



MIKE ROHRKASTE

STATE REPRESENTATIVE • 55TH ASSEMBLY DISTRICT

Senate Bill 601

Testimony of State Representative Mike Rohrkaste
Senate Committee on Elections and Local Government

February 3, 2016

Thank you, Chair LeMahieu, and members of the Committee on Elections and Local Government for holding this public hearing.

Senate Bill 601 would limit the authority of a political subdivision to regulate the use, disposition, or sale of auxiliary containers. The intent of this legislation is to maintain uniform regulations regarding auxiliary containers throughout Wisconsin. Examples of auxiliary containers include; insulating sleeves, water bottles, takeout containers, and paper and plastic bags.

Throughout the country, communities have been imposing local bans for several types of auxiliary containers. As well intentioned as these bans are, they have often done more harm than good. This patchwork of bans has created obstacles for both consumers and manufacturers and has hurt local small businesses that use these products on a daily basis. Because of the inconsistency with these ordinances it has become difficult for businesses to comply with regulations.

Several states have already stepped up to try and prohibit local municipalities from banning or regulating certain types of auxiliary containers. Last year, the state of Arizona passed a law prohibiting cities from banning plastic bags. Similar legislation has also been introduced in Missouri. The unintended consequences of regulating or restricting various types of auxiliary containers can have a large impact on consumers, local businesses, and manufacturers.

Passage of SB 601 will help to ensure uniform regulations of auxiliary containers throughout the state of Wisconsin. It will also help local businesses to avoid patchwork ordinances regarding auxiliary containers and will help to save consumers money.

Thank you for your time and I'm happy to answer any questions.



Wisconsin Independent Businesses Inc.

The voice of independent business in state government

February 3, 2016

TO: Members
Senate Committee on Elections and Local Government

FR: Brian Dake
Legislative Director
Wisconsin Independent Businesses

RE: 2015 Senate Bill (SB) 601 relating to local regulation of certain containers.

Chairman LeMahieu and committee members, thank you for the opportunity to testify in support of 2015 Senate Bill 601.

By way of background, Wisconsin Independent Businesses strives to provide small, independent businesses with a voice in the legislative and administrative activities of state government. WIB has more than 4,000 members – the vast majority of whom own businesses with fewer than 25 employees and annual gross revenues of less than \$5 million.

Since the turn of this century, we have seen a marked increase in local government ordinances which regulate the operations and practices of hometown small businesses – the latest of which are local ordinances that specify the types of containers hometown employers must use when their customers check-out. These local auxiliary container ordinances are costly, burdensome and unfair to small hometown businesses.

Hometown employers, particularly those in the retail and service sectors of our economy, are under tremendous pressure to meet the needs and demands of their customers. More often than not, their customers are looking for the best product or service at the best price.

Higher costs imposed under local container ordinances may lead customers to buy elsewhere – maybe they will go down the road or even across the street to a competitor in a neighboring community who is not subject to the requirements of an auxiliary container ordinance who can offer the same product or service at a lower cost.

Assembly Bill 730 levels the playing field for all Wisconsin hometown employers by preventing a patchwork of auxiliary container ordinances from being put in place by local elected officials.

We respectfully ask for your support of this “small business-friendly” legislation.

Thank you in advance for your consideration.



DATE: February 3, 2016

TO: Members, Senate Committee on Elections and Local Government

FROM: Jim Feeney, former President and CEO, Wisconsin Film and Bag

SUBJECT: **Support for Senate Bill 601 – Regulation of auxiliary containers**

Thank you, Chairman LeMahieu and members of the committee.

My name is Jim Feeney. I am the recently retired President and CEO of Wisconsin Film and Bag, a plastic bag manufacturing and recycling facility in Shawano. We are part of Novolex, one of the largest recyclers of plastic bags and film in North America with 33 locations across the United States.

I'm here on behalf of the 30,000 Americans whose jobs depend on the plastic bag manufacturing and recycling industry, including the 180 folks I had the pleasure of working with in Northeast Wisconsin.

We would like to sincerely thank Senators Roth and Lasee and Representatives Rohrkaste and Vorpapel, for leading the efforts on this bill.

