

February 22, 2021

Lee Beyer, Chair
Lynn Findley, Vice-Chair
Senate Committee on Energy and Environment
Oregon Legislature
900 Court St. NE,
Salem, Oregon 97301

RE: Disability Rights Oregon Testimony on SB 14

Dear Chair Beyer and Vice-Chair Findley:

Disability Rights Oregon submits this testimony on SB 14. Disability Rights Oregon is the federally-designated Protection and Advocacy organization for the state of Oregon. Our mission is to protect the rights of people with disabilities, including the rights of people who have mobility challenges, paralysis, and limited manual dexterity. 29 U.S.C. 794e.

SB 14 addresses the larger challenges associated with plastic packaging and its impact on the environment. While many individuals and organizations have weighed in on the larger proposal, DRO has a narrow interest in the present bill: the treatment of plastic straws.

While many people use plastic straws as a matter of convenience, some people with disabilities rely on plastic straws as an essential means to keep themselves hydrated. People who have different mobility issues, people who have partial paralysis, people who have limited manual dexterity, and any number of other disabilities that affect how their bodies work cannot drink by bringing a cup to their lips and swallowing.

Depriving people with disabilities of access to straws may affect their ability to live independently and take away their capacity to do something as basic as drinking water when they are thirsty. If people with disabilities cannot drink in a manner that is safe for them, the liquid they drink may run into their lungs and cause serious harm or death. Depriving them of straws can put them at risk of aspiration, pneumonia, and death.

While some people with disabilities find non-plastic straw alternatives tolerable, others have difficulty with the substitutes for the plastic straw. Many compostable straws pose a risk to people with allergies. Many reusable straws are difficult to transport and keep clean. Other alternatives to the plastic straw can disintegrate in some liquids. Last, some people with disabilities find rigid straws like metal or glass straws dangerous for people unsteady in their gait or for people who have tics or tremors that may cause them to jab themselves or chip a tooth on the tip of a straw.

SB 14 does allow plastic straws designated as recyclable to be distributed. Most conventional straws currently in existence are technically recyclable, but Oregon currently lacks the kind of recycling infrastructure to recycle straws. I'm not aware of any curbside recycling program in the state that accepts plastic straws. As I understand it, plastic straws are so light that they cannot be processed by conventional plastics recycling equipment. I don't see how any plastic straw would be found to be recyclable under Section 9 of SB 14 unless recycling techniques were changed dramatically to accommodate them.

In 2019, Oregon banned the routine distribution of individual plastic straws at restaurants and most other sites where they would be found. Currently, only customers who specially request straws can obtain them at most sites. In Oregon, our new policies should sharply reduce our plastic straw consumption relative to the rest of the nation. Nationwide, plastic straws comprise about 0.025% of the plastic waste that flows out to the sea. One would assume the portion of Oregon's plastic straw pollution would be even smaller, because of the changes in straw usage after SB 90's passage.

Although reducing the overall use of plastic packaging is an important goal, I would ask the committee to consider exempting plastic straws from the scope of SB 14. Since many people with disabilities depend on them to live and since plastic straws are already regulated by statute that restrict their unnecessary distribution, further regulation of plastic straws would benefit the environment only marginally and at substantial cost to people with disabilities.

I am happy to discuss these matters by telephone at 503-243-2081 x223 or by email at tstenson@droregon.org.

Sincerely,

A handwritten signature in black ink that reads "Thomas Stenson". The signature is written in a cursive, flowing style.

Thomas Stenson
Deputy Legal Director