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Date: (Filing No. H-)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 1388, L.D. 1878, “An Act To Support Restaurants in the State through Service Charge Revenues”

Amend the amendment by striking out all of section 3 and inserting the following:

'Sec. 3. 26 MRSA §664, sub-§2-B, as enacted by PL 2011, c. 118, §4, is amended to read:

2-B. Service charges. An employer in a restaurant, banquet or private club setting that adds a service charge shall notify the customer that the service charge does not represent a tip for service employees. An employer in a restaurant may not add a service charge that exceeds 5% of the customer's bill. The employer in a banquet or private club setting may use some or all of any service charge to meet its obligation to compensate all employees at the rate required by this section. An employer in a restaurant shall use the proceeds from a service charge for employee wages and benefits.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment provides that an employer in a restaurant may not add a service charge that exceeds 5% of the customer's bill. It also requires an employer in a restaurant to use the proceeds from a service charge for employee wages and benefits.

SPONSORED BY: _____

(Representative SHEEHAN, E.)

TOWN: Biddeford