



**Testimony in Opposition to
LD 56, An Act to Remove the 5 Cent Fee for Bags in Retail Stores;
LD 69, An Act to Repeal the Law Restricting the Use of Certain Plastic, Paper, and Single-
Use Bags and; in Support of
LD 1122, An Act to Amend the Law Banning Single-use Carry-out Bags**

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Senator Tepler, Representative Doudera, and members of the Joint Standing Committee on Environment and Natural Resources, my name is Vanessa Berry. I am the Sustainable Maine Program Manager for the Natural Resources Council of Maine (NRCM). I appreciate this opportunity to provide comments regarding LD 56, LD 69, and LD 1122.

Two of the proposed bills, LD 56 and LD 69, would undermine or eliminate Maine's existing law banning single-use plastic bags. This law is delivering significant environmental benefits, helping to reduce plastic pollution and promote sustainable consumer habits. Rolling back Maine's policies to reduce single-use bags would be a step backward in our efforts to minimize waste and protect our natural resources. Alternatively, LD 1122 would redefine statutory language to improve the reusable carry-out bags provided to consumers for a small fee at the point of sale.

Plastic bags are among the most common items that become litter. Because they are lightweight, they easily escape from trash bins and refuse trucks, often ending up in trees, waterways, and the ocean. Unlike paper bags, they pose a risk to wildlife and do not biodegrade. Also, plastic bags are not widely recyclable, and existing recycling solutions to manage thin-film plastic materials are unreliable.

The best approach with single-use bags is to follow the waste hierarchy: reduce, reuse, and recycle—with reduction being the most effective strategy. Numerous reusable and recyclable alternatives exist that are more environmentally and economically sustainable for both consumers and retailers.

While some argue that thicker plastic bags are a solution, the reality is that many consumers treat them as single-use items. Because these bags require more raw materials to produce, their environmental footprint is higher unless they are reused multiple times. However, there is little data on whether consumers actually reuse these bags frequently enough to offset their production impact. Efforts to mandate reporting on reuse rates were removed from Maine's original legislation, leaving this question unanswered.

Similarly, while some argue that single-use plastic bags are often repurposed for trash can liners or pet waste disposal, the sheer volume of plastic bags entering the waste stream far exceeds the number that can be reused in this way.

Prior to the statewide ban, 25 Maine municipalities adopted local ordinances regulating plastic bags. Repealing the statewide law would open the policy landscape back up to a patchwork of municipal regulations, making compliance more difficult for businesses and increasing inefficiencies in addressing plastic pollution. We've also seen that some retailers, such as Lowe's and Sam's Club, have successfully been operating without providing bags at checkout, proving that consumers can adjust their habits over time. Changing Maine's regulations on bags, as proposed by LD 56 and LD 69, would create confusion for businesses and the public alike.

Consumers are not required to use store-provided bags or pay fees. Reusable bags are broadly being used across Maine's retail stores. Those who forget to bring their own reusable bags have numerous alternatives, including paying for a bag, carrying items by hand, using cardboard boxes, or loading merchandise directly into their vehicles.

Maine's current regulations on single-use plastic bags have proven to be effective in reducing waste and fostering sustainability. Removing the five-cent fee and repealing the ban would reverse this progress and undermine efforts to curb plastic pollution. Instead, improvements such as those proposed in LD 1122 would strengthen the effectiveness of the law.

For these reasons, I urge the Committee to oppose LD 56 and LD 69 and to support LD 1122. Thank you for your time and consideration.