



Testimony in Support of LD 69 and Opposed to LD 1122:

“An Act to Repeal the Law Restricting the Use of Certain Plastic, Paper and Single-use Bags” & “An Act to Amend the Law Banning Single-use Carry-out Bags”

Senator Tepler, Representative Doudera, and the distinguished members of the Committee on the Environment and Natural Resources, my name is Harris Van Pate and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to submit testimony in support of LD 69, which repeals Maine’s restrictive law on single-use plastic, paper, and other bags, as well as in opposition to LD 1122, which further restricts Mainers’ ability to choose the back of their preference.

The current restrictions represent an overreach that has unnecessarily burdened Maine families, small businesses, and local economies while failing to deliver meaningful environmental benefits. LD 69 provides an opportunity to course correct, ensuring that our state’s ecological policies align with principles of individual liberty, economic sustainability, and sound science.

Economic Impacts of Bag Restrictions

Maine’s law restricting single-use bags has imposed significant costs on families and businesses. The mandate to purchase reusable bags or more expensive paper alternatives disproportionately harms low-income Mainers who are already struggling with rising costs of goods and inflation.¹ These restrictions add operational challenges for small businesses, forcing them to absorb higher expenses for alternative bags or pass those costs on to consumers.

It is essential to recognize that the costs of compliance with such regulations fall hardest on Maine’s most vulnerable populations, creating an inequitable burden with little measurable environmental impact.

Questionable Environmental Benefits

The environmental impact of banning single-use bags has been overstated. Studies reveal that alternatives like reusable and paper bags often have a larger carbon footprint when factoring in production, transportation, and disposal. A 2018 study by the Danish Ministry of Environment found that a cotton reusable bag must be used over 7,000

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[https://pmc.ncbi.nlm.nih.gov/articles/PMC8847762/#:~:text=Unintended%20consequences%20of%20plastic%20bags%20bans.&text=Job%20losses%2C%20disinvestment%20in%20the,loss%20\(Karlaite%2C%202016\).](https://pmc.ncbi.nlm.nih.gov/articles/PMC8847762/#:~:text=Unintended%20consequences%20of%20plastic%20bags%20bans.&text=Job%20losses%2C%20disinvestment%20in%20the,loss%20(Karlaite%2C%202016).)



times to offset the environmental cost of its production compared to a single plastic bag.²

Additionally, evidence from other states and countries suggests that restrictions on single-use plastic bags often lead to increased use of thicker plastic garbage bags or other disposable materials, which counteracts any intended reduction in waste. In fact, some studies find that per-pound plastic purchasing increases when a bag ban is in place.³ LD 69 offers an opportunity to reassess these unintended consequences and adopt more innovative, market-driven solutions.

Market-Driven Solutions to Waste Reduction

Instead of government mandates, Maine should encourage innovation and voluntary efforts to address environmental concerns. Businesses and consumers are already taking steps toward sustainability, spurred by consumer demand for environmentally friendly practices. Promoting recycling programs, incentivizing biodegradable materials, and supporting local innovations are proven ways to reduce waste without imposing one-size-fits-all restrictions.

Preserving Individual Liberty and Choice

Government mandates, such as the current restrictions, infringe on individual liberty and limit consumer choice. Mainers should be free to make decisions about the products they use without being penalized or coerced by state intervention. LD 69 restores that freedom and empowers individuals and businesses to act responsibly without unnecessary government interference.

LD 1122's differences

While LD 1122 seeks to clarify definitions and expand the application of Maine's existing single-use bag restrictions, it ultimately compounds the burdens imposed by the original law rather than alleviating them. Increasing the mandatory fee on paper and reusable plastic bags from 5 to 10 cents further penalizes consumers—mainly working families and those on fixed incomes—without delivering demonstrable environmental improvements. This regressive fee functions as a hidden tax at the point of sale, disproportionately affecting lower-income Mainers while offering no meaningful choice or recourse.

² <https://www.green-books.org/shoppingbagsstudy/>

³ <https://link.springer.com/article/10.1007/s10640-022-00646-5>



Moreover, expanding the law's applicability to include self-checkout, curbside pickup, and home delivery only entrenches the state's top-down mandate deeper into daily commerce. This creates compliance confusion and imposes operational burdens on businesses of all sizes, especially small retailers who lack the infrastructure of large corporate chains to manage such regulations. Rather than simplifying the landscape, LD 1122 introduces greater complexity under the guise of "clarification," placing businesses in a precarious position of enforcement.

The Legislature should not double down on a flawed policy. Instead, it should reconsider Maine's current bag restrictions' efficacy. As highlighted in support of LD 69, the environmental benefits of these mandates remain speculative at best, while the economic harms are immediate and tangible. Rather than expanding an ineffective regime, policymakers should promote voluntary, market-driven solutions and empower consumers and businesses to pursue sustainable practices without state coercion.

Conclusion

The existing restrictions on single-use bags have failed to balance environmental goals with economic reality, imposing significant costs on Maine's families and businesses while delivering minimal benefits. By supporting LD 69, this committee can repeal an ineffective and burdensome law, paving the way for policies that promote economic growth, individual liberty, and more effective environmental stewardship.

We strongly urge the committee to support LD 69 and oppose LD 1122 and repeal Maine's restrictive single-use bag law. Thank you for your time and consideration.