

Wednesday, April 6, 2011

## Montgomery council committee advances bag tax

Leggett's proposal calls for a 5-cent fee on paper, plastic sacks

by Erin Cunningham | Staff Writer

The Montgomery County Council appears likely to approve a tax on paper and plastic shopping bags.

A council committee signed off on the 5-cent tax Monday, and only one of the nine council members, Nancy M. Floreen (D-At large) of Garrett Park, has said she opposes the measure.

Under County Executive Isiah Leggett's (D) proposal, retail establishments, including grocery stores, department stores and convenience stores would charge customers a nickel for every paper or plastic bag they use.

Leggett said the tax would encourage shoppers to bring reusable bags and keep plastic shopping bags from becoming litter in the county's streams and rivers.

However, some critics who spoke during a public hearing on the tax March 31 said it is unnecessary and punishes residents who already recycle their bags.

The council has not scheduled a vote on the tax, which if implemented would take effect in January.

Floreen says it's unlikely the tax would amount to anything more than a nuisance, and said it is probably would not reduce litter in streams or encourage more people to bring reusable bags to the store.

She also questioned why takeout food would be treated differently. For example, those who purchase food from a convenience store, like a 7-Eleven, would pay a tax on paper or plastic bags. However, fast-food diners would pay the tax only if they get their orders in plastic.

"I just think there are inherent irrationalities," Floreen said of the varied enforcement.

"I'm not speaking for the businesses. I'm just thinking of the regular people who are going to be subjected to this."

And, as council members asked Monday, what about Tupperware parties?

While Bob Hoyt, director of the county's Department of Environmental Protection, said the proposed tax is not intended to apply to bags used at in-home Tupperware parties or jewelry sales, a county attorney said such uses might be included under the law as it is proposed.

Hoyt said he would work with council staff on an amendment that would exclude such uses.

The council committee also voted Monday to exclude small bags used to hold nails, bolts and other items sold at hardware stores.

Leggett said he expects to raise about \$1.5 million from the tax in its first year — most of which would be used to purchase reusable bags for county residents. The remaining revenue would help clean the county's rivers and streams, and 1 cent from the tax would go to the stores.

Some stores already carry reusable bags provided by the county through a recycling effort, county spokesman Patrick K. Lacefield said. If Leggett's tax is approved, the availability of such bags would increase.

For those already bringing reusable bags to the store, the tax would have no effect, Leggett said. However, the county executive said many residents do not bring bags with them.

"There is a huge gap between where we are today and where we need to get to," he said, adding that the county spent \$3.3 million last year removing plastic bags from streams and waterways.

Plastic bags account for about 33 percent of waste in the county's streams, he said.

Leggett's proposed bag tax is modeled after similar legislation in Washington, D.C., which taxes only bags from grocery stores. In the year since the tax has been imposed, the District has raised \$2 million — below the original estimate of \$3.5 million.

Tommy Wells, the Washington, D.C., council member who sponsored the District's bag tax, said Thursday that in the past year the use of disposable bags has been reduced from 22.5 million annually to about 3 million.

However, Floreen questioned whether Montgomery County would see the same results.

"I don't think a nickel is enough to make a difference," she said. "That's just what's annoying me about all of this." She cited a 20-cent bag tax in Seattle, saying that was "behavior-changing money."

Floreen said it might be wiser to tax objects other than bags that are discarded as litter, including bottles and cans.

Montgomery County did tax such items until the 1990s, when the tax was repealed, and Hoyt said the county continues to look at reinstating the tax.