



HB109 ENVIRONMENT - EXPANDED POLYSTYRENE FOOD SERVICE PRODUCTS - PROHIBITION

February 6, 2019

ENVIRONMENT AND TRANSPORTATION COMMITTEE

OPPOSE

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The Board of Education of Anne Arundel County opposes **HB109 Environment - Expanded Polystyrene Food Service Products - Prohibition**. This bill prohibits (1) a person from selling or offering for sale in the State an “expanded polystyrene food service product” and (2) a “food service business” or school from selling or providing food in an expanded polystyrene food service product. A local government, county, or municipality may enact standards that are at least as stringent as the bill’s provisions. The Maryland Department of the Environment must conduct a specified public education and outreach campaign and is authorized to (1) promulgate regulations to implement the bill and (2) grant a waiver to a food service business or school from the bill’s prohibition, as specified. County health departments must enforce the bill’s prohibitions and may impose a monetary penalty for violations under specified conditions.

AACPS has researched the feasibility of purchasing alternative organic based food trays and determined that absorbing the additional cost associating with these trays is untenable. HB109 is an unfunded mandate that would cost AACPS \$772,987 to \$966,234 a year. Existing black polystyrene food trays cost AACPS approximately \$0.03 each. Comparable costs for organic based food trays would run between \$0.08 and \$0.10 each. This represents an almost tripling of costs. Such an increase could result in the need to increase the price of meals at AACPS. However, we would be precluded from passing along any of these costs to any of the students who qualify for free or reduced-price meals because the State and federal government pay a fixed price per child regardless of additional expenses that may be incurred by a school system. As such, the full cost of the net increase would fully and disproportionately be borne by those remaining students that do not qualify for free or reduced meal services.

Accordingly, the Board of Education of Anne Arundel County respectfully requests an **UNFAVORABLE** committee report on HB109.