

**Testimony of Ashley Luszczki**  
**Committee on Environment and Natural Resources**  
**LD 474, An Act to Establish a Stewardship Program for Primary and**  
**Rechargeable Batteries**  
**February 25, 2026**

Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee, 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. We are testifying neither for nor against LD 474 as amended.

We appreciate the Department of Environmental Protection's work to address the growing challenge of battery disposal and believe there is broad agreement that batteries should be managed safely and responsibly. While limited in frequency, fires at solid waste and recycling facilities, often caused by improperly discarded lithium-ion batteries, pose serious safety risks to employees, waste facility operators, and first responders. A well-designed stewardship program can help reduce those risks while improving environmental outcomes.

At the same time, we believe it is critical that any battery stewardship program adopted in Maine align as closely as possible with programs in other states. A consistent framework across the United States is essential for manufacturers and stewardship organizations that operate nationally. Stewardship programs involve significant reporting, compliance, and administrative obligations. Aligning standards across jurisdictions helps ensure timely, efficient, and cost-effective implementation while minimizing unnecessary complexity.

The Chamber participated in stakeholder meetings conducted by the Department this past fall and appreciates the Department's acknowledgment that not all batteries can or should be treated the same. To better align Maine's program with the handful of other states that have adopted battery stewardship laws, we respectfully request the inclusion of the following exclusions under §1617, within the definition of "Covered battery":

6. A battery contained within a product developed or manufactured for the purposes of public health, environmental or water quality testing;
7. A battery that is a component of a motor vehicle or intended for use exclusively in motor vehicles.
8. A battery in a battery-containing product that is not intended or designed to be easily removable.

Regarding batteries contained in public health, water quality, and environmental devices, these products are often used in clinical or institutional settings that are subject to strict federal regulatory oversight and established management protocols. Including these batteries within a general consumer-facing stewardship program may create regulatory overlap and operational challenges without meaningfully improving safety or environmental outcomes. With respect to motor vehicles, modern vehicles contain numerous batteries beyond the traditional lead-acid battery, including batteries used in electronic systems, sensors, and safety components. These batteries are typically managed through established automotive service and warranty channels. The proposed language closely resembles language adopted in states such as Illinois, New Hampshire, and New Jersey and would help ensure consistency across state programs.

Following stakeholder feedback, the Department indicated further evaluation was necessary into how best to manage battery-embedded products that are not easily removable. We believe that additional analysis is important. Several states, including Illinois, Vermont, and Washington, are currently conducting studies to develop recommendations for managing these products. Those findings will provide valuable data regarding feasibility, safety protocols, and cost impacts. Until that work is complete and available, we respectfully request the bill be amended to exclude battery-embedded products that are not intended or designed to be easily removable.

Finally, we should recognize the tremendous staff work at the Department that went into developing the extended producer responsibility for packaging and would strongly recommend ways to reduce the administrative burden on the Department for standing up a separate new program. As the state embarks on this model of producer responsibility, we should assess methods to reduce the costs of managing these programs for the Department.

Again, the Maine State Chamber of Commerce supports the goal of improving battery management and reducing risks of fire at waste facilities. With some further changes to the February 13 amendment, Maine can achieve both of those goals while maintaining consistency with other states' frameworks. States such as Vermont, Washington, and Oregon have established EPR programs or legislative frameworks that share common elements: standardized definitions, reporting requirements, and producer responsibilities. The closer Maine's approach aligns with these models, the more predictable and cost-effective implementation will be for producers, stewardship organizations, the state, and consumers.

Thank you for your consideration