

REGULAR CALENDAR

March 9, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Municipal and
County Government to which was referred HB 1119,**

AN ACT relative to the regulation of single-use bags.

**Having considered the same, report the same with the
following resolution: RESOLVED, that it is
INEXPEDIENT TO LEGISLATE.**

Rep. Charles Melvin

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	HB 1119
Title:	relative to the regulation of single-use bags.
Date:	March 9, 2022
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill fails to recognize several important facts. Plastic bags are 100% recyclable, highly reused, and the vast majority are made and recycled in the United States, which supports tens of thousands of U.S. manufacturing jobs. Charging fees for plastic bag use will not address overall litter and waste issues. The Environmental Protection Agency (EPA) says that plastic bags make up less than 0.3% of the nation's municipal solid waste. Statewide litter surveys have found that plastic bags typically make up less than 1% of litter. Study after study has found that plastic bags are the most sustainable and least resource intensive option at the checkout counter. The manufacturing of paper bags, reusable bags, and cloth bags have a higher carbon footprint than plastic bags. Charging fees for plastic bags will only make doing business in New Hampshire more expensive and burdensome for our citizens, businesses, and visitors, while doing nothing to address overall litter and waste. Plastic bag fees will promote shopping on line and hurt our local businesses. These online companies who ship products from out of state will be allowed to use any type or size of plastic bag they choose. Those bags and/or containers may or may not be made of recyclable materials. Yet they will still become part of New Hampshire's solid waste. The bill as written will have serious consequences. It will have added costs to our New Hampshire retailers, create more plastic being produced, which is ultimately used by the consumer. The current standard in California is 2.25 mils and is considered to be one of the strictest standards in the world. The majority believes educational efforts concerning the use, reuse, and recycling of plastic bags should first be attempted prior to imposing an indirect tax on our residents and visitors.

Vote 10-9.

Rep. Charles Melvin
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 1119, relative to the regulation of single-use bags. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles Melvin for the **Majority** of Municipal and County Government. This bill fails to recognize several important facts. Plastic bags are 100% recyclable, highly reused, and the vast majority are made and recycled in the United States, which supports tens of thousands of U.S. manufacturing jobs. Charging fees for plastic bag use will not address overall litter and waste issues. The Environmental Protection Agency (EPA) says that plastic bags make up less than 0.3% of the nation's municipal solid waste. Statewide litter surveys have found that plastic bags typically make up less than 1% of litter. Study after study has found that plastic bags are the most sustainable and least resource intensive option at the checkout counter. The manufacturing of paper bags, reusable bags, and cloth bags have a higher carbon footprint than plastic bags. Charging fees for plastic bags will only make doing business in New Hampshire more expensive and burdensome for our citizens, businesses, and visitors, while doing nothing to address overall litter and waste. Plastic bag fees will promote shopping on line and hurt our local businesses. These online companies who ship products from out of state will be allowed to use any type or size of plastic bag they choose. Those bags and/or containers may or may not be made of recyclable materials. Yet they will still become part of New Hampshire's solid waste. The bill as written will have serious consequences. It will have added costs to our New Hampshire retailers, create more plastic being produced, which is ultimately used by the consumer. The current standard in California is 2.25 mils and is considered to be one of the strictest standards in the world. The majority believes educational efforts concerning the use, reuse, and recycling of plastic bags should first be attempted prior to imposing an indirect tax on our residents and visitors. **Vote 10-9.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

March 9, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred HB 1119,

AN ACT relative to the regulation of single-use bags.

Having considered the same, and being unable to agree with the Majority, report with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Rosemarie Rung

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	HB 1119
Title:	relative to the regulation of single-use bags.
Date:	March 9, 2022
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-0764h

STATEMENT OF INTENT

NH municipalities bear the responsibility and cost for waste disposal and recycling in their communities, but are limited in their control of waste generation. This bill would have allowed them to regulate the distribution of single use plastic bags and paper bags at the point of sale, if municipalities decided that it was in their best interest to do so. Despite statements to the contrary, this bill is not a ban on plastic bags, but rather enabling legislation that allows communities to make their own decision for reasons that may include: limiting the damage single used plastic bags cause to their machinery, encouraging the use of reusable shopping bags, reducing fossil fuel consumption, or a myriad of other reasons. The statute already enables municipalities to regulate noise, tattoo parlors, local elective office contributions, and retail display of martial arts weapons. The minority believes adding single use plastic bags and paper bags to this statute is reasonable and respectful of local control.

Rep. Rosemarie Rung
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 1119, relative to the regulation of single-use bags. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rosemarie Rung for the **Minority** of Municipal and County Government. NH municipalities bear the responsibility and cost for waste disposal and recycling in their communities, but are limited in their control of waste generation. This bill would have allowed them to regulate the distribution of single use plastic bags and paper bags at the point of sale, if municipalities decided that it was in their best interest to do so. Despite statements to the contrary, this bill is not a ban on plastic bags, but rather enabling legislation that allows communities to make their own decision for reasons that may include: limiting the damage single used plastic bags cause to their machinery, encouraging the use of reusable shopping bags, reducing fossil fuel consumption, or a myriad of other reasons. The statute already enables municipalities to regulate noise, tattoo parlors, local elective office contributions, and retail display of martial arts weapons. The minority believes adding single use plastic bags and paper bags to this statute is reasonable and respectful of local control.

Original: House Clerk

Cc: Committee Bill File

Rep. Rung, Hills. 21
February 22, 2022
2022-0764h
05/08

Amendment to HB 1119

1 Amend RSA 31:39, I(q) as inserted by section 1 of the bill by replacing it with the following:

2

3 *(q) Regulating the distribution of single-use plastic bags and paper bags at*
4 *point of sale.*

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 1119

BILL TITLE: relative to the regulation of single-use bags.

DATE: February 22, 2022

LOB ROOM: 301 - 303

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Rung

Seconded by Rep. Vann

AM Vote: 9-10

Amendment # 2022-0764h

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Melvin

Seconded by Rep. Pauer

Vote: 10-9

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 1119

BILL TITLE: relative to the regulation of single-use bags.

DATE: 2/22/22

LOB ROOM: 301-303.

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # 2022-0764h
 Interim Study (2nd year) (if offered)

Moved by Rep. Melvin Rung Seconded by Rep. Thaddeus Vann Vote: 9-10-

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. Melvin Seconded by Rep. Paven Vote: 10-9

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES _____ NO

Minority Report? Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: [Signature]
Rep John MacDonald, Clerk



2022 SESSION

Municipal and County Government

Bill #: 1119 Motion: ITL AM #: _____ Exec Session Date: 2/22/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Dolan, Tom Chairman	10		
Piemonte, Tony Vice Chairman	1		
MacDonald, John T. Clerk	2		
Tripp, Richard P.	3		
Guthrie, Joseph A.	4		
Lascelles, Richard W.	5		
McBride, Everett P.	6		
Melvin, Charles R.	7		
Ayer, Paul F.	8		
Pauer, Diane	9		
Maggiore, Jim V.		1	
Treleaven, Susan GS		2	
Gilman, Julie D.		3	
Stavis, Laurel		4	
Mangipudi, Latha D.		5	
Vann, Ivy C.		6	
Klee, Patricia S.		7	
Gallager, Eric B.		8	
Rung, Rosemarie		9	
TOTAL VOTE:			



2022 SESSION

Municipal and County Government

Bill #: 2022-0764h Motion: Adopt Amended OTP AM #: 2022-0764h Exec Session Date: 2/22/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Dolan, Tom Chairman		10	
Piemonte, Tony Vice Chairman		1	
MacDonald, John T. Clerk		2	
Tripp, Richard P.		3	
Guthrie, Joseph A.		4	
Lascelles, Richard W.		5	
McBride, Everett P. <i>Rhodes</i>		6	
Melvin, Charles R.		7	
Ayer, Paul F.		8	
Pauer, Diane		9	
Maggiore, Jim V.	1		
Treleaven, Susan GS	2		
Gilman, Julie D.	3		
Stavis, Laurel	4		
Mangipudi, Latha D.	5		
Vann, Ivy C.	6		
Klee, Patricia S.	7		
Gallager, Eric B.	8		
Rung, Rosemarie	9		
TOTAL VOTE:			

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 1119

BILL TITLE: relative to the regulation of single-use bags.

DATE: February 15, 2022

LOB ROOM: 301 - 303

Time Public Hearing Called to Order: 10:35 a.m.

Time Adjourned: 11:25 a.m.

Committee Members: Reps. Dolan, Piemonte, J. MacDonald, Tripp, Guthrie, Lascelles, Melvin, Ayer, Pauer, Maggiore, Gilman, Mangipudi, Vann, Klee, Gallagher and Rung

Bill Sponsors:

Rep. Klein-Knight

Rep. Myler

Rep. J. Schmidt

Rep. Bartlett

Rep. Chretien

Rep. Meuse

Rep. Weston

Rep. McWilliams

Rep. Rung

Sen. Whitley

Sen. Watters

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. David Muse - Single use plastic - distribution for single use plastic bags. Give them the option for using them. Simply give the communities the opportunity to regulate the plastic bag.

