

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 255, L.D. 309)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1140

7
8 H.P. 814

House of Representatives, March 28, 1985

9 Reported by Representative Brannigan from the Committee on Business
10 and Commerce and printed under Joint Rule 2. Original bill sponsored by
11 Representative Davis of Monmouth. Cosponsored by Representative Michael
of Auburn, Representative Armstrong of Wilton and Representative Seavey of
Kennebunkport.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Require Public Rest Rooms in all
19 Shopping Centers.
20

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

23 22 MRSA c. 270 is enacted to read:

24 CHAPTER 270

25 SHOPPING CENTERS

26 §1671. Definitions

27 As used in this chapter, unless the context oth-
28 erwise indicates, the following terms have the fol-
29 lowing meanings.

30 1. Shopping center. "Shopping center" means any
31 building or facility containing 6 or more separate
32 retail establishments which are planned, developed,

1 owned or managed as a unit, with an off-street public
2 parking area of not less than 2 acres.

3 §1672. Public rest room facilities required

4 In any building or facility, constructed specifi-
5 cally as a shopping center after the effective date
6 of this chapter, there shall be installed a minimum
7 of 2 toilets for the use of the public. There shall
8 be at least one separate toilet for each sex and the
9 toilets provided shall be clearly marked, maintained
10 in a sanitary condition and in good repair and lava-
11 tory facilities shall be located within or immediate-
12 ly adjacent to all toilet rooms or vestibules. There
13 shall be no charge for their use.

14 §1673. Rules

15 The Department of Human Services may adopt, in
16 accordance with the Maine Administrative Procedure
17 Act, Title 5, chapter 375, rules to administer this
18 chapter and thereby protect the public health.

19 §1674. Enforcement

20 This chapter shall be enforced by the Division of
21 Health Engineering. Anyone violating this chapter
22 or rules under this chapter commits a civil violation
23 for which a forfeiture of not more the \$200 may be
24 adjudged. Each day of violation shall be considered
25 a separate offense.

1

STATEMENT OF FACT

2 This new draft adds 2 new ideas to the bill as
3 well as making several technical changes.

4 1. There must be at least one separate toilet
5 for each sex.

6 2. Lavatory facilities for hand washing must be
7 located within or immediately adjacent to all toilet
8 rooms or vestibules.

9 3. Each day of violation shall be considered a
10 separate offense, so that each day would be a sepa-
11 rate civil violation with a separate penalty.

12 4. The new draft adds language requiring that
13 any rules adopted be promulgated under the Maine Ad-
14 ministrative Procedure Act.

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