

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 234

S.P. 94

In Senate, January 24, 1995

An Act to Clarify the Liquor Licensing Laws for Certain Eating Establishments.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator STEVENS of Androscoggin.
Cosponsored by Senator: HALL of Piscataquis, Representatives: BAILEY of Township 27,
LIBBY of Kennebunk, WINGLASS of Auburn.

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

2
3 **Sec. 1. 28-A MRSA §2, sub-§15, ¶R**, as amended by PL 1993, c.
4 410, Pt. ZZ, §4, is repealed and the following enacted in its
5 place:

6
7 R. "Class A restaurant" means an eating establishment, as
8 defined in Title 22, section 2491, that is regularly used
9 for the purpose of providing full course meals for the
10 public on the premises, that is equipped with a separate and
11 complete kitchen and that maintains adequate dining room
12 equipment and capacity for preparing and serving full course
13 meals upon the premises. A Class A restaurant/lounge is not
14 a Class A restaurant.

15 For purposes of this paragraph, the term "full course meal"
16 is a meal consisting of a diversified selection of food that
17 ordinarily can not be consumed without the use of tableware
18 and that can not be conveniently consumed while standing or
19 walking.

20
21 **Sec. 2. 28-A MRSA §2, sub-§15, ¶R-1**, as enacted by PL 1993, c.
22 410, Pt. ZZ, §5, is repealed and the following enacted in its
23 place:

24
25 R-1. "Class A restaurant/lounge" means an eating
26 establishment, as defined in Title 22, section 2491, that is
27 regularly used for the purpose of providing full course
28 meals for the public on the premises, that is equipped with
29 a separate and complete kitchen and that maintains adequate
30 dining room equipment and capacity for preparing and serving
31 full course meals upon the premises but differs from a Class
32 A restaurant in that 55% or more of annual gross sales
33 revenue are received from the sale of alcoholic beverages.

34
35 For purposes of this paragraph, the term "full course meal"
36 is a meal consisting of a diversified selection of food that
37 ordinarily can not be consumed without the use of tableware
38 and that can not be conveniently consumed while standing or
39 walking.

40
41 **Sec. 3. 28-A MRSA §1063, sub-§5**, as enacted by PL 1993, c.
42 410, Pt. ZZ, §18, is amended to read:

43
44 **5. Class A restaurant/lounges; minors.** Minors are not
45 permitted to remain on the premises of Class A restaurant/lounges
46 after 9:00 p.m. except when:

47
48 A. The minor is accompanied by a parent, legal guardian or
49 custodian as defined in Title 22, section 4002; or

2 B. The licensee does not permit consumption of liquor on
the premises for a specific period of time or event.;

4 C. The minor is accompanied by an adult to whom a parent,
legal guardian or custodian as defined in Title 22, section
6 4002 has authorized temporary supervision of the minor;

8 D. A responsible adult is in the immediate party and
accompanies the minor; or

10 E. A selection of food, prepared on the premises, continues
12 to be offered for sale to the public. This food may be
14 light meals rather than full course meals. Appetizers, bar
snacks or similar foods are not considered "light meals."

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STATEMENT OF FACT

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This bill clarifies the difference between a Class A
22 restaurant and a Class A restaurant/lounge. It distinguishes a
Class A restaurant/lounge as an eating establishment that makes
24 55% or more of its gross revenue from the sale of alcohol. This
distinction should make it easier for both applicants and law
enforcement officials to appropriately classify these eating
26 establishments.

28

Also, the bill clarifies the circumstances under which
30 minors may patronize Class A restaurant/lounges. Currently,
minors and adults under the legal drinking age can not take a
meal in eating establishments serving liquor and a light meal or
32 "pub style" menu after 9 p.m. In many parts of the State, this
type of eating establishment is the only type open after 9 p.m.

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