



Sponsor Testimony on House Bill 242
State Representatives George Lang and Don Jones
House State and Local Government Committee

Representative Lang:

Chairman Wiggam, Vice Chairman Ginter, Ranking Member Kelly, and members of the House State and Local Government Committee, thank you for the opportunity to provide sponsor testimony on House Bill 242.

Representative Jones and I have introduced this important pro-business legislation that will provide Ohio businesses much-needed clarity and uniformity for practicing commerce in the State of Ohio. This is the same legislation that passed out of the house just a few months ago during the last General Assembly. The purpose of this bill is to protect the ability to manufacture recyclable, sustainable products to better ensure a healthy economy in Ohio.

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." 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 designed for consuming, transporting, or protecting merchandise, food, or beverages.

We have worked closely with a wide variety of Ohio and national business associations to draft this legislation. It is supported by the Ohio Beverage Association, the Ohio Chamber of Commerce, the Ohio Chemistry Technology Council, the Ohio Council of Retail Merchants, the Ohio Grocers Association, the Ohio Manufacturers' Association, the Ohio Petroleum Marketers and Convenience Store Association, the Ohio Restaurant Association, MillerCoors, NFIB Ohio, the Wholesale Beer and Wine Association of Ohio and the American Progressive Bag Alliance.

I will now defer to my Joint Sponsor, Don Jones, to go into more detail, thank you.

Representative Jones:

The supportive organizations mentioned by Representative Lang 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.

When everyday products like paper cups, grocery bags, to-go containers and soft-drink bottles are taxed and regulated inconsistently within a state, it creates costly problems for manufacturers, businesses and working families. Adopting statewide uniformity for auxiliary containers is a way to protect against overregulation, support manufacturing jobs and uphold consumer freedom.

Cuyahoga County Council, just yesterday, passed a plastic bag ban, restricting consumer choice and further placing a burden on hard working Ohioans. We need to 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 continue on this path and 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 242. 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



Don Jones
State Representative