

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2015 Legislative Session

Reference No.: CB-005-2015

Draft No.: 1

Committee: TRANSPORTATION, HOUSING AND ENVIRONMENT

Date: March 26, 2015

Action: FAV (A)

REPORT:

Committee Vote: Favorable, 4-0 with amendments (In favor: Council Members (Lehman, Turner, Glaros, and Taveras)

CB-5-2015 concerns the expanded Polystyrene Ban for the purpose of defining relevant terms, prohibiting the sale, use or provision of certain expanded polystyrene food service products by food service business. This bill also provides for exceptions to the ban, and provides for enforcement.

Amendments

1. On page 1, in line 3, strike “ , use”. On page 1, in line 5, strike the first “use”. On page 1, in line 5, strike “requiring” down through “ware;” in line 6.
2. On page 2, in line 13, after “19-143” insert “and”. On page 2, in line 13, strike beginning with “19-145” down through “19-147,” in line 14. On page 2, in line 18, after “19-143” insert “and”. On page 2, in line 19, strike “19-145, 19-146, 19-147”.
3. On page 2, strike lines 25-31. On page 3, strike lines 1-15. On page 3, in line 16, strike “(6)” and substitute “(1)”. On page 3, in line 21, strike “(7)” and substitute “(2)”. On page 3, in line 26, strike “(8)” and substitute “(3)”. On page 3, in line 31, strike “(9)” and substitute “(4)”.
4. On page 4, in line 15, strike the first comma, and substitute “or”; in line 15, after “sale” strike “ , or use”.
5. On page 4, strike lines 17-31. On page 5, strike lines 1-11.
6. On page 5, in line 13, after “Department” insert “of”.
7. On page 5, strike lines 23-31. On page 6, strike line 1. On page 6, in line 2, strike “(b)” and substitute “(a)”. On page 6, in line 8, after “misdemeanor,” insert: “ shall be punished”

with a warning for a first time violation, \$250 fine for a second time violation, and by a fine of One Thousand Dollars (\$1,000) for a third time violation within a twelve month period.” On page 6, in line 9, strike “not” and in line 10, strike “exceeding”.

8. On page 6, in lines 13 and 14, strike “Section 19-148”. On page 6, in line 16, strike “Section 19-148”.
9. On page 6, strike lines 17-19.
10. On page 6, in line 28, strike “Section 19-147” and substitute “Section 19-141”. On page 6, in line 29, strike “July 1, 2015” and substitute “January 1, 2016.” On page 6, strike lines 30-31. On page 7, strike lines 1-5 and substitute “SECTION 4. BE IT FURTHER ENACTED that notwithstanding Section 3, this Act shall take effect July 1, 2016.”.

Staff oriented the Committee along with all legislative comments.

March 26th, 2015

Bill Held in Committee

Staff oriented the Committee along with all legislative comments

Dan Smith, of the Anacostia Water Shed; Donna Wilson of the Prince Georges Chamber of Commerce, Patrick Donolo of the Maryland Retailers Association, Melvin Thompson of the Restaurant Association of Maryland, Billye Pounds of Giant Foods and Jeff Selzer of the District of Columbia’s Department of Energy provided additional information to the Committee.

The Office of Law finds the CB-5-2015 is in proper legislative form and saw no legal impediments to its adoption.

The Office of Audits & Investigations found that enactment of CB-5-2015 will have a minimal fiscal impact on the County related to educational and outreach costs; these costs may however be offset by monies collected as fines for violations. The office also stated that CB-5-2015 protects public health and follows in the footsteps of neighboring jurisdictions by helping to remove human carcinogens from watersheds and landfills.