



Richard A. Bennett  
Senator, District 18

THE MAINE SENATE  
132nd Legislature

3 State House Station  
Augusta, Maine 04333

**Joint Standing Committee on Environment and Natural Resources on  
LD 754, An Act to Ban the Sale, Use and Possession of Single-use  
Electronic Cigarettes and to Review Extended Producer Responsibility  
Options for All Batteries  
May 12, 2025**

Senator Tepler, Representative Doudera, and honorable members of the Joint Standing Committee on Environment and Natural Resources: I am Senator Rick Bennett of Oxford, and I have the honor of serving 14 communities in Western Maine in the State Senate.

Thank you for the opportunity to speak today on LD 754, "An Act to Ban the Sale, Use and Possession of Single-use Electronic Cigarettes and to Review Extended Producer Responsibility Options for All Batteries." I submitted this bill after hearing from a one of the towns in my district that was denied insurance on their solid waste operations due to the fire risk posed by lithium-ion batteries in improperly discarded vapes.

At its core, this bill is about fire safety, environmental responsibility, and commonsense waste management. We know these batteries—often embedded in disposable vaping devices—can spark fires in trucks, trash cans, and recycling facilities. The risk is real, the cost is growing, and our waste infrastructure is not built to handle it.

Early into my research on this bill, I learned that e-waste, particularly related to products in the fast evolving markets for vapes, is a complicated issue. This bill as drafted is not ready for primetime. For starters, my intent was to prohibit the *sale* of single-use vapes, not the possession—but due to a drafting error, that amendment didn't make it into the printed version. I do not support criminalizing possession, and I want to be crystal clear about that.

Since introducing this bill, I've had the benefit of many conversations and even a hands-on tour of a specialty vape shop. I've learned a lot. For one, it's clear that this is a rapidly evolving industry with nuanced definitions and confounding federal regulations. But the bigger takeaway for me is that we need to zoom out. Disposable vapes aren't the only problem—we need to look at **all** problematic batteries.

Other states are beginning to take action as well. Vermont has enacted a household hazardous waste Extended Producer Responsibility (EPR) law that will include vaping devices starting in July 2025. California has authorized household hazardous waste facilities to safely disassemble confiscated vape pens, recognizing the need for proper end-of-life handling. Meanwhile, states like Washington and the District of Columbia have implemented broader EPR programs for lithium-ion batteries, which are commonly found in vape devices. Maine has an opportunity to build on these models, perhaps expand our existing rechargeable battery EPR program, and lead with a comprehensive approach that doesn't single out this one industry.

I was encouraged by the recent work session on Representative Gramlich's bill, for which the committee voted unanimously. Her bill aims to get these devices out of the waste stream by requiring manufacturers to be part of the solution, providing incentives to return these devices for collection and proper management through a new vape stewardship program. That's a sound approach, and I want to commend her for proposing it and this committee for supporting it.

My goal with LD 754 is to complement, not compete with, that effort. As I have discussed with the Chairs of this committee, I am *not* asking for immediate passage of LD 754 as written. I respectfully request that the committee carry this bill over into the next session, so we can refine it into something more comprehensive and effective.

In the interim, I envision convening stakeholders—including industry, haulers, environmental advocates, and municipal leaders—to build a proposal that tackles battery waste holistically. That includes vapes, but also rechargeable batteries and other hazardous electronics.

Finally, I want to thank those who prepared testimony for today – whether *for* or *against* – and those who reached out with concerns and suggestions. I'm grateful for the feedback, and I'm committed to working collaboratively on a solution that reduces risk, protects public health, and ensures manufacturers take more responsibility for the waste they generate.

Thank you for your consideration, and for your continued leadership on these critical issues.

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Susan Bernard  
Senator, District 1



Housing and Economic Development Committee \* Government Oversight Committee  
State House (207) 287-1505 \* Fax (207) 287-1527 \* Toll Free 1-800-423-6900 \* TTY 711  
Richard.Bennett@legislature.maine.gov \* legislature.maine.gov/senate