

MAINE STATE LEGISLATURE

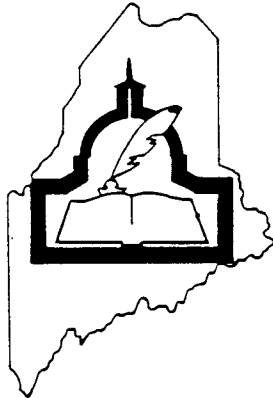
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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
BUSINESS LEGISLATION
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The fee for application for registration is to be set by the Board. The Board may set initial and renewal registration fees up to \$75 biennially.

LD AN ACT TO FACILITATE THE ADVERTISING OF LOCAL ONTP
1104 BUSINESSES UNDER THE MAINE TRAVELER INFORMATION
SERVICES ACT

Sponsor: TWITCHELL
Committee Report: ONTP

SUMMARY: This bill relates to 2 pieces of current law:

1. All off-premise signs on public ways must be part of the State's official sign program. This program allows such signs only when the traveler changes direction from one public way into another to reach the place of business.

2. An exception to this rule is when the business is on a private way in which case a sign may be placed on the public way at the entrance to the private way.

A town way is a public way. Therefore, a business on a "town way" can and must apply to the State's program to have a sign placed at the intersection of that business' "town way" with any public way. Granting an exception to town ways would be the same as granting an exception to all public ways.

LD AN ACT TO EXEMPT CERTAIN EATING ESTABLISHMENTS PL 1987
1106 FROM THE REQUIREMENTS TO PROVIDE A PUBLIC c. 86
TOILET FACILITY EMERGENCY

Sponsor: BUSTIN
Committee Report: New Draft of LD 19
Amendments Adopted:
S-30 PERKINS

SUMMARY: Legislation passed in 1985 required that as of January 1, 1987, all restaurants must have at least one restroom for the use of its customers. Public law 1987, chapter 8, was passed on an emergency basis and postpones this deadline until July 1, 1987.

The purpose of the original bill is to exempt certain restaurants from this requirement. The original bill removed all restaurants of under 27 seats, a number which was mistakenly felt to match the Division of Health Engineering's categorization of the smallest restaurants.

This new draft exempts restaurants that do not serve alcoholic beverages and have less than 13 seats. The provision regarding alcoholic beverages is consistent with current rules which require all such establishments to have 2 restrooms. It also allows the department on appeal to exempt restaurants of 13 to 25 seats which do not serve alcoholic beverages and which were in existence prior to September 30, 1985, the year that the original restroom legislation was passed, if they meet any one of 4 specified criteria.

This new draft also:

1. Forbids access to public toilet facilities through the food preparation area;
2. Requires that the location of the restroom be identifiable from the dining area; and
3. Requires that restaurants without restrooms post a sign to that effect at their entrances.

Senate Amendment C: This amendment requires that any eating establishment, regardless of the number of seats, that permits the on-premise consumption of alcoholic beverages is required to provide a toilet facility and otherwise conform to the provision of the Maine Revised Statutes, Title 22, section 1682. The Division of Health Engineering may not grant an exemption to this requirement. Currently, eating establishments that sell alcoholic beverages for on-premise consumption are licensed by the State Liquor Commission and are required by rule to have a toilet facility for each sex. These establishments that do not sell these beverages, but only allow their consumption, are not licensed by the State Liquor Commission and have no toilet facility requirement other than as provided by the current bill, which exempts those with less than 13 seats.

Eating establishments as used in the bill and this amendment refer to those facilities which serve the general public. The bill and this amendment do not cover bottle clubs, which do allow consumption of alcoholic beverages, but do not deal with the general public. These clubs have no requirements for toilet facilities.

Committee Amendment A uses the more standard term "eating establishments" rather than other terms used in Senate Amendment "A" and "B" and is more specific as to the toilet facility requirement.