

**Senate Committee on Commerce  
Testimony in Support of Senate Bill 47  
Presented by Eric Stafford, Vice President of Government Affairs**

**Tuesday, March 31, 2023**

Madam Chair and members of the committee, my name is Eric Stafford, Vice President of Government Affairs for the Kansas Chamber. The Kansas Chamber appreciates the opportunity to provide testimony in support of Senate Bill 47, a bill similar to Senate Bill 493 vetoed in 2022 by Governor Kelly.

SB 47 is intended to provide Kansas businesses a clear and predictable regulatory framework by which to operate. Like last year's legislation, SB 47 prohibits cities and counties from banning certain auxiliary containers as defined. We have seen a growing trend across the country by local governments to ban plastic products because of their perceived damage to the economy. In October 2022, Greenpeace issued a [report](#) stating "Plastic recycling is a dead-end street."

In that report, they say "Mechanical and chemical recycling of plastic waste has largely failed and will always fail because plastic waste is: (1) extremely difficult to collect, (2) virtually impossible to sort for recycling, (3) environmentally harmful to reprocess, (4) often made of and contaminated by toxic materials, and (5) not economical to recycle."

We trust consumers and businesses to allow the markets to decide which products and services are best. Technology and innovation win in the long run and policy decisions at the local level which create a patchwork of laws that can place one business at a competitive disadvantage to another simply based on geographical location. Attached to our testimony is a map of states that have taken proactive steps to adopt uniformity standards and you'll notice Kansas is in the minority of states to not yet adopt a uniform approach to plastic containers.

One notable change in the bill from last year is the addition of new language preventing cities and counties from regulating consumer merchandise. Cities in California have taken the extreme approach to regulate consumer activity by banning items such as gas-powered lawnmowers and fur clothing. It is illegal in Massachusetts to throw away old clothing such as jeans.

But we do not have to look outside of our state border to see how this power of local governments can go too far. This last fall, the City of Wichita Animal Services Advisory Board recommended to the City Council to ban the sale of dogs and cats from stores inside city limits (news article included below). So we could have a situation where pet stores would be forced to close their doors in Wichita but could, with great expense, move to Andover and sell these pets to families without problem.

Again, like with any effort to ban plastics, regulating perfectly legal consumer products puts businesses in a position where they could have no other option but to close their doors. If consumers feel puppies and kittens sold at retail are a threat to society, let them be the ones to make that decision and choose alternative outlets rather than banning certain behavior.

There are some instances where the state delegates authority to local governments and we have worked to craft exceptions to the prohibition, such as zoning requirements or building codes.

In closing, we urge this committee to support Senate Bill 47, to protect Kansas businesses from overzealous governments who seek to restrict consumer behavior through ineffective and burdensome regulations. We appreciate the opportunity to testify in support of Senate Bill 47, and I'd be happy to answer questions at the appropriate time.



## Board recommends ban on commercial sale of dogs and cats in Wichita, sending it to city council

Thursday, July 21st 2022, 8:50 AM CDT

**Updated:** Friday, July 22nd 2022, 9:24 AM CDT

written by **KAKE News**



Humane Society of the United States

WICHITA, Kan. (KAKE) - The Wichita Animal Services Advisory Board has voted to have the Wichita Police Department look into an ordinance to crack down on certain pet shops.

Members voted 4-3 on Wednesday to recommend the department draft an ordinance that would prohibit retailers in the city, like Petland, from selling dogs and cats. Any such ordinance would have to be approved by the Wichita City Council.

Supporters of the ban have said that Petland and other stores get their animals from puppy mills. However, Petland says it works only with legitimate breeders and is committed to making sure everything it does is above board.

[7 Kansas puppy mills included in humane society's 'Horrible Hundred' report](https://www.kake.com/story/46561179/7-kansas-puppy-mills-included-in-humane-societys-horrible-hundred-report) ([//www.kake.com/story/46561179/7-kansas-puppy-mills-included-in-humane-societys-horrible-hundred-report](https://www.kake.com/story/46561179/7-kansas-puppy-mills-included-in-humane-societys-horrible-hundred-report))

Petland East manager Lydia Secondine told the board during its [meeting in May](https://www.kake.com/story/46525554/wasab-considers-vote-to-ban-petland-animal-sales-in-wichita) (<https://www.kake.com/story/46525554/wasab-considers-vote-to-ban-petland-animal-sales-in-wichita>) that banning retail stores from selling the animals will only make the problem worse.

"I think it should absolutely be the right of a retail store to be able to offer, you know, puppies and kittens for families that come from 100% licensed and registered breeders with the highest standards. And that's absolutely what Petland aims to do," she said.