Rep. MacDonald: Questions about Massachusetts program for cities and towns. Regulating is a broad term. Couldn't a community change for bags? ANS: They could.

Rep. Lascelles: What would be an alternative? What would they use? ANS: Paper bags, permanent bags. I use them when I go grocery shopping. Some grocery store should be commended for recycling their plastic bags.

Rep. Gallagher: Amendment to change and or? ANS: Yes.

Rep. Tripp: Paper bags are not considered single use. ANS: People are encouraged to bring their own containers. I use my paper bags. Is on a hefty bag a single use trash bag? ANS: Yes, it is a similar issue.

Rep. Gilman: Change to one ply, two ply? ANS: Yes.

Rep. Vann: Pandemic is banning plastic? ANS: One thing at a time. Up to the consumer to keep them clean. Is a hefty bag, would you accept at point of sale as an amendment? ANS: Yes, I am.

***Bruce Berke** - Supports the bill. Submitted testimony.

Christina Dubin - Supports the bill. Clear the ambiguity of existing. Exceed the goals. Supported Sen. Clark's bill.

***Simon Thomson, New England Convenience Store Association** - Opposes the bill.

Curtis Barry, NH Retail Association - Opposes the bill. Environmental regulation on a town by town bases this bill would be in effective. I could shop in another community that bans them.

Kevin Daigle, NH Grocers Association - Opposes the bill. Dillons rule. Mitigation of consumers from one community to others. Increased confusion and cost for customer.

Zachery Taylor, ARPBA - Against plastic bags 1% of litter clean up. National shortage of plastic bags. If you don't need a bag, don't take one. Consumer education and recycling. It is important to recycle them.

Mary Smith - Opposes the bill. Miro manage. Burdensome regulation. Live free or die state.

Rep. Rosemarie Rung - Supports the bill. We should allow those communities to allow them to make their own decisions.

Henry Veilleux, NH Lodging and Restaurant Association - Opposes the bill.

Respectfully submitted,

Rep. John MacDonald
Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB1119 on 2022-02-15

Support: 7 Oppose: 1 Neutral: 0 Total to Testify: 0

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<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Watters, Senator David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/7/2022 2:34 PM
Schmidt, Jan	Nashua, NH tesha4@gmail.com	An Elected Official	Myself	Support	No	No	2/8/2022 2:33 PM
Moran, Brian	Stoughton, MA brian@necsema.net	A Lobbyist	NECSEMA	Oppose	No	No	2/10/2022 12:58 PM
SUPLEE, RYAN	BARRINGTON, NH chair@nh.surfrider.com	A Member of the Public	Myself	Support	No	No	2/11/2022 12:04 PM
Greyes, Natch	Concord, NH ngreyes@nhmunicipal.org	A Lobbyist	New Hampshire Municipal Association	Support	No	No	2/11/2022 3:08 PM
Sullivan, Kelsey	Portsmouth, NH kelsey.2.sullivan@gmail.com	A Member of the Public	Myself	Support	No	No	2/12/2022 7:48 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	2/12/2022 7:39 PM
Rhoades, Chuck	Dover, NH chuckrhoades@comcast.net	A Member of the Public	Myself	Support	No	No	2/12/2022 8:58 PM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 8:31 AM
Baber, Kristine	Dover, NH kmbaber@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 8:31 AM
Glass, Jonathan	Cornish, NH Jglass1063@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:14 AM
Crandell-Glass, Jane	Cornish, NH Bostonjane@me.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:16 AM
Beck, Gerald	Holderness, NH bentrimone@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:32 AM

Heath, Cindy	CORNISH FLAT, NH cheath58@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 11:13 AM
Spence, Richard	Dover, NH rtssds2@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 11:13 AM
Huberman, Anne	Peterborough, NH Anne.Huberman@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 12:32 PM
Beffa-Negrini, Patricia	Nelson, NH pbeffa@me.com	A Member of the Public	Myself	Support	No	No	2/13/2022 3:06 PM
Bushueff, Catherine	Sunapee, NH agawamdesigns@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 3:38 PM
Raven, Mary	Merrimack, NH marybeth.raven@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 3:44 PM
M KramerPerry, Amy	Dover, NH amkp@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2022 4:01 PM
Bates, David	Warner, NH dbates3@yahoo.com	A Member of the Public	Myself	Support	No	No	2/13/2022 4:19 PM
Hansen, Lorraine	Rollinsford, NH lhansennh@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 4:50 PM
Laforme, Patricia	East Kingston, NH plaforme@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/13/2022 4:58 PM
Goodwin, Jeannie	Dover, NH jgmusic@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2022 5:19 PM
O'Neill, Sandra	Madbury, NH sandy_oneill@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2022 5:33 PM
Rhoades, Melanie	DOVER, NH melanierhoades@hotmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 8:50 PM
Zaenglein, Barbara	AMHERST, NH bzaenglein@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 9:42 PM
Zaenglein, Eric	Amherst, NH henley11@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2022 9:54 PM
Currier, Dorothy	Concord, NH dorocurr@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:00 PM
Verschueren, James	dover, NH jd.verschueren@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:02 PM
Seidler, Reinmar	Cornish Flat, NH reinmar.seidler@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 1:14 AM

Letellier, Kathleen	Dover, NH Kathleenletellier@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 7:36 AM
Dinzeo, David	Dover, NH dinz00@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2022 7:48 AM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:39 AM
thompson, julia	durham, NH maple371@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:01 AM
Phillips, Betsey	Bethlehem, NH bphill36@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:05 AM
Raspiller, Cindy	Mont Vernon, NH raspicl@hotmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:14 AM
Martin, Patricia A	Rindge, NH pmartin2894@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:19 AM
Brown, Howard	Mont Vernon, NH hobro39@hotmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:22 AM
Jakubowski, Dennis	LOUDON, NH dendeb146@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:25 AM
Wilke, Mary	CONCORD, NH wilke.mary@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:29 AM
Walter, Cynthia	Dover, NH cawalter22@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:46 AM
Raymond, Susan	Tamworth, NH susanjaneraymond@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:57 AM
Nelson, Deborah	Hanover, NH dbaconnelson@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:01 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:20 AM
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:20 AM
Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:28 AM
Fiske, Diane	Dover, NH nonnagolfer@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2022 10:30 AM
Taylor, Zachary	Washington, DC ztaylor@plasticsindustry.org	A Member of the Public	the American Recyclable Plastic Bag Alliance (ARPBA)	Oppose	No	No	2/14/2022 10:48 AM

Gordon, Margaret	Weare, NH Megordon98@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:57 AM
Goggans, Ron	campton, NH rongoggans@gmail.com	An Elected Official	Myself	Support	No	No	2/14/2022 11:21 AM
Atherton, John	Dover, NH JMAtherton.3@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 11:29 AM
Bergevin, Leslie	Loudon, NH Leslie.bergevin@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 12:00 PM
QUISUMBING-KING, Cora	Dover, NH coraq@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2022 12:07 PM
Aman, Katie	Hanover, NH kathryn.aman@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 12:15 PM
Gordon, Laurie	Weare, NH lmgord23@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 12:21 PM
Dickler, Deneen	Rindge, NH dkd1905@aol.com	A Member of the Public	Myself	Oppose	No	No	2/14/2022 12:26 PM
Jakubowski, Deborah	Loudon, NH Dendeb146@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 12:39 PM
Rettew, Annie	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 1:10 PM
Arroyo, Joshua	Swanzey, NH joshuagarroyo@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 1:38 PM
DeWitt, Sarah	Exeter, NH Brillopad9@hotmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 1:45 PM
Murphy, Kristen	Dover, NH Kristenmurf@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 1:51 PM
Aronson, Laura	Manchester, NH laura@mlans.net	A Member of the Public	Myself	Support	No	No	2/14/2022 2:59 PM
Berk, Bruce	Pittsfield, NH bruce.berk.nh@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 3:47 PM
kwasnik, joseph	concord, NH jkwasnik25@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 4:00 PM
Hatcher, Phil	Dover, NH phil.hatcher@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 4:10 PM
Merlone, Lynn	Rindge, NH prulone@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 4:24 PM

Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 4:39 PM
McEachern, Deaglan	Portsmouth, NH mayor@cityofportsmouth.com	An Elected Official	City of Portsmouth	Support	No	No	2/14/2022 5:03 PM
Thomas, Anne	Rindge, NH annekerosie@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 5:23 PM
Cahill-Yeaton, Miriam	Epsom, NH nmyeaton.mims@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2022 6:10 PM
Axelman, Elliot	Hooksett, NH alu.axelman@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/14/2022 6:57 PM
Vazzano, Stephanie	Concord, NH strawberrywish@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 7:07 PM
Christie, Bonnie	HOPKINTON, NH Bchristie1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 7:37 PM
Gates, Melissa	Phippsburg, ME mgates@surfrider.org	A Lobbyist	Surfrider Foundation	Support	No	No	2/14/2022 7:48 PM
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:31 PM
Reed, Barbara	North Swanzey, NH BDReed74@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:39 PM
Mason, Peter	Lebanon, NH petermason68@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:52 PM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:53 PM
See, Alvin	Loudon, NH absee@4liberty.net	A Member of the Public	Myself	Oppose	No	No	2/14/2022 8:58 PM
Madison, Andrew	Keene, NH andrewm1022@gmail.com	An Elected Official	Myself	Support	No	No	2/14/2022 9:07 PM
Cote, Lisa	Dover, NH waterwoman@ymail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:22 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:30 PM
Baussmann, Michelle	Dover, NH mbaussmann@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2022 9:55 PM
Istel, Claudia	Acworth, NH cistel79@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:58 PM

Freedman, Aubrey	Bridgewater, NH aubreyyfreedman@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/14/2022 11:27 PM
Ellermann, Maureen	Concord, NH ellermannf@aol.com	A Member of the Public	Myself	Support	No	No	2/15/2022 6:38 AM
Voorhees, Mercedes	Exeter, NH Voorheesmm3@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 6:43 AM
hatch, sally	Concord, NH sallyhatch@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2022 6:47 AM
Foster, Joanne	PORTSMOUTH, NH jocfoster@outlook.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:01 AM
Reid, Lucinda	Chichester, NH Cindy_reid27@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:12 AM
Peebles, Catherine	Portsmouth, NH Catherine.peebles@inh.edu	A Member of the Public	Myself	Support	No	No	2/15/2022 7:18 AM
Saunderson, George	Loudon, NH saunderson.george@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:23 AM
Gibb, Brian	Portsmouth, NH bkgibb@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:45 AM
Saum, Judith	Rumney, NH judithsaum@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:48 AM
Cook, Barbara	Canterbury, NH Bdc7@aol.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:50 AM
Splaine, Jim	Portsmouth, NH jimsplaineportsmouth@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:51 AM
Cawley, David	Concord, NH dcawley7@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:53 AM
OBrien, Rebecca	Portsmouth, NH beccaraum@hotmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:03 AM
Covert, Susan	Contoocook, NH scovert@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2022 8:08 AM
Reardon, Donna	Concord, NH bugs42953@aol.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:09 AM
Ingram, April	Warner, NH aandk@tds.net	A Member of the Public	Myself	Support	No	No	2/15/2022 8:10 AM
perencevich, ruth	concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2022 8:13 AM

Speltz, David	Portsmouth, NH dspeltz@speltz.com	A Member of the Public	Myself	Oppose	No	No	2/15/2022 8:27 AM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	myself	Support	No	No	2/15/2022 8:29 AM
Frayse, Michael	Epsom, NH mikefraysse@gmail.com	A Member of the Public	Michael Fraysse	Support	No	No	2/15/2022 8:29 AM
FRIEDRICH, ED	Loudon, NH erfriedrich@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:32 AM
MILNE, Cindy	Newmarket, NH cjmilne65@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:32 AM
Slover, Kathleen	Portsmouth, NH Mcslover2000@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:43 AM
Steel, Sandy	PLAINFIELD, NH selizabethsteel@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:46 AM
Cook, Kate	Portsmouth, NH cookkc@gmail.com	An Elected Official	Myself	Support	No	No	2/15/2022 8:55 AM
Pooler, Kimberly	Concord, NH Kpoolr2214@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:13 AM
Randall, Christine	Portsmouth, NH cmcr1954@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:20 AM
O'Connell, Kathleen	North Sandwich, NH dragonflyoga@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:22 AM
Campbell, Karolyn	Epsom, NH kkccampbell43@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:22 AM
Cleveland, George	Tamworth, NH clevelandgeorgem@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:29 AM
Scribner, Lois	Canterbury, NH scribnerlois@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:40 AM
Tilli-Pauling, Marianne	Amherst, NH m.tillipauling@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:54 AM
Bloomberg, Barbara	Tamworth, NH bbloombrg@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:56 AM
Tilli-Pauling, Nigel	Amherst, NH N.tillipauling@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:00 AM
Johnson, II, Robert	Concord, NH robj@nhfarmbureau.org	A Lobbyist	NH Farm Bureau Federation	Oppose	No	No	2/15/2022 10:13 AM

Hampton, Mark	Canterbury, NH dandmhamp38@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:27 AM
Leavitt, Deborah	Dover, NH daleavitt77@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2022 10:31 AM
Medeiros, Jesse	Plainfield, NH Bgtrck458@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/15/2022 10:32 AM
Newick, Catharine	Canterbury, NH Csnewick@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:33 AM
Stinson, Benjamin	CONCORD, NH benrkstinson@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:44 AM
Gullicksen, Amy	Tamworth, NH Ellibelli8@hotmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:46 AM
Anderson, Maud	Tamworth, NH maudanderson@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:53 AM
Smith, Maja	Canterbury, NH majahauck@aol.com	A Member of the Public	Myself	Support	No	No	2/15/2022 11:06 AM
Soris, Johanna	Portsmouth, NH Johannasoris@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 11:34 AM
humphrey, james	Sandwich, NH Humphrey.jim@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2022 11:38 AM
Miller, John	Orford, NH johnnyfit@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 12:22 PM
Fisher, Mark	Dover, NH markfisher3340@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 12:49 PM
Nancy Sheridan, NANCY	Tamworth, NH nancysheridan88@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 1:36 PM
Winder, Jennifer	Exeter, NH Jawinder1@msn.com	A Member of the Public	Myself	Support	No	No	2/15/2022 1:36 PM
Kiefner, Robert	Concord, NH rskiefner@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 2:25 PM
Holt, David	Somersworth, NH davholt@aol.com	A Member of the Public	Myself	Support	No	No	2/15/2022 5:42 PM
Woods, Renia	Bow, NH renia.woods1@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 11:57 PM

