

UNIFORMITY *of* COMMERCE

*for Auxiliary Containers
Supports Healthy State
Economies*

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, retailers and working families. These ‘nuisance issues’ add to local tax burdens and corrode the free market for entire states.

Adopting statewide uniformity of commerce for auxiliary containers is a way to protect against overregulation, support thousands of American manufacturing jobs and uphold consumer freedom.

WHY IT IS KEY TO A HEALTHY ECONOMY

- Uniformity of commerce legislation acts as **a check on unnecessary red tape** and guarantees regulatory clarity, both of which are essential to healthy state economies.
- State-level uniformity for auxiliary container regulations will **limit the chaos of regulatory patchworks** for shoppers, grocery stores, markets and manufacturers—ensuring the same rules apply across a state. For certain issues and industries, it only makes sense for regulations to be consistent.
- Businesses that operate statewide, and purchase large quantities of products, **depend on regulatory consistency** (including product-specific thickness and composition regulations) to achieve economies of scale, which translate into **consumer savings**.
- Local control is fundamentally about **protecting individual liberties**. Local governments can fail at this and be instruments of over-taxation, overregulation and intrusion. State governments—the power centers of federalism—can use uniformity of commerce to put a stop to federal overreach.

WHY THIS BILL IS NEEDED

- Well-funded environmental activist networks are behind many local bans and tax proposals. Plastic grocery bags, straws and polystyrene are favorite targets, but each comprise such small percentages of waste and litter that meaningful improvements are **never achieved** through product bans or taxes.
- No level of government should be spending time or public resources to **ban or tax recyclable products** when the free market provides a better check, especially when there is no proven environmental benefit.
- Protecting the ability to manufacture **recyclable, sustainable products** in the United States is the right thing to do for the economy, the environment and American workers.

PROTECTING OKLAHOMA

from Higher Taxes
& Regulatory
Patchworks

SENATE BILL 1001

Provides that any regulation regarding the use, disposition, or sale of an auxiliary container must be done by the state legislature. Any ban, restriction, fee, or taxation of auxiliary containers at the local or county level is prohibited. The bill does not restrict any ordinance or agreement regarding a recycling program or the disposal of solid waste.

- Prevents regulatory patchwork at local level
- Stops local taxes on containers
- Maintains consumer choice
- Protects Oklahoma businesses

“It's imperative for state lawmakers to use their power to safeguard their constituents from harmful, anti-growth policies. A great way to do that is through preemption legislation.”

Grover Norquist,
President of Americans for Tax Reform

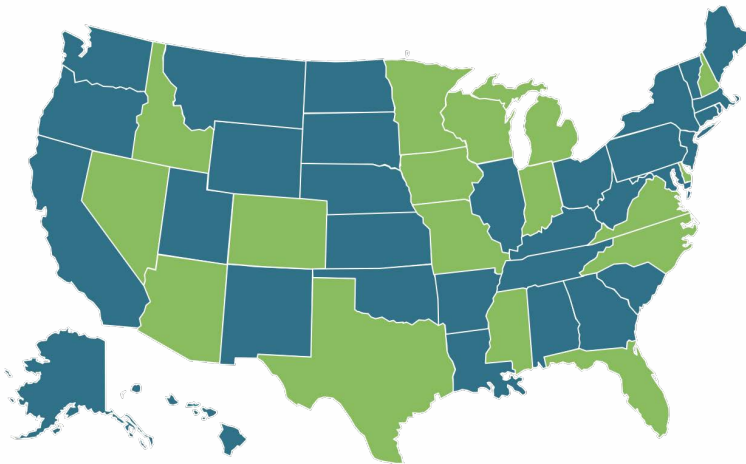
WHAT IS AN AUXILIARY CONTAINER?

'Auxiliary container' means a bag, cup, package, container, bottle, or other packaging that is:

- Designed to be either reusable or single-use;
- Made of cloth, paper, plastic, including foamed or expanded plastic, cardboard, expanded polystyrene, corrugated material, aluminum, glass, post-consumer recycled, or similar material or substrates, including coated, laminated, or multilayer substrates; and
- Designed for, but not limited to, consuming, transporting, or protecting merchandise, food, or beverages from or at a food service or retail facility.

STATES WITH UNIFORMITY OF COMMERCE FOR TYPES OF AUXILIARY CONTAINERS

■ States with Uniformity



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