



General Assembly 2020 Litter & Trash Legislation



Overview

Plastics and Packaging Reduction Act

- Part 1: Statewide plastic bag ban/other bag fee
- Part 2: Work group to holistically look at materials



Bag Regulation

- Ban plastic carryout bags less than four mils thick and compostable plastic carryout bags
- Place a .10 fee on paper and other material bags at point of sale
- Retailer retains the fee
- Applies to to-go food bags from restaurants, other retail (i.e., apparel and home goods)
- Common exemptions (non-handled, non point of sale)
- Voucher holder exemption removed
- Take effect July 2020



Single Use Packaging Work Group

- Will examine beverage containers, straws/stirrers, condiment packets/containers, toiletries, snack packaging, etc.
- Reconcile production, consumption and disposal: litter and diversion
- Identify comprehensive approach
- Examines potential effect on low-income households and explores possible solutions
- Defined composition: elected officials, solid waste industry, environmental advocacy community, scientific expertise, business sector
- Deliver a plan by December 2020

Potential Opposition

Industry:

- Progressive Bag Alliance (will stress recycling)
- American Forest and Paper Association (will lobby against paper fee)
- American Chemistry Council
- Restaurant Association (likely to request only an amendment to exempt paper bags given for leftovers from the fee requirement).

Business Sector

Local Jurisdictions

Today

- House Bill
 - Likely dropped in the hopper
- Senate Bill
 - Still working on cosponsors

Next Steps

- Consider how you will be engaged and spread shared messaging:
 - Community engagement and local canvassing in your respective “territory” (this will be dynamic as we learn key reps’ positions)
 - Written testimony (oral strategy will evolve and be discussed on weekly calls)
 - Current gaps now to fill: Agricultural perspective (impact to livestock and equipment); Solid Waste Industry (debunk recycling argument); Equity and Social Justice (combat narrative of tax and regressive tax)
 - Op-eds
 - Social media and action alerts
 - TFMD will have a fact sheet, sign on letters (for organizations and businesses), social media tiles, talking points, etc. that will be shared with coalition – **STAY TUNED!**
- While there may be some differences of opinion on certain aspects, critical to keep messaging tight and consistent:
 - why a ban/fee structure eliminate the worst polluters, while the fee will drive behavior change
 - Consistency statewide is key
 - Not a tax
 - Recycling not the answer: only 1% gets recycled
 - Business friendly: they’ll save money over time as consumption decreases, plus recover some cost
 - Importance and inclusivity of work group and a sound strategy

Needs

Additional perspectives and partners:

- Solid waste industry (contamination, tangles)
- Rural representation (agriculture)
- Equity and justice

We know the general opposition to the bag component, need to garner robust support for Work Group aspect

Noise. We're not resting because #FoamFreeMD happened!



Other Bills

Ask Only Policy on Straws – Delegate Love (reintroducing from 2019)

Hotel Toiletry phase-out – Delegate Love (mirroring California's legislation)

Prohibition on Releasing a Balloon Into the Atmosphere (SB28/HB13) – Senator Lam and Delegate Hartman. Senate hearing 1/23 at 1pm, House hearing 1/29 at 2pm.

Waste:

Organic Waste Generator ban, Removal of Incineration Subsidies, Delegate Charkoudian

Bill focusing on MDE reporting transparency and clarity - Delegate Smith

Others TBD in a zero waste package, green new deal package