^[1] See: <https://vtdigger.org/2018/07/04/brattleboro-adapts-to-plastic-bag-ordinance/> and <https://www.reformer.com/stories/bag-ban-smooth-and-successful,552805>

~~~~~

Kathy Urffer, (she/her)  
River Steward  
**Connecticut River Conservancy**  
PO Box 6219 | Brattleboro, VT 05302 | [www.ctriver.org](http://www.ctriver.org)  
802-258-0413 | [kurffer@ctriver.org](mailto:kurffer@ctriver.org)



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**Connectic**



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<sup>[1]</sup> See: <https://vtdigger.org/2018/07/04/brattleboro-adapts-to-plastic-bag-ordinance/> and <https://www.reformer.com/stories/bag-ban-smooth-and-successful,552805>

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Kathy Urffer". The signature is written in a cursive, flowing style.

Kathy Urffer  
River Steward  
[kurffer@ctriver.org](mailto:kurffer@ctriver.org)  
802-258-0413



## Heather Goley

---

**From:** Kathy Urffer <kurffer@ctriver.org>  
**Sent:** Friday, February 18, 2022 1:44 PM  
**To:** ~House Municipal and County Govt  
**Subject:** comments in support of HB1119

February 18, 2022

The Honorable Tom Dolan, Chair  
House Municipal and County Government Committee  
Legislative Office Building, Room 301  
Concord, NH 03301

Re: HB 1119 relative to the regulation of single-use bags

Dear Chair Dolan and Members of the Committee:

Connecticut River Conservancy appreciates the opportunity to comment on House Bill 1119 which allows towns to Regulating the distribution of single-use plastic bags and paper bags to customers. Connecticut River Conservancy (CRC) supports this bill.

CRC and our members have been working to protect the Connecticut River and its tributaries from the source at the Canadian border to the sea since 1952. For 25 of those years, we have organized the largest river cleanup on the east coast. Each year CRC volunteers go out at the end of September to pick trash out of our waterways and over and over again, plastic is the item most frequently found. Our annual event gives us proof every year that plastic pollution is everywhere in our environment. We've cleaned up over 1,000 tons of garbage since this annual event began, including a great deal of single-use plastics.

Overwrap packaging, drinking straws, grocery bags, polystyrene food packaging – these single-use plastics, often with an average lifespan of minutes, become pollution that fester in our waterways, landfills, and environment for up to 1,000 years. We now understand that they break up into microplastics which build up in the food chain after larger predators consume smaller marine life. These tiny pieces of plastic are finding their way into our bodies. Additives in plastics have been associated with human and aquatic species health risks. Plastics have a high sorption capacity and may accumulate persistent organic pollutants like pesticides, polycyclic aromatic hydrocarbons (PAHs), and polychlorinated biphenyls (PCBs).

Municipalities bear a great deal of the financial burden for waste removal in our communities. Individual towns should have oversight regarding the sources of waste in their communities and weigh those sources against the cost of trash disposal. The cost of plastic waste is beginning to outweigh its usefulness.

Towns all over New England are banning single-use plastic bags and citizens are transitioning easily to functioning without them. As an example, the town of Brattleboro, VT passed a ban in 2017 that went into effect in July of 2018.<sup>[1]</sup> There has been no controversy resulting from this ban. The local business community is on board and the transition was a non-issue for the townspeople. The local grocery stores have provided paper bags for a modest fee of 10 cents and encourage the use of and sell reusable bags.

Please support HB 1119 to provide for local oversight of this issue. Let the NH communities decide!



home rule would be duplicative, stating that the authority is already inherent in the State's 149-M solid waste regulations. Yet still, while Portsmouth acted upon this inherent authority, the ambiguity is prohibiting other municipalities from exercising their rights to administer their solid waste programs by regulating single-use items. HB1119 will help clarify this authority relevant to single-use paper and plastic bags.

Finally, regarding concerns for enforcement capacity of the Department of Environmental Services to regulate potential municipal bag regulations as may arise should HB1119 advance, we note that New Hampshire localities are likely to enforce their own local bag laws, in the same way that they manage and execute their own solid waste programs under 149-M.

The Surfrider Foundation and our New Hampshire Chapter members extend thanks to the sponsors of HB1119 for their efforts in continuing to bring forth this important bill, and we thank the Committee for considering support to add much-needed clarification to the State's solid waste regulations relating to single-use paper and plastic bags.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Melissa E Gates".

Melissa E Gates  
Northeast Regional Manager  
Surfrider Foundation, [mgates@surfrider.org](mailto:mgates@surfrider.org)

A handwritten signature in cursive script, appearing to read "Christina Dubin".

Christina Dubin  
Volunteer Campaigns Coordinator and Secretary  
Surfrider Foundation New Hampshire Chapter, [campaigns@nh.surfrider.org](mailto:campaigns@nh.surfrider.org)  
Resident of Portsmouth, NH



February 15, 2022

Chair Dolan, Vice Chair Piemonte, and Distinguished Members of the Municipal and County Government Committee:

The Surfrider Foundation has been working to protect America's coasts for over 37 years; we have more than 140 chapters and youth clubs across the coastal U.S. and Great Lakes who are supported by a staff of about 70 experts. Our members here in New Hampshire are beachgoers, surfers, kayakers and sand castle builders – we are beach users. Our common point of interest is a vision for healthy ocean and coastal ecosystems, and a motivation to volunteer to protect our state's ocean waters, waves and beaches through focus on beach access, clean water, climate change, coastal preservation, ocean protection and plastic pollution mitigation.

Here in New Hampshire, we have been working to mitigate single-use plastic and packaging pollution in seacoast communities for over a decade, and **we are here today to ask for your support for HB1119, enabling municipalities explicit rights to regulate single-use plastic and paper bags.**

HB1119 would clarify ambiguity regarding authority that is already inherent in our State's solid waste regulations for municipalities to regulate waste from single-use paper and plastic bags. This is an important clarification, as the existing ambiguity has stymied local efforts to follow in the footsteps of Portsmouth in passing local laws to meet local waste mitigation needs, thereby helping achieve the States collective solid waste reduction mandates.

HB1119 clarifies that regulating single-use plastic and paper bags is an authority that New Hampshire municipalities have under our law, thereby emboldening our towns to advance on efforts as they see fit in the process of administering their solid waste programs.

HB1119 is not asking this Committee nor the State to make a decision about whether or not single-use paper and plastic bags **should** be mitigated in any way; it is not asking this Committee or the State to interfere in the administering of solid waste regulations at the municipal level. This bill is simply asking for you to help clarify authority that is already inherent in our 149-M solid waste regulations, **to help clarify an ambiguity that has been expressed for well over a decade from New Hampshire municipalities wishing to advance public process to consider whether local laws aimed at mitigating needless pollution from single-use bags would be beneficial for their local waste reduction efforts.**

The Surfrider Foundation New Hampshire Chapter has met with dozens of residents and municipal leaders across the state who have expressed the desire to take action on the State's solid waste reduction standards. But because local are concerned that the State's solid waste regulations are not explicit enough to guarantee authority to regulate single-use plastic and paper bags, these efforts often get bogged down in ambiguity. Pursuant to that ambiguity, we supported Senator Emeritus Martha Fuller Clark's SB410 in 2016, and multiple bills henceforth, which echo the same strategy now being attempted with the HB1119 bill before this Committee; however, the Public and Municipal Affairs Committee in 2016 argued that the exemption from

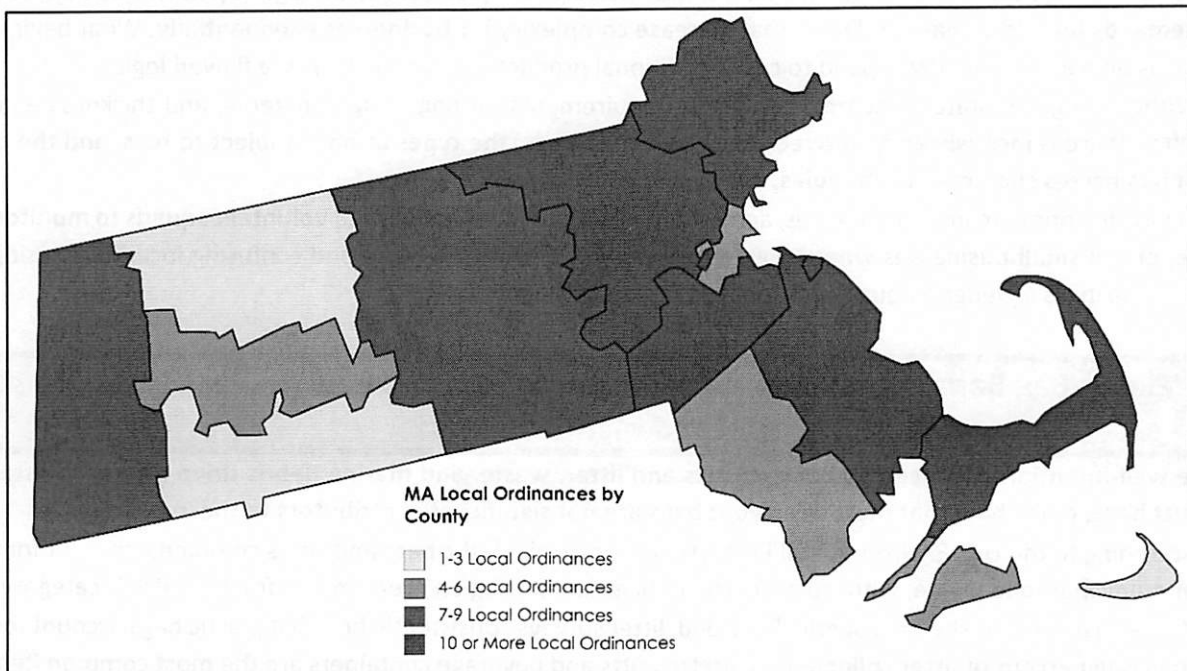
## Massachusetts Patchwork of Carryout Bag Regulations Shows What New Hampshire Can Expect from HB 1119

### Massachusetts – America’s Worst Patchwork of Plastic Product Regulation

- Currently, **146 different jurisdictions** across Massachusetts have adopted carryout bag ordinances, varying in structure from fees to taxes to bans and in their scope for allowed bags and covered entity.
- Across the Commonwealth, there are currently more than **nine separate standards for what constitutes an acceptable bag**, which can vary within the same county. There are also at least **four separate standards for the fees/taxes businesses** must charge consumers.
- For other plastic products, at least **49 jurisdictions have banned expanded polystyrene containers** and another **19 have banned plastic water bottles**. Four of these bottle bans cover all single-use plastic beverage bottles, making a variety of single-serve drinks illegal, including juices, soda, fruit smoothies, and milk.

### Massachusetts’ Bag Policy Patchwork is as Ugly as it is Complicated

*Almost every Massachusetts County has multiple ordinances & competing regulatory standards*



- Of Massachusetts’ 14 counties, **only the island of Nantucket has a single standard and a single ordinance** outlining what types of carryout bags are allowed.
- There are **39 local ordinances in Middlesex County alone**, with nine separate regulatory standards for allowed bags and/or necessary fees/taxes.
- Even Suffolk County, which is almost entirely comprised of the City of Boston, has **four local ordinances and four separate regulatory standards**.
- There are also a **substantial number of additional local regulations** across the Commonwealth on products ranging from cups to coffee stirrers to other to-go containers, not reflected in this map.

**Bag Bans Harm Small Businesses, Consumers, and Communities. HB 1119 Opens the Door to Bad Policy and Worse Consequences.**

## **HB 1119's OPENS DOOR TO PATCHWORK OF CONFUSING LOCAL ORDINANCES**

*Fragmenting New Hampshire's Regulatory Landscape Undermines Consumer Choice, Curtails Free Markets, and Harms Small Businesses*

