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Date: (Filing No. H- )

**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

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

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

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

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

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

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

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

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

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

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

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

**COMMITTEE AMENDMENT**

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

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

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

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

10 **SUMMARY**

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