

Testimony of Ashley Luszczki
Committee on Environment and Natural Resources
L.D. 2036, An Act to Clarify the Approval Process for and the Operation of the
Commingling Program for the Management of Beverage Containers
February 4, 2026

Senator Tepler, Representative Doudera, and members of the Committee on Environment and Natural Resources, my name is Ashley Luszczki, and I am providing testimony on behalf of the Maine State Chamber of Commerce, the state's largest business association. The Chamber supports innovation, economic competitiveness, and a predictable regulatory environment that allows businesses to thrive. With those principles in mind, we support L.D. 2036, which establishes a clear, structured, and Department-approved framework for transitioning Maine to a more streamlined beverage container redemption program.

While the legislation is not prescriptive about day-to-day operations, it creates the conditions for a thoughtful transition away from brand-based sorting toward material-based sorting. We believe this transition is logical and timely. Sorting by material reflects how recycling markets function today and mirrors the approach used in extended producer responsibility programs for packaging. From an operational perspective, this model simplifies the sorting process for redemption centers by reducing the number of sorting streams and the amount of manual labor required to identify, separate, and track dozens of individual brands. Fewer sorting streams will result in more efficient processing, lower labor pressure, and reduced operating costs.

Specific to L.D. 2036, and most importantly, is the clear and transparent structure it establishes for how this transition will take place. The legislation places appropriate emphasis on the development of a comprehensive plan that must be reviewed and approved by the Department. That plan is required to address key issues such as cost allocation, data reporting, auditing, timelines, and performance expectations, and it must include an element of public input.

In particular, the use of sales data from initiators of deposit is central to making this system work fairly and effectively. Initiators already collect this information in the ordinary course of business, and relying on verified sales data allows costs and responsibility to be allocated based on actual market activity, rather than estimates or brand-level counts generated at redemption centers.

While we support the operational shift to material-based sorting, the Chamber believes the true value of L.D. 2036 lies in the clear regulatory expectations it sets for program design,

implementation, and oversight. Those expectations create a transparent and predictable framework that supports program modernization while maintaining Department oversight.

The Maine State Chamber of Commerce appreciates your consideration and respectfully urges you to support L.D. 2036, as amended.