Proposal to grant local authority over plastic bags opens the door to a statewide patchwork of competing ordinances and represents a stalking horse for further balkanization of plastic policy in the marketplace.

- While local control and home rule are important guard rails to promote individual freedoms and responsive government, **HB1119 weaponizes these powers to infringe on individual freedoms in the marketplace.**
- Competing product standards on a town-by-town or county-by-county basis pick winners and losers, as the negative consequences of product bans disproportionately affect small businesses and struggling families.

### **HB 1119 Opens the Door to a Unworkable Patchwork of Confusing Bag Ordinances that Harm Businesses and Limit Consumer Freedoms**

Across the country efforts to establish confusing patchworks of conflicting local ordinances have harmed businesses and consumers, later using broken market as a wedge to force harmful policy statewide.

- For Dillon Rule states like New Hampshire, initial efforts to “just deal with bags” open the door to further demands for additional regulation that increase complexity for businesses exponentially. What begins as a focus on bags can rapidly expand to cover additional products, all under the same flawed logic.
- Without singular, state standards, conflicting requirements for bag design, material, and thickness emerge. Often there is inconsistency between fees levied for bags, the types of bags subject to fees, and the types of businesses subjected to the rules.
- In jurisdictions with local ordinances, activist organizations have established volunteer squads to monitor and report on small businesses who struggle to comply with poorly written and confusing local rules, using the complexity as a wedge to push additional punitive measures.

### **Plastic Bag Bans Have Never Been Shown to Meaningfully Address Litter, Waste, and Marine Debris**

While well-intentioned concerns about plastics and litter, waste, and marine debris drive efforts to establish product bans, data show that plastic carryout bags are not significant contributors to these policies.

- According to the U.S. Environmental Protection Agency, all plastic bags and sacks combined account for **0.3% of municipal solid waste**, with plastic carryout bags comprising an even smaller fraction of this category.
- While no bag should be improperly discarded, litter surveys consistently find that plastic bags account for **less than one percent of litter collected**. Cigarette butts and beverage containers are the most common items.
- According to beach clean-up data from the Ocean Conservancy, plastic carryout bags account for **around one percent of materials collected at beach clean ups**. Further, 95 percent of river-generated, ocean-bound plastic originates from ten river systems in Asia and Africa.

### **Patchworks of local policies can distort the marketplace, proliferating regulatory compliance and uncertainty, while also enforcement complications and confusion can undermine any sustainability benefit.**

- America's plastic bag manufacturers support sustainability policies that prioritize increased use of recycled content and investment in recycling infrastructure and consumer education around recycling, among others.
- Statewide policies crafted with a broader array of stakeholder engagement can be more efficient in ensuring clarity and predictability for covered businesses, avoiding the pitfalls of competing local ordinances.

The regulatory patchwork HB 1119 could create will have real consequences for New Hampshire businesses and struggling families already fighting supply chain challenges and shortages leading to widespread inflation. These challenges are hitting the carryout bag marketplace as well, exacerbating a nationwide shortage of paper carryout bags may take years to resolve. At the same time, in states like Washington, retailers subject to these policies are having difficulty acquiring compliant bags.

Unlike their larger competitors, smaller businesses cannot take advantage of economies of scale, both due to the increased initial costs of large volume orders and their limited capacity to store large inventories of alternative carryout bags. When stores can access the limited supplies, they face higher costs and inevitably pass them on to consumers. The multiple product standards that will follow HB 1119 will only increase these pressures on retailers and consumers.

With that said, ARPBA and its members share a deep commitment to sustainability, like many communities across New Hampshire. We are among the first to say, “if you don’t need a bag, don’t take one.” However, instead of opening the door to a patchwork of competing bag regulations via HB 1119, New Hampshire should consider other ways to uniformly promote sustainability throughout the state.

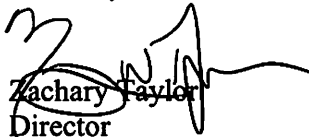
We stand ready to work with the General Court on proposals that would improve recycling infrastructure in the state, increase the use of recycled content in products like carryout bags, and help better educate consumers on recycling practices. As an industry, ARPBA members have established voluntary thresholds for recycled content in their products and are exceeding the timelines for meeting these goals.

In fact, there is already legislation before this body directing the state to study how to achieve some of these goals, HB 1111. If allowed to go forward, the patchwork of local ordinances HB 1119 will unleash could frustrate any state-level policies emerging from that process and undermine a uniform marketplace for recycling and recycled content.

Given the likelihood that the unintended consequences of the bag regulations HB 1119 opens the door to outweigh any sustainability benefit and the potential for the ensuing regulatory patchwork to frustrate state-level interests, ARPBA respectfully urges the committee to oppose this bill.

Thank you for your time and consideration.

Sincerely,



Zachary Taylor  
Director

American Recyclable Plastic Bag Alliance

CC: Rep. Richard Tripp  
Rep. Joseph Guthrie  
Rep. Richard Lascelles  
Rep. Everett McBride  
Rep. Charles Melvin  
Rep. Paul Ayer

Rep. Diane Pauer  
Rep. Jim Maggiore  
Rep. Susan Treleven  
Rep. Julie Gilman  
Rep. Laurel Stavis  
Rep. Latha Mangipudi

Rep. Ivy Vann  
Rep. Patricia Klee  
Rep. Eric Gallagher  
Rep. Rosemarie Rung



February 11, 2022

The Honorable Tom Dolan  
Chair, House Municipal and County Government Committee  
Legislative Office Building  
33 N State Street  
Concord, NH 03301

**RE: Opposition to HB 1119 - Relative to the regulation of single-use bags.**

Dear Chair Dolan, Vice Chair Piemonte, and Members of the Committee:

On behalf of the American Recyclable Plastic Bag Alliance (ARPBA), which represents the U.S. manufacturers and recyclers of plastic bags, I write in opposition to HB 1119 and its grant of authority to local governments to regulate plastic carryout bags.

This proposal opens the door to a complex and confusing patchwork of local bag regulations that will undermine small businesses, drive up prices for consumers, and disrupt the otherwise uniform marketplace in New Hampshire. At the same time, these local policies can frustrate state-level priorities related to economic prosperity, the business climate, or statewide recycling strategies.

Based on ARPBA's experience across the country, what starts as a request to regulate plastic bags inevitably expands to requests to regulate other products. Each expansion of authority to a new product class increases complexity across the state exponentially, disproportionately harming small businesses by undermining their capacity to access economies of scale.

The regulatory morass in Massachusetts is a compelling argument against HB 1119. Currently, 149 separate local jurisdictions have carryout bag regulations, with similar numbers covering other products ranging from beverage bottles to takeout containers to straws and lids.

Of Massachusetts' 14 counties, only Nantucket has a single standard for allowed carryout bags. In Middlesex County, the Commonwealth's largest, there are 39 separate local ordinances with nine regulatory standards for businesses to track. Even Suffolk County, which is largely comprised of the City of Boston, has four separate ordinances and four different standards. In some areas, product regulation can change from intersection to intersection.

ARPBA recognizes that concerns around sustainability, litter, waste, and marine debris often underpin proposals like HB 1119. However, the plastic bag bans and taxes that will inevitably follow this proposal have never been shown to meaningfully address these challenges and often open the door to significant unintended consequences.

Despite claims that plastic bags are filling up landfills, data from the U.S. Environmental Protection Agency shows that combined, all plastic bags and sacks account for three tenths of one percent (0.3%) of municipal solid waste. Plastic carryout bags account for an even smaller fraction of this category. Although even one bag in the environment is one too many, litter surveys consistently find that plastic bags account for less than one percent (1%) of litter clean-up items.

СЛУЖБА

БЕЛОС ВЕЛК

Друштво

Деловна релација со сите страни, а особено со сите страни, кои се вклучени во СОМЕТ

Преставувајќи ја својата компанија, ја известувам сите страни, кои се вклучени во СОМЕТ

Моята компанија е вклучена во СОМЕТ

Еден од моите колеги, кој е вклучен во СОМЕТ, ја известува сите страни, кои се вклучени во СОМЕТ

Мислам дека сите страни, кои се вклучени во СОМЕТ

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Мислам дека

Мислам дека сите страни, кои се вклучени во СОМЕТ



- Americans use 100 billion plastic bags a year, which require 12 million barrels of oil to manufacture.
- In 2015, about 730,000 tons of plastic bags, sacks and wraps were generated in the US, but more than 87% are never recycled, winding up in landfills and the ocean.
- It takes 1,000 years for a plastic bag to degrade in a landfill.
- Plastic bags degrade into microplastic bits. A recent study by the NH Lakes Association found microplastics in all samples it took from NH lakes.
- Reusable bags are a convenient and available alternative to both paper and plastic bags.
- Reusable bags are safe. There is no link between the use of reusable bags and COVID.

**Thank you,**

**Bruce Berk**

**Pittsfield**

2022

Testimony  
Bruce Berk

Dear Committee Members,

Astonishingly, plastics have only been a major part of our culture since 1950. We older folks remember a world without plastic bags, (and milk delivered to our doors). Plastic pollution and the necessity to rethink plastics has to be a top priority for every citizen who cares about their future. In 1950 2 million tons were produced - in 2015 increased almost 220 times, and 50% of all plastics have been produced in the last 15 years. (National Geographic data) We are drowning in plastics, and its predicted future increases are exponential. Plastics are a necessary important part of our lives, but single use plastic is not and it makes up 40% of our usage

