

February 14, 2022

To: Senate Committee on Commerce

Comment to the Public Record

Regarding: Senate Bill 493 - Bill Prohibiting Cities from Regulating Plastic Containers

I am writing to let you know that I oppose SB 493

I am opposed to single-use plastics. I want Kansas, its' counties, and cities to work towards less reliance on single-use plastics. I know that I am not alone in my opposition.

A KU School of Medicine study released last year showed that more than two-thirds of the 2064 Wichita residents surveyed would support a ban or tax on plastic bags locally. That same survey revealed that 82% of the respondents strongly/agreed there were too many plastic bags littering the community. A nationwide survey released recently by Oceana demonstrated similar results, that **8 in 10 Americans are concerned about single-use plastics and support local and state policies** that aim to address single-use plastic.

I walk daily and this time of year litter is readily apparent. Without the leaves to hide behind plastic bags in trees and bushes, to-go containers and cups, straws, etc. litter the ground. Cities need to be able to address this problem as they are the ones facing the costs associated with plastic pollution, including extra landfill costs, community clean-up, and jamming of equipment or infrastructure. SB 493 disempowers communities from addressing these problems and costs by not allowing them to reduce auxiliary containers at the source.

A 2021 [Wichita State University study](#) concluded that roughly half of the city's litter larger than 4 inches is composed of plastic or foam, with 75% of that plastic litter coming from the food and beverage industry. Of all the litter collected in the study, 49% of the litter overall were products of the food and beverage industry. Litter coming from the food and beverage industry increases costs associated with city cleanup, precious landfill space, and maintenance or repair with cleaning out clogged sewers, recycling equipment, and more. Several cities that have implemented local ordinances to regulate or tax single-use items [have experienced a reduction](#) in this litter and realize taxpayer savings.

Beyond the environmental or aesthetic impact, SB 493 violate the spirit of the Kansas Constitution. It seeks to allow the State Government to intrude upon home rule and local government. Absent a demonstrated conflict involving patchwork regulation, SB 493 is premature and clearly disrespects the spirit of Home Rule and the powers prescribed to cities in the Kansas Constitution.

*Article 12, Section 5(b) stipulates that "Cities are hereby empowered to determine their local affairs and government..." and Section 5(d) reiterates that "Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government." Communities should be allowed to voluntarily decide what's right for themselves rather than by State mandate from those that don't live there.*

There is no reason for the State to restrict cities regulating plastic containers. I implore you to not pass SB 493. It is a bad public policy.

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