

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND ELEVEN

H.P. 997 - L.D. 1358

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

**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 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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In House of Representatives, ..... 2011

Read twice and passed to be enacted.

..... Speaker

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In Senate, ..... 2011

Read twice and passed to be enacted.

..... President

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Approved ..... 2011

..... Governor