

To: Senate Commerce Committee

From: Sarah Chenoweth, Management Intern

Date: February 17, 2022

RE: Testimony in Opposition to Senate Bill 493

Thank you Chairwoman Erickson and members of the Committee for affording the League of Kansas Municipalities the opportunity to provide testimony in opposition to Senate Bill 493.

Sixty-one years ago, Kansas voters approved Constitutional Home Rule powers allowing cities to conduct their affairs to reflect the will of their residents; meaning that the people of Kansas have decided they primarily prefer their local governments, rather than the state, making decisions for their communities. Senate Bill 493 completely disregards Kansans' preference for local self-governance by removing any ability for the local consideration of whether the regulation of single-use plastic containers is appropriate for a community.

When businesses are impacted by policies under consideration, local governments strive to balance the needs and values of residents with the conduct of commerce. Quite simply, it is not in any city's interest to adopt policies that might drive away businesses or residents. Currently several cities in Kansas, including Wichita and Lawrence, are studying the fiscal and environmental impact of single-use plastic containers on their communities. The League believes that SB 493 impinges upon their and other cities' ability to address these issues in a way that is responsive to the needs of their residents and communities. Wichita's residents may have great interest in tackling what they perceive to be an environmental issue of local concern, whereas residents of neighboring cities may have no interest in this issue. Either way, a blanket policy from the state, whether banning single-use containers or banning the banning of single-use containers, is not the local solution Kansans prefer.

Home rule recognizes the need for local people solving local problems locally, while at the same time preserving each community's unique identity; including, if they so choose, an identity that limits the availability of single-use plastic.

The League respectfully requests that the committee recognize Kansas's Constitutional Home Rule and not pass Senate Bill 493 out of committee.