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Testimony on Behalf of Wine Institute
Support of SB 47 with Suggested Amendments
Senate Commerce Committee
January 31, 2023

Wine Institute is a trade association comprised of roughly 1,000 California wineries and affiliated businesses. We are the only U.S. organization advocating for wine at the state, federal, and international levels. Our mission is to initiate and advocate public policy that enhances the ability to responsibly produce, promote, and enjoy wine. On behalf of Wine Institute, we appreciate the opportunity to offer our support of SB 47.

Wine Institute is seeing state legislatures around the nation place an incredible burden on manufacturers. These types of laws are typically called “extended producer responsibility” laws, or EPR. They require manufacturers of any product containing plastic, glass, aluminum, paper, cardboard, etc., in their packaging or containers to pay a fee – an unknown fee – on every container or package they produce. Most recently in Colorado, the state legislature passed a law that would require such fee in order to pay for the entire state’s recycling program. Colorado has no idea how much this will cost and thus no idea how much the fee would be on each producer. We do not want to see this happen in Kansas.

SB 47 is a step in the right direction as it prohibits local jurisdictions from creating such EPR program. Thus, we support SB 47.

Wine Institute has a couple of suggestions to avoid any confusion as to what local jurisdictions cannot do:

1. In Section 2 of the bill, line 30, after “taxes,” we suggest adding the phrase, “places fees on”. This will avoid any extra tax being placed on products by calling it a “fee.”
2. Then, in the same line, after “use,” we suggest adding the word “packaging”. This avoids local jurisdictions placing any added cost or restriction on the type of packaging any product is shipped or wrapped in.

Wine Institute has one final question regarding the language in Section 2(b)(2). As glass containers are singled out in this subsection (and wine is mostly contained in glass bottles), what sort of “public safety concerns” are envisioned by this exception? To this end, we suggest perhaps tightening this language to avoid problematic work arounds.

Thank you for your time and consideration of our proposed amendments.