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Testimony of Nate Cloutier

Before the Joint Standing Committee on Environment and Natural Resources  
May 12, 2025

**In Opposition to LD 1288 “An Act to Prohibit Lodging Establishments from Providing Single-use Plastic Containers”**

Senator Tepler, Representative Gramlich, and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Nate Cloutier, and I am here today on behalf of HospitalityMaine (HM), representing Maine’s restaurant and lodging industries. I am also testifying on behalf of the Maine Tourism Association (MTA). MTA has been promoting Maine and supporting tourism-related businesses—from lodging and dining to camps, retail, guides, amusements, and historic attractions—for over 100 years. As drafted, HM and MTA oppose LD 1928, “*An Act to Prohibit Lodging Establishments from Providing Single-use Plastic Containers.*”

The bill would establish a statewide mandate prohibiting lodging establishments from providing personal health or beauty products in single-use plastic containers with less than a 6-ounce capacity. Lodging establishments that do not submit a certificate of compliance when the department has reason to believe they are in violation would face a civil penalty of \$100. To date, only four states—California, New York, Washington, and Illinois—have passed similar laws.

Lodging properties across Maine have already made meaningful progress in sustainability: installing EV chargers, upgrading laundry systems to reduce energy and water use, adopting recycling and composting programs, and shifting to eco-friendly cleaning products. They are also preparing to comply with Maine’s Extended Producer Responsibility (EPR) law, which will be one of the most significant environmental shifts the industry has faced in years.

This bill would likely lead to a bring-your-own-toiletries (BYOT) model or require investment in bulk dispensers—both of which carry guest satisfaction concerns. Notably, the bill would prohibit offering small bottles even as a backup, should a guest request them.

While the bill phases in compliance based on room count, its mandate ultimately treats a 6-room B&B in a rural town the same as a 200-room property in downtown Portland. Lodging establishments vary

greatly in size, staffing, infrastructure, and guest expectations. A one-size-fits-all policy doesn't reflect the diversity of Maine's tourism landscape.

In the interest of finding common ground, we are offering an alternative approach. We would support replacing the bill with language that gives municipalities the clear authority to regulate or prohibit the use of single-use toiletry containers in lodging establishments if they choose to. This would allow for local solutions that match the values and goals of individual communities while avoiding unnecessary impacts on small rural properties that are unlikely to contribute significantly to plastic waste. It preserves flexibility and honors the role of municipal government in these types of local decisions.

Here is sample language we would support:

**§1581. Municipal authority over single-use plastic toiletry containers in lodging establishments**

**1. Municipal authority.** A municipality may, by ordinance, prohibit or otherwise regulate the provision or sale of personal health or beauty products in small plastic containers by lodging establishments within the municipality.

**Technical Concerns with the Bill as Drafted:**

- The bill creates a new definition of "lodging establishment" without clearly defining the terms it references.
- It exempts "stand-alone cabins, cottages, or apartments" on a single parcel with a lodging capacity of 12 or fewer guests—but it's unclear whether this includes short-term or vacation rentals.
- The bill appears to still allow for the *sale* of single-use toiletry products.
- Terms like "worker housing" and "long-term rental" are not defined and could be open to interpretation.

For these reasons, we respectfully oppose LD 1928 as drafted. Thank you for your time and consideration. I would be happy to answer any questions.