



The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

March 6, 2019

The Honorable Edward Butler  
Chair, Commerce and Consumer Affairs Committee  
Legislative Office Building, Room 302  
Concord, NH 03301

**RE: HB 558 - An Act restricting the distribution of plastic straws.**

Dear Chair Butler and Members of the Committee:

Thank you for the opportunity to testify on HB 558. This bill would prohibit the distribution of single-use plastic straws by food service businesses unless explicitly requested by the customer. Though not taking a position on the bill, the New Hampshire Department of Environmental Services (NHDES) supports the concept of reducing the distribution of single-use items to reduce the quantity of waste disposed of in New Hampshire. We do have concerns about the availability of resources necessary to implement the various regulatory requirements associated with this bill as currently written.

HB 558 seeks to amend RSA 149-M (Solid Waste Management Act) to include a prohibition on the distribution of single-use plastic straws. While the purpose of the bill is laudable, this legislation will require NHDES to undertake new and expanded responsibilities for which it is not currently resourced. The state's existing solid waste management program administered under RSA 149-M largely regulates solid waste management facilities and is not set up to also regulate the distribution, sale and use of specific products in commerce before they become waste. Implementing this bill's new enforcement and rulemaking responsibilities within a program that is not set up to regulate the distribution, sale, and use of products would require hiring additional staff. NHDES also anticipates the need to provide related education and outreach to the business community and consumers prior to and during implementation of the prohibition, which will also require an expenditure of solid waste program resources. The fiscal note prepared for this bill reflects the potential impact to NHDES and the General Fund for an additional full-time employee at a cost of approximately \$93,000 - \$100,000 annually to implement the rulemaking, education, outreach, and enforcement responsibilities associated with the bill as written.

While the agency does not take a position on the bill, NHDES does support efforts to reduce the quantity of single use plastic straws being generated in New Hampshire, as well as raise public awareness about the adverse impacts of plastic waste in general and the benefits of reducing what we produce for plastic waste. NHDES also believes that assigning the bill to a subcommittee to examine some of the details about implementation would be beneficial to ensure that any such effort makes best use of limited state resources and meets the needs of the business community that would be impacted by this new legislation. NHDES would welcome the opportunity to assist a subcommittee in that regard.

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The Honorable Edward Butler  
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March 6, 2019  
Page 2

Thank you again for the opportunity to comment on HB 558. Should you have further questions or need additional information, please feel free to contact either: Melissa Zych, Pollution Prevention Program, [melissa.zych@des.nh.gov](mailto:melissa.zych@des.nh.gov), 271-6398 or Michael Nork [michael.nork@des.nh.gov](mailto:michael.nork@des.nh.gov), Waste Management Program, 271-2936.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott", with a large, sweeping flourish extending from the end of the signature.

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Robert R. Scott  
Commissioner

cc: Sponsors of HB 558: Representatives Spang, Balch, Luneau, Myler; Senators Fuller Clark, Watters