



MIKE ROHRKASTE

STATE REPRESENTATIVE • 55TH ASSEMBLY DISTRICT

Assembly Bill 730
Testimony of State Representative Mike Rohrkaste
Assembly Committee on State Affairs and Government Operations
January 20, 2016

Thank you, Chair Swearingen, and members of the Committee on State Affairs and Government Operations for holding this public hearing.

Assembly Bill 730 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 AB 730 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.

WMC

WISCONSIN MANUFACTURERS
& COMMERCE

TO: Members
Assembly State Affairs and Government Operations Committee

FROM: Jason Culotta
Senior Director of Government Relations

DATE: January 20, 2016

RE: Support for Assembly Bill 730

Assembly Bill 730 preempts local units of government from regulating “auxiliary containers,” which are defined under the bill as “a bag, cup, bottle, or other packaging that is designed to be reusable or single-use” along with a list of further qualifications.

The need for this legislation arises from the actions of municipalities that lie beyond our borders but whose influence is seen in trying to regulate or prohibit various types of auxiliary containers.

As the state chamber of commerce, our interest in supporting this legislation is driven by manufacturers in the forest products, plastics, glass-making, and recycling industries which produce these containers; retailers who utilize these containers for dispensing their food or products; and local chambers of commerce which don't want to represent the odd community causing challenges for consumers and the business community by having a different standard for auxiliary containers.

Regulations governing the use of auxiliary containers should be undertaken on a uniform basis at the state level rather than by a range of ordinances at the local level.

WMC respectfully asks for your support of passage of Assembly Bill 730.



Wisconsin Independent Businesses Inc.

The voice of independent business in state government

January 20, 2016

TO: Members
Assembly Committee on State Affairs and Government Operations

FR: Brian Dake
Legislative Director
Wisconsin Independent Businesses

RE: 2015 Assembly Bill (AB) 730 relating to: local regulation of certain containers

Chairman Swearingen and committee members, thank you for the opportunity to testify in support of 2015 Assembly Bill 730.

By way of background, Wisconsin Independent Businesses provides small, independent businesses with a voice in the legislative and administrative activities of state government. We have 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. Among them, ordinances which specify the wages and benefits that must be provided by small employers to their employees and ordinances which prohibit smoking within their businesses. And now, we are seeing an uptick in local ordinances which specify the types of containers that small employers must use when their customers check-out at the grocery store, hardware store or restaurant.

Compliance with these regulations is costly and the burden imposed by these regulations extends beyond just the compliance costs.

Hometown employers, particularly those in the retail sector, are under tremendous pressure to meet customer demands. More often than not, their customers are looking for the best product at the best price. Higher costs imposed by local ordinances may lead their customers to shop elsewhere – maybe they will go down the street to a competitor who is not subject to the local ordinance who can offer the same product at a lower cost.

This scenario is real. As I look around the room, I see members who represent communities that are within minutes of each other – Oconomowoc and Watertown, St. Francis and Milwaukee. An auxiliary container ordinance which applies to businesses in one but not in the other creates an uneven playing field.

Assembly Bill 730 prevents a patchwork of local regulations thereby leveling the playing field for all hometown employers. We respectfully ask for your support of this legislation.

Thank you in advance for your consideration.

Key “Friend of Grocers” Issue



**WISCONSIN
GROCERS
ASSOCIATION**

For more information, contact: 608.244.7150
Brandon Scholz: Brandon@WisconsinGrocers.com
Michelle Kussow: MKussow@WisconsinGrocers.com

WGA Position Paper **CONTAINERS and PLASTIC BAG BANS**

WGA Position: Support

Ask any grocer and they will tell you that when customers are asked “paper or plastic,” the majority choose plastic. Plastic bags are low cost, easy to carry, convenient, lightweight, sturdy and water resistant. In addition, plastic bags are recyclable and reuseable for multiple purposes. However, many municipalities across the country have begun the process or implemented bans, taxes and fees on plastic bags and/or packaging including several Wisconsin cities: Madison, Wauwatosa, Stoughton, DePere and Eau Claire. For this reason, the WGA supports legislation that would prohibit political subdivisions from regulating auxiliary containers, but still allow for necessary recycling programs to continue.

AB 730, introduced by Senators Roger Roth (R-Appleton) and Frank Lasee (R-Green Bay), along with Representatives Mike Rohrkaste (Neenah) and Tyler Vorpapel (R-Plymouth), would limit the authority of political subdivisions to regulate the use, disposition or sale of auxiliary containers in order to maintain uniformity in regulation. Some examples of auxiliary containers include cardboard coffee holders, insulating sleeves, takeout containers, water bottles and reusable cloth, paper and plastic bags.

If local units of government are allowed to regulate containers and plastic bags, the varying regulations can significantly burden grocery stores and other retail establishments that use packaging of all kinds in their day to day operations. Grocers know that a patchwork of varying municipal laws force consumers to choose based on preference. As a highly competitive industry, not having the freedom to offer plastic bags or other containers will lose customers and business.

Wisconsin grocers support efforts to promote recycling at the local level. Nearly every store in the grocery business in Wisconsin participates in plastic bag recycling programs at their own expense. The grocery industry voluntarily offers plastic carryout bag recycling in many communities; several larger retailers have already established their own plastic bag recycling program for Wisconsin consumers. Therefore, instead of local bans, fees and taxes, we prefer a more viable solution to center efforts on recycling, reuse and education.

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. The Wisconsin Grocers Association supports allowing decisions of this magnitude to be made at the state level rather than having a patchwork of varied ordinances throughout the state.

Status: AB 730 was introduced January 15, 2016 and has been referred to the Assembly Committee on State Affairs and Government Operations.

Key “Friend of Grocers” Issue

Key “Friend of Grocers” Issue

Key “Friend of Grocers” Issue