

MAINE STATE LEGISLATURE

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Date: 5/26/11

L.D. 1358

(Filing No. H- 366)

3 VETERANS AND LEGAL AFFAIRS

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5 STATE OF MAINE
6 HOUSE OF REPRESENTATIVES
7 125TH LEGISLATURE
8 FIRST REGULAR SESSION

9 COMMITTEE AMENDMENT "A" to H.P. 997, L.D. 1358, Bill, "An Act To
10 Amend the Requirements Concerning Restroom Facilities for Small Restaurants with
11 Dual Liquor Licenses"

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

13 '**An Act To Amend the Requirements Concerning Small Restaurants That Serve**
14 **Alcoholic Beverages**'

15 Amend the bill by striking out everything after the title and before the summary and
16 inserting the following:

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

19 **Whereas,** smaller eating establishments are a vital part of Maine's summer tourism
20 business and the summer tourism season will have passed before the completion of the
21 90-day period; and

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

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

27 **Sec. 1. 22 MRSA §1686-A,** as enacted by PL 1987, c. 769, Pt. A, §74, is amended
28 to read:

29 **§1686-A. Eating establishments that permit consumption of alcoholic beverages**

30 Any eating establishment regardless of the number of seats that permits ~~on-premise~~
31 on-premises consumption of alcoholic beverages shall ~~be~~ is bound by section 1686,
32 regarding the provision of a toilet facility. An eating establishment that has a seating

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capacity of 40 or fewer persons is required to have at least one toilet facility but may not be required to have more than one toilet facility.

Sec. 2. 28-A MRSA §1051, sub-§7 is enacted to read:

7. Toilet facilities. An eating establishment licensed in accordance with this chapter is required to have toilet facilities as prescribed by rule, except that an eating establishment that has a seating capacity of 40 or fewer persons is required to have at least one toilet facility but may not be required to have more than one toilet facility.

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

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SUMMARY

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This amendment replaces the bill, including the title. The amendment provides that restaurants licensed to serve alcoholic beverages for on-premises consumption with a seating capacity of 40 or fewer persons are only required to have one toilet facility. The amendment also adds an emergency preamble and emergency clause.