



Plastic Bag Ban or Tax: Too Drastic and Too Expensive

The City of San José will soon consider taxing you without your consent, in violation of Proposition 218, which requires among other things that new taxes be approved by a vote of the public. You have no doubt read about the proposed ban or tax on plastic grocery bags in San José. On September 22nd, the City Council will consider a ban on the use of single-use plastic bags and require businesses to charge a \$.20 tax for paper bags. An alternative proposal would institute a \$.20-.25 tax on both paper and plastic bags. There has been a lot of hype from environmental groups about how much litter plastic bags create.

The problem is that getting rid of plastic grocery bags doesn't necessarily reduce litter. The City of San Francisco banned the use of plastic grocery bags in 2007. Before the ban went into effect San Francisco performed an audit of the makeup of city litter and found that plastic bags were six percent of the city's overall litter. The City performed another audit in 2008 after the ban and found that plastic bags were 6.4 percent of the city's overall litter. This might seem counter intuitive, but cities are finding that if they ban plastic grocery bags, then people respond by buying plastic bags. Think about how you reuse your grocery bags. Most people reuse their bags to line waste cans or cleanup after pets and if they don't have grocery bags then they buy other plastic bags for the same uses. I feel that plastic bag bans are self-defeating and cost consumers more money.

Perhaps another reason that cities find bans result in increased litter has to do with the fact that a ban overrides the reasonable measures that were setup by State legislation. In July of 2007, AB 2449 went into effect, requiring major retailers to create in-store recycling programs for the collection and recycling of plastic "carry out" bags. The legislation established a six-year pilot program that has only been in effect for two years. However, if a city bans the use of plastic bags, then the collection and recycling programs will go away and plastic bag litter will increase, as has been the case in San Francisco. It doesn't make sense to take drastic measures when reasonable measures like those in AB 2449 have not been given a chance to work. After all, there are still four years left in the six-year pilot program.

Besides being ineffective at significantly reducing litter, a ban on plastic bags in San José will also be expensive for everyone. Consumers have to purchase reusable bags or pay the exorbitant taxes on single-use paper bags. Retailers will have to track the use of paper bags and pay the City for their usage, thus adding a costly layer of administration for already struggling businesses. Finally, the City of San José will have to pay for the public outreach process. To date, public outreach on this issue has cost the City \$50,000 and the plan to ban plastic bags calls for another \$600,000. That's the equivalent of six new police officers or firefighters. Alternatively, you might have a chance to get one of the fifty thousand reusable bags that the City will purchase to give away to low-income or senior communities. The City has already distributed a number of reusable grocery bags at different events. I guess you could say that if the ban passes taxpayers will be left holding the bag.

Even if banning plastic bags was a good idea when the City's coffers were full, \$650,000 to make things harder on consumers and businesses is not a good idea now. We just closed an \$85 million budget deficit. As part of the State's plan for closing their deficit State legislators raided local funds and now we are faced with closing an additional \$20 million deficit. Banning plastic bags is not an essential city service, but the money we spend on it will make it harder to deliver essential city services.

If the proponents of this ban are so certain that the public would prefer banning plastic bags to say 12 new crossing guards, then it should be put to a vote of the people. New taxes must be voted on and approved by the public and the proposal to tax plastic or paper bags should be no different. In Seattle, a similar measure failed by wide a margin and as a result the Mayor who had proposed it was also voted out of office. If the people of San José vote to tax themselves, then I am happy to follow your wishes, but until I know that it is the will of the people I will continue to fight against nanny government proposals like banning plastic grocery bags or taxing them, but I need your help.

Please call or e-mail the Mayor and other members of the San José City Council to share your concerns with them. They need to hear from you that banning plastic bags will negatively affect you and that you believe taxing them can only be decided by a ballot initiative.