



Testimony in Opposition to LD 474:

“An Act to Improve Maine's Environment and Protect Natural Resources”

Senator Tepler, Representative Doudera, and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Montana Towers, and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free-market think tank, a nonpartisan, nonprofit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to submit testimony in opposition to LD 474, “An Act to Improve Maine's Environment and Protect Natural Resources.”

While LD 474 does not create a government-run recycling program, it does mandate that producers finance and participate in a state-approved battery stewardship program as a condition of selling covered batteries in Maine. This bill is another expansion of extended producer responsibility policy, which will increase costs for consumers, burden small retailers, and expand bureaucratic oversight with uncertain environmental benefit.

Maine Policy Institute has consistently cautioned against policies that grow government mandates, distort markets, and impose hidden taxes on Maine consumers. LD 474 does all three.

Mandated System Financed by Producers

LD 474 prohibits producers from selling covered batteries in Maine unless they are participating in an approved battery stewardship program. While the program may be administered by a nonprofit or private entity, participation is not voluntary. It is a statutory condition of market access. Producers must:

- Join or create a stewardship organization;
- Submit a plan for approval by the Department;
- Meet collection rate targets; and
- File annual reports and comply with regulatory requirements.

Such mandates inevitably increase compliance costs, administrative overhead, and operational complexity, particularly for smaller manufacturers or specialty brands selling into Maine’s small but heavily-regulated market.



Cost Pass-Through to Consumers

Even when programs are privately administered, their costs do not disappear, and producers incorporate those costs into wholesale and retail pricing. The bill requires producers to finance collection, recycling, reporting, and administration. But ultimately, producers will embed those costs in product pricing. Everyday Maine consumers will bear them in the form of higher prices for batteries and products which contain batteries. At a time when Mainers face rising costs across nearly every sector of the economy, the Legislature should carefully weigh whether this additional burden is justified.

Broad and Expanding Scope

The definition of “covered battery” in LD 474 is expansive, including portable and medium format batteries and, beginning January 1, 2030, embedded batteries within products. This means the program will apply not only to standalone batteries, but eventually to a wide range of battery-containing consumer products. The inclusion of embedded batteries signals that the regulatory scope will expand over time, increasing compliance obligations for manufacturers and importers.

For smaller producers and specialty brands, Maine’s relatively small market size already presents logistical challenges. Adding state-specific requirements, including program participation, reporting, and collection standards, will increase the cost of serving the Maine market. Over time, this compliance burden may result in higher prices for consumers or reduced product availability, particularly in rural communities where access to goods is already limited.

Conclusion

Environmental goals are best achieved when policy encourages innovation and flexibility rather than prescribing a single regulatory model. Maine should prioritize approaches that foster economic competitiveness and private sector solutions, not additional mandates that increase costs and regulatory oversight.

For these reasons, Maine Policy Institute strongly urges this committee to vote “Ought Not to Pass” on LD 474. Thank you for your time and consideration.