

Chairman Thompson and Members of the Committee,

On behalf of the Americans for Prosperity Kansas Chapter, we appreciate this opportunity to submit testimony in support of HB 2446. HB 2446 prohibits cities and counties from regulating plastic and other containers designed for the consumption, transportation, or protection of merchandise, food or beverages. We hold the following positions on HB 2446.

1. HB 2446 guarantees the right of businesses to provide services to customers at the lowest price with the highest quality.
2. HB 2446 prevents a precedent to further regulations of businesses.

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Localities regulating plastic and other containers may be well intended but is an intervention to the highest order in a business's ability to serve customers. To survive businesses must balance the costs of providing services with meeting customer expectations of quality. As it stands, technology has advanced to the point where plastic containers are a cheap and efficient option for businesses to use in operations. Plastic bags are 100% recyclable and use increasingly less and less energy to be manufactured. Unilaterally removing this option forces businesses to eat higher costs, reducing profits, or pass those costs onto their customers. Either way, the market loses. Businesses should be free to choose which containers they should use to conduct their business, not the government.

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Without HB 2446, localities regulating businesses create an incentive for even further regulation of businesses. HB 2446 stops Kansas localities from entering a slippery slope and maintains Kansas on the path to being an easy place to start a business.

For these reasons, we urge the committee to pass HB 2446 in its current form.