Today I join many of our customers – retailers and restaurants from across the state – in asking you to support Senate Bill 601 to ensure that future regulations regarding auxiliary containers be made at the state level.

Local restrictions and taxes on auxiliary containers will create a patchwork of ordinances that cause additional regulatory and compliance hurdles for businesses and confusion for consumers. Making sure regulation of these containers will be on a statewide basis makes sense.

We all want to do the right thing for both the environment and working families, but often times the debate over my industry – plastics - and other packaging products, gets hijacked by hyperbole and emotion at the expense of facts and science.

The truth is that plastic bags are a safe, sanitary and 100% recyclable package and are more resource efficient and generate fewer greenhouse gas emissions to transport than the alternatives. 90% of consumers reuse their plastic bags for things such as lining small trash bins, bringing lunch to work, and picking up after pets, and in the end plastic bags make up less than .4 percent of US municipal solid waste streams.

Novolex Holdings, Inc., 101 East Carolina Avenue, Hartsville, South Carolina 29550

OUR
BRANDS:



Recycled plastic bags and wrap are an important part of our business. That's why Novolex has worked with retailers to establish roughly 30,000 plastic bag recycling points across the US in just the past four years. This has allowed our Bag-2-Bag program to recycle more than 35 million pounds of post-consumer plastic bags, sacks, and wrap each year.

There is a lot of information and misinformation about our product and the others that this bill applies to. While we appreciate that local elected officials are well intended when they consider taking action to regulate these packages, they often do not have the time or resources to understand the full consequences and are unlikely to consider the impacts that their decisions will have on another community.

For these reasons we believe regulation of auxiliary containers is best left to you and your colleagues here in the State Capitol. You should determine what is in the best interest of all Wisconsinites.

Thank you for your consideration and support of this legislation. I'll be happy to address any questions or concerns you may have.

Novolex Holdings, Inc., 101 East Carolina Avenue, Hartsville, South Carolina 29550

OUR
BRANDS:



To: The Wisconsin Legislature

**From: Wisconsin Manufacturers and Commerce
Wisconsin Paper Council
National Federation of Independent Business
Wisconsin Independent Businesses
Metropolitan Milwaukee Association of Commerce
Wisconsin Restaurant Association
Wisconsin Grocers Association
Wisconsin Petroleum Marketers & Convenience Store Association
Wisconsin Retail Merchants Association
Alliance of Wisconsin Retailers, LLC
American Progressive Bag Alliance
Midwest Food Processors Association Inc
Wisconsin Beverage Association**

Date: February 3, 2016

RE: Please support SB 601 relating to the regulation of auxiliary containers, authored by Senators Roth and Lasee and Representatives Rohrkaste and Vorpapel

The coalition of groups listed above support SB 601 and ask that you cosponsor this important legislation. The bill will prohibit political subdivisions from regulating auxiliary containers yet supports and allows for necessary recycling programs to continue.

As you may know, various municipalities across the country have implemented bans, taxes, or placed fees on various packaging and some municipalities in Wisconsin are considering similar policies. The negative impact of patchwork regulations like these would be devastating to Wisconsin businesses and consumers.

If local units of government are allowed to regulate these containers, there exists the potential for varying regulations which leads to confusion, and increased costs for the business community and consumers, when trying to comply with the ordinances.

Differing regulations can significantly burden retail and food establishments that use packaging of all kinds in their day to day operations. They also impact the paper industry in Wisconsin that produces cardboard and corrugated material that are often considered auxiliary containers for one-time use. There are numerous bottling facilities in Wisconsin that bottle in plastic and other containers. In addition, there are recycling companies that rely on the recycling stream to produce additional products.

Wisconsin families and consumers will be negatively impacted because jobs - all across the state - would be in jeopardy in these industries and costs of compliance would be passed on to consumers in the form of higher prices for common goods.

This legislation does not prevent a ban, tax, or fee from ever being placed on any of the auxiliary containers. It just requires that the regulation be done at the state level so there is an even playing field across the entire state.

Thank you for your consideration and support for SB 601.