

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 3-31-00

(Filing No. H-1004)

LEGAL AND VETERANS AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1807, L.D. 2533, Bill, "An Act to Create a New Category of Liquor License and to Exempt Pool Halls, Bowling Alleys and Off-track Betting Facilities from the Prohibition Against Smoking"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the Liquor Laws to Define Bowling Center Lounge and Self-Contained Lounge and Create a New Category of License for Pool Halls that Exempts Them from the Prohibition Against Smoking'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 28-A MRSA §2, sub-§4-A is enacted to read:

4-A. Bowling center lounge. "Bowling center lounge" means a lounge contained within a bowling center, as defined in subsection 15, paragraph B-1, that is completely separated from the bowling center by doors and walls and is designed so that an individual wishing to patronize a bowling center need not pass through the bowling center lounge or by an open door of the bowling center lounge. A bowling center lounge is a lounge for the purposes of Title 22, section 1542.

Sec. 2. 28-A MRSA §2, sub-§23-A is enacted to read:

23-A. Pool hall. "Pool hall" means a pool hall or billiard room that contains at least 6 regulation pool tables and generates at least 50% of its gross annual income from the sale of games of pool or the rental of pool tables.

COMMITTEE AMENDMENT

Sec. 3. 28-A MRSA §2, sub-§28-A is enacted to read:

28-A. Self-contained lounge. "Self-contained lounge" means a lounge that is part of an establishment licensed as a Class A restaurant/lounge as defined in subsection 15 that is separated from the dining room of that establishment by walls and doors and is designed so that an individual wishing to patronize the dining room of the establishment need not pass through the lounge or by an open entrance to the lounge. A "self-contained lounge" is a lounge for the purposes of Title 22, subsection 1542.

Sec. 4. 28-A MRSA §1004, sub-§3, ¶L-1 is enacted to read:

L-1. Pool halls;

Sec. 5. 28-A MRSA §1005, sub-§3, ¶L-1 is enacted to read:

L-1. Pool halls;

Sec. 6. 28-A MRSA §1051, sub-§§6 and 7 are enacted to read:

6. Self-contained lounge; minors prohibited. A minor is not permitted in a self-contained lounge except when:

A. The minor is accompanied by a parent or legal guardian.

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

C. The minor is employed by the licensee under section 704.

7. Bowling center lounge; minors prohibited. A minor is not permitted in a bowling center lounge except when:

A. The minor is accompanied by a parent or legal guardian.

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

C. The minor is employed by the licensee under section 704.

Sec. 7. 28-A MRSA §1063-B is enacted to read:

§1063-B. Pool halls

1. Issuance of licenses. The bureau may issue licenses under this section for the sale of malt liquor and wine to be

consumed on the premises to pool halls as defined in section 2, subsection 23-A.

2. Minors prohibited on premises; exceptions. Except as provided in paragraphs A, B and C, a pool hall licensee may not permit minors in any part of the pool hall where the license privilege is exercised. For the purposes of this subsection and notwithstanding section 2, subsection 20, "minor" means a person who has not reached 18 years of age.

A. A minor may be permitted when the minor is accompanied by a parent or legal guardian.

B. A minor may be permitted if the minor is employed by the pool hall licensee under section 704.

C. A minor may be permitted when the pool hall licensee prohibits smoking on the licensed premises.

3. Smoking when minors are prohibited. Notwithstanding Title 22, section 1542, a pool hall licensee may permit smoking on the premises subject to the limitations of subsection 2, paragraph C.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

2000-01

REVENUES

General Fund

(\$47,600)

Creating new liquor licensure definitions for certain types of facilities will reduce annual General Fund revenue collected from license fees by the Bureau of Liquor Enforcement within the Department of Public Safety. The estimated reduction will be approximately \$47,600 beginning in fiscal year 2000-01.'

SUMMARY

This amendment replaces the original bill. It creates definitions for a bowling center lounge, a pool hall and a self-contained lounge. A bowling center lounge and a self-contained lounge are lounges for the purposes of the Maine

COMMITTEE AMENDMENT " " to H.P. 1807, L.D. 2533

2 Revised Statutes, Title 22, section 1542 and thus are not subject
to the ban on smoking. The amendment includes pool halls with
4 those facilities that may obtain a liquor license for beer and
wine to be consumed on the premises. Under this amendment, pool
6 halls are exempt from the ban on smoking as long as minors are
prohibited on the premises.

8 This amendment also adds a fiscal note to the bill.

COMMITTEE AMENDMENT