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Testimony of Rep. Allison Hepler presenting

LD 1721, An Act to Amend the Laws Governing Commingling of Beverage Containers

Before the Joint Standing Committee on the Environment and Natural Resources

Good afternoon, Senator Tepler, Representative Doudera and members of the Environment and Natural Resources Committee. I am Allison Hepler and I represent the towns of Arrowsic, Georgetown, Phippsburg, West Bath and Woolwich. I am here today to present **LD 1721, An Act to Amend the Laws Governing Commingling of Beverage Containers**.

As you know, two years ago this committee led the way in modernizing Maine's Bottle Bill. One of the most transformative changes was the shift from a system where redemption centers were required to sort containers by brand—a process that often involved more than 200, and sometimes over 600 separate sorts—to a more efficient system of sorting by material type and size.

This process will take some time, but thanks to the addition of a seventh commingling group like TOMRA, redemption centers across the state have already seen a drastic reduction in sorting requirements. That's real progress—and it's making the system more efficient, cost-effective, and sustainable.

The bill before you today is a set of clarifying amendments to support that modernization. It's not a major policy change—it's about tightening up the statute to make sure it aligns with how the system is actually working. Here's what it does:

First, it clarifies how the system preserves the recycling value of containers. It does two things:

- It allows a commingling group to refuse to accept—or to pay the refund and handling fee for—containers that have been sorted in a way that's inconsistent with an approved commingling agreement or cooperative plan.
- At the same time, it removes language that would allow a commingling group to refuse containers just because they were processed using a reverse vending machine or an account-based bulk processing program. That's important, because these technologies are helping modernize the system—and they still produce material that can be high quality and recyclable. It creates a system where if the quality is indeed degraded, there will need to be monetary compensation to fair market value.

Second, it amends the list of what's considered "like materials" for the purposes of beverage container commingling. This will help make it clearer which types of containers should be grouped and sorted together, supporting a more uniform and consistent system across redemption centers and commingling groups.

Third, it prohibits deposit initiators from requiring redemption centers or dealers to sort containers beyond what is required in current law. That's a key protection for redemption centers, who already work hard to follow the commingling agreements they're part of—and shouldn't be subject to added demands outside those terms.

In short, this bill helps ensure that the system functions efficiently, fairly, and with clear expectations for all parties. It supports the intent of the Bottle Bill overhaul by reinforcing material-based sorting, preserving recycling value, and protecting the businesses that keep the system running.

Thank you again for your time and your ongoing leadership on this issue. I'm happy to answer any questions you may have.