
Testimony of Nate Cloutier

Before the Joint Standing Committee on Environment and Natural Resources

April 23, 2025

In Support of LD 1423, “*An Act to Improve Recycling by Updating the Stewardship Program for Packaging*”

Senator Tepler, Representative Doudera, and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Nate Cloutier, and I am here today on behalf of HospitalityMaine, representing Maine’s restaurant and lodging industries. I am also testifying on behalf of the Maine Tourism Association (MTA). MTA has been promoting Maine and supporting tourism-related businesses—from lodging and dining to camps, retail, guides, amusements, and historic attractions—for over 100 years. HM and MTA support LD 1423, “*An Act to Improve Recycling by Updating the Stewardship Program for Packaging*.”

Maine’s hospitality and tourism sectors are cornerstones of the state’s economy, welcoming millions of visitors and supporting more than 130,000 jobs across every corner of our state. Our industries rely on a supply chain that spans across states and depends heavily on efficient, clear, and consistent regulatory systems.

The Need for LD 1423

Maine was the first state to adopt an Extended Producer Responsibility (EPR) program for packaging. While we support the goal of reducing packaging waste and promoting recycling, the current law as written diverges significantly from national best practices, creating unnecessary burdens on Maine businesses — especially those in hospitality and tourism. LD 1423 provides essential updates to ensure the program is workable, aligned with other states, and supports Maine’s economic and environmental objectives.

Specifically, LD 1423 addresses the following critical needs.

Alignment with Other States

Hospitality businesses in Maine purchase supplies, from amenities to takeout containers to gift shop merchandise, from national suppliers. Without alignment with other states like Colorado, Oregon,

Minnesota, California, and Maryland, Maine's unique requirements create added costs and confusion for vendors and businesses alike. LD 1423 ensures consistency by clarifying important terms and definitions and by adopting practices already successfully implemented in these states.

Clearer Definitions of “Consumer” and “Producer”

The current law risks placing double obligations on hospitality businesses by treating them as both "consumers" and "producers" when purchasing supplies for internal use. LD 1423 narrows the definition of “consumer” to residential households, in line with other EPR programs, and clarifies the "producer" definition to ensure that reporting and financial obligations are appropriately assigned.

We also support the bill's approach of defining “producer” in a way that ensures manufacturers and suppliers are appropriately responsible for packaging fees and reporting. Restaurants and hotels, for example, have little ability to control packaging design or composition.

A More Reasonable Approach to Chemicals

Under the current rules, producers are required to screen packaging for more than 2,000 chemicals — a virtually impossible standard, particularly for small businesses. LD 1423 focuses the toxics list on intentionally added substances, striking a better balance between environmental stewardship and practical compliance.

Flexibility in Fee Structures and Performance Targets

Seasonal fluctuations define Maine's tourism economy. LD 1423 allows for the adjustment of producer fees and recycling performance goals based on real-world data and evolving market conditions, as other states have done. This flexibility is crucial to maintaining fair costs for businesses and guests alike.

We support a simple, transparent fee structure that is predictable for small businesses, allowing them to budget effectively.

Focus on True Recycling Activities

Public education and litter pickup are important, but they are distinct from recycling packaging materials. LD 1423 ensures that producers' fees are used specifically for collection, transport, and recycling efforts, and not for unrelated activities, maintaining the integrity and financial sustainability of the EPR program.

Streamlined Reporting Requirements

Many tourism and hospitality businesses manage hundreds, if not thousands, of products. Requiring a UPC code for every individual item is both costly and administratively unmanageable. LD 1423 adopts the common-sense approach used in other states by allowing businesses to report by brand or product list instead.

Ensuring an Effective and Balanced Stewardship Organization

We support the bill's direction that implementation be flexible, giving the stewardship organization the ability to manage operations effectively while maintaining accountability through state oversight. Ensuring shared governance between producers and municipalities will help the system succeed while keeping administrative costs reasonable.

Conclusion

Maine's hospitality and tourism sectors have a strong tradition of environmental responsibility, and we are committed to supporting efforts to reduce waste and promote recycling. However, for Maine's EPR program to succeed without jeopardizing the health of our small, independent, family-run businesses, the law must be clarified and aligned with national standards. LD 1423 represents a thoughtful, necessary update that protects both our environment and our vibrant tourism economy.

Thank you for your time and consideration.