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To: Honorable Members of the House Committee on Natural Resources, Environment, Tourism, and Outdoor Recreation

From: Amanda Fisher, State Director

Date: September 28, 2023

RE: House Bill 4359 – Preemption of Local Ordinances on Containers

On behalf of over 10,000 small business owners in Michigan, NFIB is writing to express its opposition to HB 4359.

Taking away this limitation on local governments to ban or regulate plastic bags, cups, or other disposable packaging and containers is a dangerous precedent. This law, which has been in place for over half a decade, has helped create a uniform policy across the state and helped businesses both big and small to operate in a consistent manner no matter which municipality they choose to reside in.

While the intentions may be honorable, placing these requirements on citizens and businesses in a local area encourages job providers to locate elsewhere or move out of that area when they have the opportunity. Often these kind of local efforts begin with a lofty goal and end with a fee and regulation scheme that becomes just another way for local governments to tax residents and businesses and provide government jobs for those who would enforce the ordinance.

Small businesses are already overwhelmed with state and federal regulatory requirements as well as already existing local rules. Heaping yet another recordkeeping and compliance burden on them is not a wise economic development policy for local governments or the state. This approach to regulation that varies from one local jurisdiction to the next also creates an inefficient patchwork quilt of rules that is especially confusing to small business.

Again, we urge you to oppose HB 4359 and thank you for your support of small business.