Seeking to eliminate plastic bag usage is a tiny, small step in the right direction. There are two major arguments opposing this bill. One, is it is about individual freedom, and that well informed people will make their own decisions. I suggest that our social compact for shared responsibility and sacrifice trumps this argument. Well informed - I have tallied people leaving Hannifords in Concord - fully 60 percent or more use plastic bags.

The second argument is economics. Families are stretched and cannot afford any additional expenses. I would agree with the first part, but not the conclusion. Online grocery bags cost about a dollar. What parent would not spend 5 or 10 or 15 dollars more to make their children's future a more healthy one? Before you vote against this bill, do you really believe that the cost of a pizza or new t shirt should stand in the way of legislation that will reduce our waste stream, reduce demand for new landfills, and help prevent the increased existence in plastics in our lakes.

Last week the governor announced our largest state surplus to date. He estimated it to be 200 to 300 million dollars, and stated that was a conservative estimate. Simple math says we could buy a bag for every resident in the state, ensure a better future for them for a total cost of less than .5% of this year's surplus

Maine has instituted this law and bags are sold in their markets for 5 cents each. We can do the same.

Eliminating plastics and paper bags is not the solution to the plastics crisis. Instead it is an easy first step that will help our environment and make people more aware.

Some other facts to consider.

- Towns are trying to reduce their solid waste to save tax dollars and protect the public from the environmental impact of landfills and incinerators. The unnecessary distribution of bags, both paper and plastic, add to the waste load.

1 of 2



New England Convenience Store & Energy Marketers Association

February 10, 2022

Testimony of the New England Convenience Store & Energy Marketers Association

New Hampshire General Court  
House Committee on Municipal and County Government

**RE: HB 1119 – An Act relative to the regulation of single-use bags.**

Chair Dolan, Vice-Chair Piemonte, and Members of the Committee:

The New England Convenience Store & Energy Marketers Association (NECSEMA) represents the convenience store and transportation fuel industries in New Hampshire, and throughout New England. NECSEMA members wholesale and/or retail most of the motor fuels sold in the state. Across New Hampshire, there are over 850 convenience stores (of which 650 sell motor fuels) and employ close to 14,000 people.

NECSEMA appreciates the opportunity to provide comments for the Committee's consideration. As proposed HB 1119 would allow every municipality to regulate the distribution of single-use plastic and paper bags to customers. NECSEMA opposes HB 1119. While we understand the desire to address the aesthetic nuisance and environmental impacts posed by discarded single-use plastic bags, we object to creating a patchwork of differing and competing regulations across the state. This will lead to confusion by customers, and businesses navigating these requirements, especially for business owners operating across multiple cities and towns. Any legislation on plastic and paper bags use by customers must preempt any local regulation, not support it.

We submit that the prevalence of litter whether it's a plastic bag, candy wrapper, soda bottle, or other object is directly attributable to state and local government policies over the past decades to purposely eliminate publicly accessible waste receptacles, to reduce operating costs as waste disposal rates skyrocketed. Consideration should be given to re-introducing those public trash receptacles accompanied by recycling options, including plastic bags, to create the opportunity for residents and visitors to do the right thing.

The steps above, combined with a public and school age children education campaign on litter prevention, touting the avoidable impacts caused by litter on the environment, should be considered to encourage proper waste disposal and recycling practices.

Thank you for your thoughtful consideration of our position on this matter.

Respectfully,

Brian P. Moran  
Director Government Affairs

1044 Central Street, Suite 203  
Stoughton, MA 02072  
(781) 297 – 9600

New Hampshire House of Representatives,

My name is Ryan Suplee from Barrington, NH. I volunteer as the chair for the Surfrider Foundation NH Chapter because I love to enjoy our state's ocean and fresh waters, and I want to help ensure these waters are safe and healthy now and into the future. I've lived in Maine and New Hampshire and support clean oceans, beaches and waterways in all states. I've grown up surfing and enjoying the ocean year round, snowboarding on our mountains in the winter and enjoying watersports on our lakes in the summer with my friends and family. I would like this to continue for my family and future generations.

**I support HB1119, because it removes ambiguity that is preventing my town from advancing on executing its inherent rights to manage solid waste, and to help the State reach its mandated waste reduction goals.** I attend monthly cleanups with my chapter, and am amazed by the amount of single-use paper and plastic bags littering our streets, beaches and waterways. This significantly degrades my use and enjoyment of our State's natural resources, while depleting our environment -- an environment that is not only important for my personal sense of place, but also brings in much needed money to bolster our economy from tourism and recreation.

New Hampshire needs to join in the fight against single use plastics. I have family members and friends from Vermont, Maine, Massachusetts, Connecticut and Rhode Island, who talk about how much cleaner their parks and beaches are now that they have mitigated pollution from many types of single-use items across towns, and sometimes even state-wide. They are surprised by how far behind NH is. And research shows that this litter isn't primarily intentional or a problem caused by people. It's a problem caused by excessive single-use products used for things that we don't need to be single-use, like bags.

The good news is that we know what the solutions are to mitigate pollution and waste from single-use products. We have the data to prove what works to reach our waste reduction goals. But there is ambiguity in our laws that is preventing many towns that want to advance on proven solutions from doing so. Therefore, we need the State to act to remove this ambiguity.

This bill isn't a judgment on whether or not you think regulating single-use products at the town or state level is a good idea; this bill is about removing ambiguity that is preventing NH towns from executing their rights to reduce waste.

**I ask that you support HB1119** and give the towns of NH the opportunity to reduce the amount of waste and single use plastics and strive towards better waste reduction.

Thank you,

Ryan Suplee

From: Kelsey Sullivan  
623 Middle Road  
Portsmouth, NH 03801

To: Municipal and County Government Committee

Re: HB1119 Relative To The Regulation of Single Use Bags

Dear Committee Members,

I am writing to you as a resident of Portsmouth and as a volunteer with Surfrider Foundation New Hampshire.

I am a young professional who chose to move to New Hampshire over five years ago. The reason that I chose New Hampshire is because of its pristine natural beauty and its opportunities for outdoor recreation, which I believe to be the best in New England. I hope to continue to live and build a career in this state for decades to come. An important factor for that, however, will be whether the state takes adequate steps to protect its natural environment, which is the reason that I chose to live here in the first place.

Toward that end, I urge you to pass HB1119. This bill would make it clear that local New Hampshire communities have the power to make their own decisions about solid waste management, and in particular to regulate single-use plastic and paper bags. Many towns and cities have been interested in pursuing such regulations, but have been hesitant to do so without an express statement of authority from the state. HB1119 provides that express statement.

The use of single-use plastic and paper bags wreaks havoc on our local environment. They clog New Hampshire waterways, harm New Hampshire wildlife, and contribute to the state's alarming landfill capacity crisis. Importantly, HB1119 does not ban single-use plastic or paper bags, it simply empowers New Hampshire communities to make local rules, should they choose to do so.

I urge you to empower New Hampshire communities, and to help protect the natural places in this state. Please pass HB1119.

Thank you,

*Kelsey Sullivan*

Kelsey Sullivan

Feb 14, 2022

Dear Legislators in the Municipal and County Government Committee,

I am a scientist with 35 years of experience in teaching and research, with a focus on pollution science, and a citizen paying more and more for waste management.

I strongly support HB 1119 for the following reasons:

1. I know this bill gives my city more options to reduce waste and costs for citizens.
2. I know plastic bags are a serious pollution source and they degrade our reputation as a clean, healthy destination for tourists. I pick up lots of bags along roads as a volunteer in Don't Trash Dover.
3. I know bags take many years to break apart, harming wildlife when intact and later as particles.
4. I know the microplastic found in EVERY sample of NH lakes means plastic overuse is a serious problem for lake health, and, consequently lake recreation, a major income for our state.
5. I know reusable bags are available and
6. I know this bill is carefully constructed to handle a specific problem, and cannot be expanded into unrelated regulations that should be handled at the state or federal levels.

Thank you for your work on this committee and all the legislation proposed each year.  
I appreciate your efforts; please know that your decisions have important effects on our lives.

Sincerely,

Cynthia Walter, Ph.D.  
Retired Biologist  
Dover, NH  
[Cawalter22@gmail.com](mailto:Cawalter22@gmail.com)

February 11, 2022

The Honorable Tom Dolan  
Chair, House Municipal and County Government Committee  
Legislative Office Building  
33 N State Street  
Concord, NH 03301

**RE: Opposition to HB 1119 - Relative to the regulation of single-use bags.**

Dear Chair Dolan, Vice Chair Piemonte, and Members of the Committee:

On behalf of the American Recyclable Plastic Bag Alliance (ARPBA), which represents the U.S. manufacturers and recyclers of plastic bags, I write in opposition to HB 1119 and its grant of authority to local governments to regulate plastic carryout bags.

