

February 11, 2020

Sign on letter regarding amendments to HB 209

Honorable Members of the Environment and Transportation Committee,

House Bill 209, the Plastics and Packaging Reduction Act, aims to ban the distribution of single-use plastic grocery bags because of their out-sized contribution to litter along Maryland's streams and roadways. One unintended consequence is the disparate impact to Marylanders experiencing poverty; in particular, those who utilize the Supplemental Nutrition Assistance Program (SNAP) and the Women's, Infants and Children (WIC) program to purchase food.

There are over 797,000 SNAP and WIC participants in Maryland.ⁱ By charging a 10-cent fee across the board, this bill does not consider the daily realities of Marylanders who rely on federal food assistance programs. For example, federal law prohibits using SNAP or WIC benefits to pay for a bag fee – or other non-food items. So, if someone purchasing groceries with their benefits forgets their reusable bag one day and doesn't happen to have a dime on them, they have no option but to carry out their items in their arms. While keeping reusable bags handy is pretty simple if you drive a car to the grocery store, it's not as easy to keep reusable bags accessible all the time if you use public transit. And car or not, we all forget our reusable bags sometimes.

As currently written, this bill places the sole responsibility of reducing disposable bag use on consumers instead of asking businesses and corporations to play a role in improving the health of our state. We can do better.

In 2014, California exempted SNAP/WIC users from their bag fee to ensure it did not create a financial burden for those least able to afford it.ⁱⁱ As of March 1, 2020, New York is about to do the same. After the mayor vetoed a prior bag bill due to concerns about disproportionate impacts,ⁱⁱⁱ Providence, Rhode Island implemented a community-driven process to seek input on their plastic bag ban and other zero waste strategies through a racial equity lens.^{iv}

As advocates for healthy communities, low-income Marylanders, and a clean environment, we respectfully request that the committee exempt SNAP and WIC users from the ten cent fee on paper bags and create a provision that would return a small portion of the collected fee on paper bags to grocery retail outlets that provide bags to SNAP and WIC users without charge. We fully support the intent of this bill to reduce plastic pollution across the state of Maryland, and encourage alternatives to single-use bags, but we believe it can be improved to ensure it does not have a disparate impact on Marylanders experiencing poverty. As committee members considering this bill, you have an opportunity to improve an environmental bill by amending the PPRA. We respectfully request that you stand with all Marylanders and make this change so we can build both a more sustainable and equitable future, and that we do so together. Making this change will also ensure that the policy is more equitable and inclusive. We stand ready to continue to work with you in good faith to achieve this outcome.

Thank you,

Maryland Hunger Solutions

Maryland Center on Economic Policy

Maryland Nonprofits

Advocates for Children and Youth

Out For Justice

AMNGLOBAL

(List in formation)

ⁱ Data from Maryland Department of Health and Maryland Department of Human Services, January 2020. And the Maryland Department of Health

ⁱⁱ “Ban on Single-Use Carryout Bags (SB 270 / Proposition 67) Frequently Asked Questions,” *California Department of Resources Recycling and Recovery*, Last updated: October 10, 2018, <https://www.calrecycle.ca.gov/plastics/carryoutbags/faq>.

ⁱⁱⁱ 3 Mayor Jorge Elorza, “Regarding: Ordinance Amending Chapter 12, ‘Health and Sanitation,’ of the Code of Ordinances of the City of Providence to Establish Section 20, ‘Reduction of Single-Use Checkout Bags by Retail Establishments,” March 26, 2018, http://mediad.publicbroadcasting.net/p/wrni/files/201803/VetoLetter_3.26.pdf?_ga=2.112815501.806671840.1522115552-2064315171.1493262417

^{iv} 4 Steve Ahlquist, “Plastic bags are bad, negatively impacting poor people is worse, says REJC,” Uprise RI, March 16, 2018, <https://upriseri.com/2018-03-16-plastic-bag-ban-impacts-poor-people/>.