

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

---

Legislative Document

No. 1306

S.P. 536

In Senate, March 27, 2025

### **An Act to Continue the Exemption for Polystyrene Foam Disposable Food Service Containers Prepackaged at Wholesale**

(EMERGENCY)

---

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BRADSTREET of Kennebec.

Cosponsored by Senators: BICKFORD of Androscoggin, CYRWAY of Kennebec, MARTIN of Oxford, STEWART of Aroostook, Representatives: ARATA of New Gloucester, FLYNN of Albion, FOSTER of Dexter, GUERRETTE of Caribou.

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, this legislation amends the provisions of law regarding disposable food service containers. Pursuant to Public Law 2021, chapter 208, those provisions of law are effective July 1, 2025; and

**Whereas**, this legislation needs to be enacted prior to July 1, 2025; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 38 MRSA §1571, sub-§3**, as amended by PL 2021, c. 208, §1, is further amended by repealing the first blocked paragraph.

**Sec. 2. 38 MRSA §1571, sub-§3-A,** as enacted by PL 2021, c. 208, §2, is repealed.

**Sec. 3. 38 MRSA §1572, sub-§3, ¶C**, as amended by PL 2021, c. 208, §4, is further amended by repealing the first blocked paragraph.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This bill amends the law governing disposable food service containers in the following ways.

1. It repeals the provision that is currently set to take effect on July 1, 2025 that defines "disposable food service container" to include service ware used to contain, transport or otherwise package raw, uncooked or butchered meat, poultry, fish, seafood or eggs. It retains the provision that is currently set to repeal on July 1, 2025, which does not include service ware used to contain, transport or otherwise package raw, uncooked or butchered meat, poultry, fish, seafood or eggs.

2. Current law repeals, effective July 1, 2025, the current exemption for a covered establishment to sell at retail food or beverages in or on a polystyrene foam disposable food service container that the covered establishment purchases prepackaged at wholesale. The bill removes that July 1, 2025 repeal.