions of one powerful Senator to carry the day.

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