

Committee on Environment & Natural Resources
% Legislative Information Office
100 State House Station
Augusta, ME 04333

March 26, 2025

RE: 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 LD 1122, An Act to Amend the Law Banning Single-use Carry-out Bags

Dear Sen. Tepler, Rep. Doudera, and Members of the ENR Committee:

My name is Ania Wright and I am Maine Audubon's Policy Advocate. Maine Audubon is a wildlife conservation nonprofit – we fulfill our mission to “conserve Maine wildlife and wildlife habitat” by engaging people of all ages in nature through a science-based approach to education, conservation, and advocacy. On behalf of Maine Audubon and our 30,000 members, supporters, and volunteers thank you for the opportunity to submit testimony in opposition to LD 56, *An Act to Remove the 5 Cent Fee for Bags in Retail Stores* and 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*.

Regarding LD 56 & LD 69

LD 56 and LD 69 are nearly identical, and remove the 5¢ fee currently required when a retail establishment provides a recycled paper bag or a reusable bag made of plastic at point of sale. Maine Audubon opposes these bills because they would repeal Maine's nation-leading plastic bag policy, which is a vital strategy to reduce plastic pollution.

The United Nations estimates that up to five trillion plastic bags are used every year, but fewer than 1% of them are recycled.¹ Many of the discarded bags end up in the environment, where they pose a threat to wildlife. Seabirds in particular have been extensively studied regarding plastic ingestion, with researchers finding plastic in the stomachs of up to 90% of seabirds.² Plastic found inside birds include bags, bottle caps, synthetic fibers from clothing, and “microplastics”—plastic that has been broken down by the sun and waves over time.

Scientists are still unearthing the far-ranging damages of accumulating microplastics in wildlife. A recently published study demonstrated how microplastics in fish changed their behavior. The study demonstrated that, compared to controls, fish treated by microplastics displayed weakened feeding ability. Microplastic-treated fish had reduced swimming speed and range of movement, demonstrating

¹ UN Environment Programme, 'Our Planet is Choking on Plastic'.

<https://www.unep.org/interactives/beat-plastic-pollution/>

² Wilcox, et al (2015), Threat of plastic pollution to seabirds is global, pervasive, and increasing.

<https://www.pnas.org/doi/full/10.1073/pnas.1502108112>

that microplastics could have negative effects on hunting behavior.³ Furthermore, microplastics accumulate in the gills and intestine of fish, causing significant changes to the gallbladder and liver, which leads to impaired growth, protein creation, and lipid stores. Fish are eaten by birds, other wildlife, and humans, meaning that the known impacts of microplastic ingestion is not isolated to fish. To make matters worse, scientists estimate that by 2050, there will be more plastic in the ocean, by weight, than fish.⁴

Other studies have highlighted reduced foraging, survival, and reproduction as a result of microplastics in marine zooplankton, a foundational organism in marine ecosystems.⁵ Researchers just this month published a study which found that seabird chicks are showing signs of brain damage similar to Alzheimer’s disease, tied to the ingestion of microplastics.⁶ Another study published this month has provided evidence that microplastics are accumulating in bird lungs, finding an average of 416 particles of microplastics in all 51 species studied.⁷

Wildlife ingest far more than microplastics. Wildlife such as sea turtles and whales often mistake plastic bags for jellyfish, a primary food source. Once ingested, plastic bags cannot be digested or passed by these animals. This can prevent food digestion and can lead to a very slow and painful death. Marine life can also become entangled in plastic bags, causing suffocation, starvation, drowning, exhaustion, infection, and increased vulnerability to predators.

We urge the Committee to oppose LD 56 and LD 69, because both bills would be a step backward in progress toward confronting Maine’s, our nation’s, and the world’s plastic problem.

Regarding LD 1122

LD 1122 amends Title 38, chapter 16, §1611 regarding the use of plastic single-use carry-out bags to clarify the scope of the law, amending related definitions and making technical changes. Maine Audubon is supportive of the provisions in the bill which clarify the definition of “point of sale,” as well as the definition of “reusable plastic carry-out bags.”

As the statute currently is written, thicker plastic bags that do not practically function as reusable bags are allowed for distribution at point of sale without a fee. These bags are made of a slightly thicker plastic material, but are not truly ‘reusable,’ and many customers still treat them as single-use. A similar

³ Wang, et al (2024), Meta-analysis of the effects of microplastic on fish: Insights into growth, survival, reproduction, oxidative stress, and gut microbiota diversity.

<https://www.sciencedirect.com/science/article/abs/pii/S0043135424013927>

⁴ Ellen Macarthur Foundation (2015), The New Plastics Economy

<https://www.ellenmacarthurfoundation.org/the-new-plastics-economy-rethinking-the-future-of-plastics>

⁵ Botterel, et al (2019), Bioavailability and effects of microplastics on marine zooplankton: A review.

<https://www.sciencedirect.com/science/article/pii/S0269749118333190>

⁶ Jersey, et al (2025), Seabirds in crisis: Plastic ingestion induces proteomic signatures of multiorgan failure and neurodegeneration. <https://www.science.org/doi/10.1126/sciadv.ads0834>

⁷ Wang, et al (2025), Assessing microplastic and nanoplastic contamination in bird lungs: evidence of ecological risks and bioindicator potential. <https://doi.org/10.1016/j.jhazmat.2025.137274>

loophole in California's bag laws led to an increase in plastic bags being discarded by weight, and the state has since amended their bill in 2024 to close the loophole.⁸

We all must do our part to limit plastic pollution in our environment. The intent of the original bill, to limit plastic pollution, should be honored by closing this loophole.

In order to protect Maine people, our environment, and wildlife, Maine Audubon encourages the committee to support LD 1122 and to reject LD 56 and LD 69. Thank you for your time and consideration.

Sincerely,

Ania Wright
Policy Advocate

⁸ ACTenviro (March 2025), California Plastic Bag Ban: What You Need to Know.
<https://www.actenviro.com/california-plastic-bag-ban/>