New York state lawmakers have agreed to impose a statewide ban on most types of single-use plastic bags from retail sales, changing a way of life for millions of New Yorkers as legislators seek to curb an unsightly and omnipresent source of litter.

The plan, proposed a year ago by governor Andrew Cuomo, would be the second statewide ban, after California, which banned bags in 2016. Hawaii also effectively has a ban in place, since all the state’s counties bar such single-use bags.

New York’s ban, which would begin next March, would forbid stores from providing customers with single-use plastic bags, which are nonbiodegradable and have been blamed for everything from causing gruesome wildlife deaths to thwarting recycling efforts.

The ban, which is expected to be part of the state’s budget bills that are expected to be passed by Monday, would have a number of carve outs, including food takeout bags used by restaurants, bags used to wrap deli or meat counter products and bags for bulk items. Newspaper bags would also be exempted, as would garment bags and bags sold in bulk, such as trash or recycling bags.

The plan would have an additional element allowing counties to opt in to a 5-cent fee on paper bags, revenue that would go to the state’s Environmental Protection Fund as well as a separate fund to buy reusable bags for consumers.

In a statement released late on Thursday afternoon, Mr Cuomo said that “these bags have blighted our environment and clogged our waterways,” adding that the plan agreed to in Albany would be a way to “protect our natural resources for future generations of New Yorkers.”
Supporters said that such a two-pronged approach – paper and plastic – was necessary not only to limit the flow of litter into the state’s streets, streams and oceanfront, but also to minimise the greenhouse emissions caused by their production.

“There was a real understanding that there should be a ban on plastic,” said Todd Kaminsky, a Democratic state senator from Nassau County, who is the chairman of the environmental conservation committee. “And that if people go to paper rather than reusables, we are not that better off.”

The news of the agreement between Mr Cuomo and his legislative counterparts comes less than a year after a similar effort stalled as a result of opposition from Republicans, who led the Senate, and from a rogue Democratic senator, Simcha Felder of Brooklyn, who collaborated with the Republicans. That political dynamic changed in November, when Democrats won eight seats in the state Senate, sweeping themselves back into the majority and rendering Mr Felder’s opinion moot.

The ban also marks an evolution for Mr Cuomo, a third-term Democrat, who in 2017 signed a bill that effectively killed a New York City law that would have imposed a 5-cent fee on plastic bags. The New York City fee had also been opposed by some in the state Assembly, which has been dominated by Democrats, who worried that the fee would act as a regressive tax on poor consumers.

As outlined, however, the plan to allow counties to avoid fees on paper bags would seemingly address those concerns. But that provision also left some environmental advocates disappointed; they argue that by not mandating a paper-bag fee, many people will simply use paper bags instead of reusable bags.

Peter Iwanowicz, executive director of Environmental Advocates of New York, said the provision to make paper-bag fees optional made the proposed plan “a weak response to the scourge of disposable bags.”

“New York had a chance to show real leadership and came up short,” he said.
The agreement was also criticised by business and trade groups, including the Food Industry Alliance of New York State, which represents grocery stores, a major target of such bans and fees.

Mike Durant, the group’s president, said the proposed law would “have a drastic impact on retailers,” and predicted confusion because of the opt-in provision. Mr Durant also criticised the allocation of paper-bag fee revenue to the environmental and bag funds.

“The failure to give even a portion of the 5-cent fee back to the stores, makes this an untenable mandate for many of our members who operate within finite profit margins,” Mr Durant said.

He added: “We are disappointed that the Legislature did not consider this alternative and failed to hear the concerns of the business community.”

Small-business groups also expressed concern. “Every mandated cost increase adds up,” said Greg Biryla, New York director of the National Federation of Independent Business. “Independent businesses are simply not able to absorb and adjust to new mandated costs the same as their big-box competitors.”

Though such laws have been the subject of lawsuits in the past, several cities and other localities have imposed fees on single-use carryout bags, including Suffolk County, where such a plan led to a sharp reduction in their use.

*The New York Times*