



Written Opponent Testimony on House Bill 242

Submitted by Diane Bickett, Executive Director, Cuyahoga County Solid Waste District

House State and Local Government Committee

June 25, 2019

Dear Chairman Wiggam, Vice-Chair Ginter and members of the House State and Local Government Committee, thank you for the opportunity to submit this written testimony opposing HB 242. This legislation which would prevent local governments from enacting bans, fees or taxes on “auxiliary containers” (i.e. disposable plastic carryout bags).

HB 242 conflicts with the State of Ohio Solid Waste Management Plan which is required by ORC Section 3734.50 to reduce Ohio’s reliance on landfills to manage solid wastes and establish objectives for solid waste reduction, recycling and reuse. HB 242 would prevent a locally adopted waste reduction measure from being enacted in Cuyahoga County. In May, Cuyahoga County Council passed Ordinance 02019-0005 to implement a Disposable Bag Ban.

Unlike HB 242, Cuyahoga County’s legislation is consistent with the State Solid Waste Management Plan and the ratified Cuyahoga County Solid Waste Management Plan because it would reduce disposable plastic bag waste in landfills and in the environment.

The Cuyahoga County Solid Waste District fully supports eliminating disposable bags from the waste stream to reduce the environmental, financial and health impacts caused by disposable plastic bags in our region.

A question in a previous hearing by Representative Arndt asked how plastic bag bans would affect solid waste districts who receive revenue from landfilled waste. To respond, bag bans or fees should have a negligible impact on local solid waste district revenues because plastic bags are so lightweight. There are approximately 162,000 plastic bags in a ton while the Cuyahoga County Solid Waste District’s fee on landfilled waste is just \$1.50 per ton.

The District and its Board of Directors encourages this committee to vote against HB 242 and protect the rights of local lawmakers and join the many other cities, states and nations that are working to curb plastic pollution.

Included with this testimony is a resolution in opposition to HB 242 passed by the Board of Directors of the Cuyahoga County Solid Waste District. Thank you for your consideration.





**CUYAHOGA COUNTY SOLID WASTE DISTRICT
RESOLUTION NO. 190618**

Resolution in Opposition to HB 242 to amend sections 504.04, 715.013, 3736.01, and 3767.32 and to enact sections 301.30 and 3736.021 of the Revised Code to authorize the use of an auxiliary container for any purpose, to prohibit the imposition of a tax or fee on those containers, and to apply existing anti-littering law to those containers.

WHEREAS, the Cuyahoga County Solid Waste Management District is a solid waste management district established by the County of Cuyahoga in accordance with Section 343.01 of the Revised Code for the purpose of solid waste management planning and providing for the safe and sanitary management of solid wastes within all of the incorporated territory of the District; and

WHEREAS, the Cuyahoga County Solid Waste Management Plan, approved by the Director of the Ohio EPA and ratified by Cuyahoga County communities, requires the District to achieve the waste reduction goals contained within the State of Ohio Solid Waste Plan; and,

WHEREAS, on May 28, 2019, the Cuyahoga County Council passed ordinance 02019-0005 enacting Chapter 1304 of the Cuyahoga County Code to implement a Disposable Bag Ban; and,

WHEREAS, this ordinance is consistent with the Cuyahoga County Solid Waste Management Plan by reducing disposable plastic bags in the waste stream, Lake Erie and in the environment; and,

WHEREAS, HB 242 introduced in the Ohio Legislature on May 13, 2019 seeks to prevent Cuyahoga County's disposable bag ban from being enacted by prohibiting the imposition of a tax or fee on auxiliary containers (plastic bags) and allowing auxiliary containers to be used for any purpose; and,

WHEREAS, the Board of Directors of the Cuyahoga County Solid Waste District supports Cuyahoga County's Disposable Bag Ban and is opposed to HB 242 which will infringe on the home-rule authority throughout the State of Ohio by preventing any similar bans and fees from being enacted.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Cuyahoga County Solid Management Waste District, that the members of the Cuyahoga County delegation that serve in the Ohio House and the Ohio Senate are urged to oppose HB 242 in order to protect the environment and preserve local home rule authority.

On Motion of Mike Foley, seconded by Michael Dever, the foregoing resolution was duly adopted.

Ayes: Mike Foley, Sunny Simon, Michael Dever

Nays: None

Abstention: None

Not Present: None

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Date Adopted: June 18, 2019