

Testimony of Bow Street Beverage & Bow Street Market
in Support of

LD 151, An Act to Allow Businesses to Impose a Surcharge on Credit Card
and Debit Card Transactions

March 25, 2025

Senator Bailey, Representative Gramlich and distinguished members of the Health Coverage, Insurance and Financial Services Committee, my name is Kim Cook and I am an attorney with Government Strategies, testifying in support of LD 151 on behalf of Bow Street Market and Bow Street Beverage. Bow Street Market and Bow Street Beverage are third generation family-owned businesses with locations in Freeport, Portland and Wells and employing 130 team members.

At Bow Street Market, 90% of transactions are paid for with a credit or debit card. These transactions resulted in more than \$160,000 in swipe fees in 2024 alone. This bill simply proposes to treat Maine businesses and nonprofits the same as governmental entities with respect to imposing a surcharge for swipe fees. Under current law, governmental entities are allowed to impose a surcharge and are required to disclose the surcharge to the consumer prior to payment and the surcharge may not exceed the costs associated with providing the credit card or debit card service. LD 151 would subject businesses to these same consumer protections.

Maine is an outlier, one of just 4 states that prohibit surcharges for swipe fees. Both New Hampshire and Vermont allow for these surcharges. It seems particularly unfair that current state law, prohibits swipe fee surcharges by the private sector, but allows these surcharges for state and municipal governments and our state colleges and universities. These governmental entities have shown that these surcharges can be implemented with transparency and proper notice to consumers.

Thank you for your consideration of our testimony. We respectfully urge the Committee to support LD 151.