

May 14, 2019



Oregon Progressive Party Position on Bill at 2019 Session of Oregon Legislature:

SB 90A: Support but flawed

Dear Committee:

The Oregon Progressive Party supports this bill, which prohibits restaurants from providing single-use plastic straws to consumers unless they request it.

But it has been hobbled by a bizarre preemption clause, which states:

SECTION 2. A local government or municipality may not, after the effective date of this 2019 Act, enact an ordinance, resolution, regulation, rule or other law with requirements that differ from the provisions set forth in section 1 of this 2019 Act.

So what if a local government adopts a law that forbids parking in a zone marked for no parking? That would certainly qualify as "an ordinance, resolution, regulation, rule or other law with requirements that differ from the provisions set forth in section 1 of this 2019 Act." The preemption clause in SB 90A expressly bans local governments and municipalities from adopting any ordinances, resolutions, regulations, rules or other laws that "differ from the provisions set forth in section 1 of this 2019 Act." That would include just about every ordinance, resolution, regulation, rule, and law.

Also, the fines provided by SB 90 are far too low.

