

simon milne

To Whom It May Concern,

I'm reaching out on behalf of bioaqualife™, a company dedicated to advancing biodegradable alternatives to conventional plastic shrinkwraps. In addressing a piece of proposed Minnesota legislation—introduced by Rep. Kraft—that imposes a deeply flawed and discriminatory recycling stewardship program exclusively on boaters and marine plastic manufacturers.

This legislation is effectively a targeted tax on one sector—the boating and marine supply industry—while exempting other industries (construction, agriculture, transportation) that utilize identical low-density polyethylene (LDPE) shrinkwrap. Not only is this unfair, but we believe it raises serious constitutional and legal concerns.

Our Core Objections:



1. Discriminatory Targeting Without Justification

This legislation places the burden of collection and recycling solely on marine shrinkwrap users and suppliers, ignoring industries that contribute significantly more volume of the exact same plastic. This selective enforcement undermines the Equal Protection Clause and fails to offer any scientific or lifecycle justification for singling out the marine sector.



2. A De Facto Tax on Boaters and Marine Product Manufacturers

While labeled as "stewardship," the program functions as a sector-specific tax—funding recycling and compliance infrastructure from the wallets of boaters, marina operators, and small marine-focused businesses. Meanwhile, large-scale agricultural and industrial users of LDPE remain untouched. This is not just regulation—it's financial discrimination.



3. No Supporting Infrastructure, No Viable Alternatives

The bill mandates recycling and material recovery with no existing statewide infrastructure to support it. It punishes compliance without enabling it, leaving businesses like ours—and the consumers we serve—with unfunded mandates and no legal off-ramps.



4. Ignores Innovation and Real Solutions

bioaqualife™ has developed fully biodegradable, marine-safe alternatives to traditional shrinkwraps. But rather than supporting innovation, this legislation stifles it by entrenching a flawed recycling framework that does not account for material science advances or sector-wide equity.

We respectfully request support in the following areas:

Legal review of the proposed legislation and its constitutionality under federal and Minnesota state law.

Support in testimony and public comments to the Minnesota Legislature and relevant regulatory bodies.

Drafting coalition advocacy materials with other affected industry groups.

The current version of this legislation appears to be not only poor policy, but legally vulnerable. It unfairly burdens a single community—boaters and marine product innovators—while giving a free pass to other LDPE-heavy industries with a far larger environmental footprint.

We would welcome the opportunity to speak with your legal team at your earliest convenience. Thank you in advance for considering our request.

Warm regards,