

Dear Chairman Thompson and Members **of the** Kansas Committee on Federal and State Affairs.

I am writing to you in opposition to HB 2446, which would disallow local governments from regulating plastics and glass.

There is overwhelming evidence that plastic pollution is harming us in so many ways. I grew up on a farm in Western Kansas and now live in Olathe. When I lived on the farm, I saw daily the adverse effects of plastics, bags, tarps, bottles, etc., on agriculture. My brothers, dad and I, often cleaned plastic trash from our fields and the ditches along the fields. On more than one occasion, our combine or hay baler got clogged with plastic bags causing delays and expensive repairs. In Olathe, I daily see plastic trash, particularly commercial plastic, in the median areas of roadways. Now there is clear evidence that there is widespread microplastics in Kansas water..

As a retired attorney and judge, I believe HB 2446 violates home rule powers as delineated in the Kansas Constitution. I ask you to look at the following Article in the Kansas Constitution: Article 12, Section 5(b) stipulates that "*Cities are hereby empowered to determine their local affairs and government...*" and Section 5(d) reiterates that "*Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government.*"

Communities should be allowed to voluntarily decide what's right for themselves rather than the State dictating to local governments what they can and cannot do. I often hear Kansas Legislators and Kansas Governors, rail against the Federal Government sticking its nose in state affairs and usurping state powers. Texas is currently battling the Federal Government over states' rights issues. With HB 2446, the State of Kansas is sticking its nose in an issue best handled by local governments. To me, the passage of HB 2446 would not only violate the Kansas Constitution, but would be hypocrisy.

I also would like to see you propose a bill enacting a referendum system such as Missouri and many other states have. Why not let citizens petition to have changes in Kansas law and the Kansas Constitution placed on the ballot so Kansans can vote on the proposed changes? Too many times, Kansas Legislators have failed to do the will of the people on certain issues. Perhaps the referendum idea could be placed on the ballot so we can all vote whether we want it or not.

Thank you for listening.

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