This proposal opens the door to a complex and confusing patchwork of local bag regulations that will undermine small businesses, drive up prices for consumers, and disrupt the otherwise uniform marketplace in New Hampshire. At the same time, these local policies can frustrate state-level priorities related to economic prosperity, the business climate, or statewide recycling strategies.

Based on ARPBA's experience across the country, what starts as a request to regulate plastic bags inevitably expands to requests to regulate other products. Each expansion of authority to a new product class increases complexity across the state exponentially, disproportionately harming small businesses by undermining their capacity to access economies of scale.

The regulatory morass in Massachusetts is a compelling argument against HB 1119. Currently, 149 separate local jurisdictions have carryout bag regulations, with similar numbers covering other products ranging from beverage bottles to takeout containers to straws and lids.

Of Massachusetts' 14 counties, only Nantucket has a single standard for allowed carryout bags. In Middlesex County, the Commonwealth's largest, there are 39 separate local ordinances with nine regulatory standards for businesses to track. Even Suffolk County, which is largely comprised of the City of Boston, has four separate ordinances and four different standards. In some areas, product regulation can change from intersection to intersection.

ARPBA recognizes that concerns around sustainability, litter, waste, and marine debris often underpin proposals like HB 1119. However, the plastic bag bans and taxes that will inevitably follow this proposal have never been shown to meaningfully address these challenges and often open the door to significant unintended consequences.

Despite claims that plastic bags are filling up landfills, data from the U.S. Environmental Protection Agency shows that combined, all plastic bags and sacks account for three tenths of one percent (0.3%) of municipal solid waste. Plastic carryout bags account for an even smaller fraction of this category. Although even one bag in the environment is one too many, litter surveys consistently find that plastic bags account for less than one percent (1%) of litter clean-up items.

The regulatory patchwork HB 1119 could create will have real consequences for New Hampshire businesses and struggling families already fighting supply chain challenges and shortages leading to widespread inflation. These challenges are hitting the carryout bag marketplace as well, exacerbating a nationwide [shortage of paper carryout bags may take years to resolve](#). At the same time, in states like Washington, retailers subject to these policies are having [difficulty acquiring compliant bags](#).

Unlike their larger competitors, smaller businesses cannot take advantage of economies of scale, both due to the increased initial costs of large volume orders and their limited capacity to store large inventories of alternative carryout bags. When stores can access the limited supplies, they face higher costs and inevitably pass them on to consumers. The multiple product standards that will follow HB 1119 will only increase these pressures on retailers and consumers.

With that said, ARPBA and its members share a deep commitment to sustainability, like many communities across New Hampshire. We are among the first to say, “if you don’t need a bag, don’t take one.” However, instead of opening the door to a patchwork of competing bag regulations via HB 1119, New Hampshire should consider other ways to uniformly promote sustainability throughout the state.

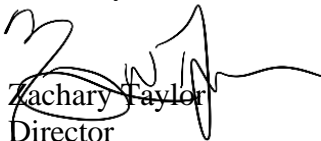
We stand ready to work with the General Court on proposals that would improve recycling infrastructure in the state, increase the use of recycled content in products like carryout bags, and help better educate consumers on recycling practices. As an industry, ARPBA members have established voluntary thresholds for recycled content in their products and are exceeding the timelines for meeting these goals.

In fact, there is already legislation before this body directing the state to study how to achieve some of these goals, HB 1111. If allowed to go forward, the patchwork of local ordinances HB 1119 will unleash could frustrate any state-level policies emerging from that process and undermine a uniform marketplace for recycling and recycled content.

Given the likelihood that the unintended consequences of the bag regulations HB 1119 opens the door to outweigh any sustainability benefit and the potential for the ensuing regulatory patchwork to frustrate state-level interests, ARPBA respectfully urges the committee to oppose this bill.

Thank you for your time and consideration.

Sincerely,



Zachary Taylor  
Director

American Recyclable Plastic Bag Alliance

|     |                        |                      |                     |
|-----|------------------------|----------------------|---------------------|
| CC: | Rep. Richard Tripp     | Rep. Diane Pauer     | Rep. Ivy Vann       |
|     | Rep. Joseph Guthrie    | Rep. Jim Maggiore    | Rep. Patricia Klee  |
|     | Rep. Richard Lascelles | Rep. Susan Treleaven | Rep. Eric Gallager  |
|     | Rep. Everett McBride   | Rep. Julie Gilman    | Rep. Rosemarie Rung |
|     | Rep. Charles Melvin    | Rep. Laurel Stavis   |                     |
|     | Rep. Paul Ayer         | Rep. Latha Mangipudi |                     |



Feb 14, 2022

Dear Legislators in the Municipal and County Government Committee,

I strongly support HB 1119 for the following reasons:

We need to save money. Disposal of mountains of plastic waste falls exclusively on the rate payers. We did not create plastic waste. It was dumped on us by powerful corporations.

Stop this forever poison of plastic bags. Plastic waste will last essentially forever, all the time breaking down into nanoparticles that poison the water, air, soil, children, adults, and animals. Ban plastic bags and do it now.

Stop the plastic tsunami. Fossil fuel corporations know e-cars will rule very soon and their gasoline will be made moot. These corporations plan to get 95% of their profits from plastics and to do so they will increase their production to three times the present output. We need to get ahead to their well-financed push to dump even more plastic waste into our lives.

Health is more important than convenience. Research shows that plastic waste in nanoparticle forms can carry viruses into placentas, lungs, immune systems, reproductive systems, nervous systems. It is unhealthy to increase plastic because it is a proven carrier of viruses.

Sincerely,

J. Michael Atherton  
22 West Concord St  
Dover NH 03820  
412.610.0134

02/14/2022.

HB 1119 Testimony:

Chairman Dolan, Vice Chairman Piemonte, and Distinguished Members of the House Municipal and County Government committee:

,

I am Joshua Arroyo, resident of Swanzey, New Hampshire. I am writing to share my testimony of why I support HB1119. I come from Puerto Rico, a U.S. territory that has enacted regulations on single-use plastic bags since 2015. These regulations were driven by how important tourism is for Puerto Rico and how plastic pollution is also a threat to the environment, our people and the economy.

HB1119 clarifies that regulating single-use plastic and paper bags is an authority already given to New Hampshire municipalities under our law, and thereby emboldens our towns to advance on considering local regulation to restrict the proliferation of this type of litter if the local residents and authorities determine that such a law would be locally feasible in helping them administer their inherent rights under the 149-M statute.

HB1119 is not asking this Committee nor the State to make a decision about whether or not single-use paper and plastic bags **should** be mitigated. This bill is simply asking for you to help clarify that this authority is already inherent in our solid waste laws, **to help clarify an ambiguity that has been expressed for well over a decade from towns wishing to advance local laws that will help them reduce single-use bag trash and litter, thereby also helping the State reach its mandated solid waste reduction standards.**

Plastic pollution is seen in the news showing littered rivers, beaches, and natural recreational areas. The problem's visibility has drawn greater concern about plastics and calls for short term fixes like cleanups or recycling, while long term strategies that aim for prevention receive little attention.

Single-use plastics are heavily used for common everyday use. It is ironic that a material that lasts forever is discarded as soon as ten seconds after being used. The recycling industry cannot keep up with the culture of disposables, and is not designed to actually reclaim or recycle a vast majority of plastics generated. This is evident with a recycling rate as low as 9%, while it is expected that plastic production will increase by 40%. Even so, we know that we can't recycle our way out of the plastic pollution problem, because recycling of single-use plastic does not stop production of new single-use plastic. To stop plastic pollution, we must stop making plastic.

Unfortunately, progress made for reducing emissions that contribute to global warming by shifting our dependency on burning oil for energy can be offset by this increase in plastic production that will represent emission like that of 295 coal power plants.

Additionally, single-use plastics, a material made from petrochemicals, have over 144 toxic chemical components that are hazardous to human health. Facilities needed to produce these chemicals are predominantly sited in communities of color, creating racial inequity in pollution health risks, such as cancer. Referencing the petrochemical plastic industries in her predominantly Black hometown in St. James Louisiana, Sharon Levigne stated:

“When I was a little girl, I used to play outside with my siblings and neighbors and breathe clean air and drink clean water and my family lived off the land. We were not sick. We did not have to go to the doctor. As industry started to come into my community, I witnessed neighbors getting sick and dying. Our air is now polluted with carcinogens that cause cancer.”

Towns that do decide to regulate single-use bags would be taking a small step to address injustice to our people, the environment and generations to come.

New Hampshire must move away from the inaction that quietly concedes perpetuating environmental injustices. We must proactively deal with this problem by systemic change that will be effective in preventing it. New Hampshire must also learn from its neighboring states, and take action to deal with the plastic crisis. We must address the root cause of the problem by closing the plastic tap! We must support HB1119 to eliminate the ambiguity that prevents towns from regulating single-use plastic bags.

When we address the root causes of plastic pollution, we will finally start to see our natural recreational areas in New Hampshire free from plastics for good.

