



Sponsor Testimony on House Bill 625  
State Representatives George Lang and Scott Lipps  
House Economic Development, Commerce & Labor Committee

Representative Lang:

Chairman Young, Vice Chairman Riedel, Ranking Member Lepore-Hagan, and members of the House Economic Development, Commerce & Labor Committee, thank you for the opportunity to provide sponsor testimony on House Bill 625.

Representative Scott Lipps and I have introduced this important pro-business legislation that will provide Ohio businesses much-needed clarity and uniformity in their use of auxiliary containers in the State of Ohio. As defined by the legislation, an auxiliary container is a paper or plastic bag, a can, cup, food service item, container, keg, bottle, or other packaging item.

Specifically, this bill will "authorize a person to use an auxiliary container for any purpose and prohibit a municipal corporation, charter counties or limited home-rule townships from imposing a tax or fee on auxiliary containers, and to clarify that the existing anti-littering law applies to auxiliary containers."

Over the last few months, we have worked closely with a wide variety of Ohio employers to draft this legislation. Similar legislation has been introduced in the Senate, Senate Bill 210, sponsored by State Senator Bill Coley. His legislation, like mine, is supported by the Ohio Council of Retail Merchants, Ohio Chamber of Commerce, Ohio Manufacturer's Association, Ohio Restaurant Association, Ohio Grocers Association, Ohio Softdrink Association, Ohio Chemistry Technology Council, Ohio Petroleum Marketers & Convenient Store Association, Ohio Wholesale Beer and Wine Association, MillerCoors, and others. In its three hearings in the Senate, opposition has come mainly from the Sierra Club and a national environmental group called Surf Riders. Written testimony was submitted by the Municipal League. The conclusion in their testimony is that, and I quote "No municipality in Ohio has passed legislation to tax auxiliary containers of any variety. In our view, this bill poses a solution looking for a problem". This observation fails to acknowledge the numerous attempts of the past, present and near future. In fact, Cuyahoga County Council is considering exactly this type of tax (a ten cent PER BAG tax is being considered). From what we are being told, Cincinnati and Columbus are considering this type of legislation too. Athens has tried it. Just down Broad Street here, Bexley has considered it and there may be others of which we are unaware.

Representative Lipps:

The supportive organizations mentioned above represent thousands of employers and hundreds of thousands of employees in the State of Ohio. These businesses utilize a wide variety of auxiliary containers. Several major industries in Ohio would be negatively impacted by localities unilaterally deciding to implement fees, taxes or bans on containers.

Ohio should join states like Florida, Indiana, Wisconsin, Michigan, Missouri, Iowa, Idaho, and North Carolina (among others) who have made auxiliary container regulations the purview of the state. What we should not do; is allow Ohio to join Illinois, Washington D.C., California and Hawaii who have passed a variety of local fees and taxes.

Consumers and businesses deserve rules and regulations that are uniform and easy to understand--not misguided attempts to appease a fringe movement that, if they were honest, would ban the use of many of the products the organizations use to carry out their businesses--and that consumers rely on.

Therefore, we are respectfully asking you to join us in protecting jobs in this state by supporting House Bill 625. Passing this legislation will allow us to continue to utilize a blend of existing state programs, private sector initiatives and local government programs to ensure that Ohio's materials management remains both responsive to market forces and consistent with the State's already-existing goals for recycling and reuse. Thank you for your consideration and we are happy to answer any questions, Mr. Chairman.



George F. Lang  
State Representative



Scott Lipps  
State Representative