Please vote HB1119 favorably out of Committee.

Thank you for your consideration.

Joshua Arroyo



February 15, 2022

Chair Dolan, Vice Chair Piemonte, and Distinguished Members of the Municipal and County Government Committee:

The Surfrider Foundation has been working to protect America's coasts for over 37 years; we have more than 140 chapters and youth clubs across the coastal U.S. and Great Lakes who are supported by a staff of about 70 experts. Our members here in New Hampshire are beachgoers, surfers, kayakers and sand castle builders – we are beach users. Our common point of interest is a vision for healthy ocean and coastal ecosystems, and a motivation to volunteer to protect our state's ocean waters, waves and beaches through focus on beach access, clean water, climate change, coastal preservation, ocean protection and plastic pollution mitigation.

Here in New Hampshire, we have been working to mitigate single-use plastic and packaging pollution in seacoast communities for over a decade, and **we are here today to ask for your support for HB1119, enabling municipalities explicit rights to regulate single-use plastic and paper bags.**

HB1119 would clarify ambiguity regarding authority that is already inherent in our State's solid waste regulations for municipalities to regulate waste from single-use paper and plastic bags. This is an important clarification, as the existing ambiguity has stymied local efforts to follow in the footsteps of Portsmouth in passing local laws to meet local waste mitigation needs, thereby helping achieve the States collective solid waste reduction mandates.

HB1119 clarifies that regulating single-use plastic and paper bags is an authority that New Hampshire municipalities have under our law, thereby emboldening our towns to advance on efforts as they see fit in the process of administering their solid waste programs.

HB1119 is not asking this Committee nor the State to make a decision about whether or not single-use paper and plastic bags **should** be mitigated in any way; it is not asking this Committee or the State to interfere in the administering of solid waste regulations at the municipal level. This bill is simply asking for you to help clarify authority that is already inherent in our 149-M solid waste regulations, **to help clarify an ambiguity that has been expressed for well over a decade from New Hampshire municipalities wishing to advance public process to consider whether local laws aimed at mitigating needless pollution from single-use bags would be beneficial for their local waste reduction efforts.**

The Surfrider Foundation New Hampshire Chapter has met with dozens of residents and municipal leaders across the state who have expressed the desire to take action on the State's solid waste reduction standards. But because local are concerned that the State's solid waste regulations are not explicit enough to guarantee authority to regulate single-use plastic and paper bags, these efforts often get bogged down in ambiguity. Pursuant to that ambiguity, we supported Senator Emeritus Martha Fuller Clark's SB410 in 2016, and multiple bills henceforth, which echo the same strategy now being attempted with the HB1119 bill before this Committee; however, the Public and Municipal Affairs Committee in 2016 argued that the exemption from



home rule would be duplicative, stating that the authority is already inherent in the State's 149-M solid waste regulations. Yet still, while Portsmouth acted upon this inherent authority, the ambiguity is prohibiting other municipalities from exercising their rights to administer their solid waste programs by regulating single-use items. HB1119 will help clarify this authority relevant to single-use paper and plastic bags.

Finally, regarding concerns for enforcement capacity of the Department of Environmental Services to regulate potential municipal bag regulations as may arise should HB1119 advance, we note that New Hampshire localities are likely to enforce their own local bag laws, in the same way that they manage and execute their own solid waste programs under 149-M.

The Surfrider Foundation and our New Hampshire Chapter members extend thanks to the sponsors of HB1119 for their efforts in continuing to bring forth this important bill, and we thank the Committee for considering support to add much-needed clarification to the State's solid waste regulations relating to single-use paper and plastic bags.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Melissa E Gates".

Melissa E Gates  
Northeast Regional Manager  
Surfrider Foundation, [mgates@surfrider.org](mailto:mgates@surfrider.org)

A handwritten signature in black ink that reads "Christina Dubin".

Christina Dubin  
Volunteer Campaigns Coordinator and Secretary  
Surfrider Foundation New Hampshire Chapter, [campaigns@nh.surfrider.org](mailto:campaigns@nh.surfrider.org)  
Resident of Portsmouth, NH

Good Morning Committee Members,

My name is Andrew Madison, I am an Environmental Scientist, and a City Councilor representing Keene's Third Ward. I am writing to you today to support HB1119 which will empower municipalities to draft ordinances to control the distribution of single-use plastics in their communities.

Let's face it, New Hampshire has a trash problem. Our landfills are running out of space, and all other New England States have banned the opening of new landfills. We've always known that someday, someone will have to start cutting back on our trash because we're running out of places to put it. Well, that time is now, and that someone is you. It's time to give municipalities, and their people, the right to make the decisions that are best for their own communities. No one in New Hampshire wants to see another landfill in our state, and if that's something we want to avoid than we need to start cutting back on our trash.

Sure, there are some arguments against it, and those arguing against it will give the same old, sad, tired arguments they've given in each of our surrounding states. Well, guess what? Single use plastic bans passed in all of those states, and no one went out of business, costs didn't go out of control (well, because of bag bans at least), society didn't collapse, everything is fine. It's not that those retailers testifying before you can't enact this, it's that they're too lazy to.

Do the right thing for the state, for our cities and towns, for your families, your children and grandchildren. Do the thing that makes sense. It's time we clean up New Hampshire and deal with our trash. Please support HB1119.

Respectfully,

Andrew M. Madison, MS.  
City Councilor, Keene NH.

February 15, 2022

Dear Chairman Dolan, Vice Chairman Piemonte, and distinguished members of the Municipal and County Government Committee:

I am Rebecca O'Brien, a Portsmouth resident, and volunteer for the Surfrider Foundation NH Chapter in the Volunteer Coordinator position. I love to enjoy our state's ocean and fresh waters, and I want to help ensure these waters are safe and healthy now and into the future.

**I support HB1119, because it removes ambiguity that is preventing my town from advancing on executing its inherent rights to manage solid waste, and to help the State reach its mandated waste reduction goals.**

I attend monthly cleanups with my chapter and am amazed by the amount of single-use paper and plastic bags littering our streets, beaches and waterways. This significantly degrades my use and enjoyment of our State's natural resources, while depleting our environment -- an environment that is not only important for my personal sense of place, but enhances the experiences of tourist and recreational users, bolstering our local economy and ensuring people keep coming back to New Hampshire.

**And research shows that this litter isn't primarily intentional, or a problem caused by people.** It's a problem caused by excessive single-use products used for things that have no business being single-use, especially when there are alternative and low-cost reusable options available for merchants and customers. By allowing towns to limit their use and distribution, it is a simple step in aiding the State to make strides in source reduction goals. It is imperative we start to make concerted and direct attempts at reducing the production and pollution associated with these single-use items in our environment.

The good news is that we know the solutions necessary to mitigate pollution and waste from single-use products. We have the data to prove what works to reach our waste reduction goals.

**Currently there is ambiguity in our laws preventing many towns that want to advance on proven solutions from doing so. Therefore, we need the State to act to remove this ambiguity.**

HB1119 isn't a judgment on whether you think regulating single-use products at the town or state level is a good idea; this bill is about removing ambiguity that is preventing NH towns from executing their rights to reduce waste.

Thank you.

Sincerely,

Rebecca Raum O'Brien  
Resident of Portsmouth, NH

HB 1119 - AS INTRODUCED

2022 SESSION

22-2742

05/04

HOUSE BILL **1119**

AN ACT relative to the regulation of single-use bags.

SPONSORS: Rep. Klein-Knight, Hills. 11; Rep. Myler, Merr. 10; Rep. J. Schmidt, Hills. 28; Rep. Bartlett, Merr. 19; Rep. Chretien, Hills. 42; Rep. Hyland, Hills. 38; Rep. Meuse, Rock. 29; Rep. Weston, Graf. 8; Rep. McWilliams, Merr. 27; Rep. Rung, Hills. 21; Sen. Whitley, Dist 15; Sen. Watters, Dist 4

COMMITTEE: Municipal and County Government

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ANALYSIS

This bill allows towns to regulate the use of paper and plastic bags.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                   relative to the regulation of single-use bags.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           1 Powers and Duties of Towns; Power to Make Bylaws. Amend RSA 31:39, I(m)-(p) to read as  
2 follows:

3                   (m) Issuing permits for tattooing facilities and charging a fee for the permit; ~~and~~

4                   (n) Regulating noise[-];

5                   (o) Requiring the reporting of contributions to, and expenditures by, any candidate or  
6 political committee made for the purpose of influencing the election of any candidate for local elective  
7 office, or any person or committee for the purpose of influencing the vote on any local ballot or  
8 referendum question[-];

9                   (p) Regulating the retail display and accessibility of martial arts weapons including  
10 throwing stars, throwing darts, nunchaku, blow guns, or any other objects designed for use in the  
11 martial arts that are capable of being used as lethal or dangerous weapons[-]; *and*

12                   (q) *Regulating the distribution of single-use plastic bags and paper bags to*  
13 *customers.*

14           2 Effective Date. This act shall take effect 60 days after its passage.