

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 777

H.P. 554

House of Representatives, February 15, 2005

### An Act To Enhance Enforcement of Liquor Laws

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Submitted by the Department of Public Safety pursuant to Joint Rule 204.  
Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative FISHER of Brewer.  
Cosponsored by Senator MITCHELL of Kennebec and  
Representatives: BARSTOW of Gorham, HOTHAM of Dixfield.

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

4 **Sec. 1. 25 MRSA §2801-B, sub-§1, ¶H,** as amended by PL 2003, c. 688, Pt. A, §25, is further amended to read:

6 H. The State Fire Marshal; or

8 **Sec. 2. 25 MRSA §2801-B, sub-§1, ¶J,** as enacted by PL 2003, c. 400, §4, is amended to read:

10 J. A court security officer; or

12 **Sec. 3. 25 MRSA §2801-B, sub-§1, ¶K** is enacted to read:

14 K. A contract officer appointed by the Commissioner of  
16 Public Safety pursuant to Title 28-A, section 82-A.

18 **Sec. 4. 28-A MRSA §82-A** is enacted to read:

20 **§82-A. Enforcement of licensing**

22 1. Authority. In addition to any authority a law  
24 enforcement officer has to enforce the laws, a law enforcement  
26 officer may, subject to subsections 2 and 4, enforce this Title  
28 or the rules adopted pursuant to this Title against violations  
that may result in an administrative sanction against a licensee  
or the licensee's agents or employees.

30 2. Commissioner. The commissioner may by agreement, with  
32 the consent and approval of the affected law enforcement agency,  
designate the law enforcement agency's officers to exercise the  
enforcement authority identified in subsection 1.

34 3. Contract officers. The commissioner may appoint  
36 contract officers for the purpose of enforcing this Title and the  
38 rules adopted pursuant to this Title against specific violations  
that may result in an administrative sanction against a licensee,  
or the licensee's agents or employees.

40 4. Limitation. The commissioner may limit the authority  
42 granted by this section to specific sections of this Title and  
rules adopted pursuant to those sections.

44 **Sec. 5. 28-A MRSA §706, sub-§2** is enacted to read:

46 2. Age requirement for identification. A licensee or  
48 licensee's employee or agent may not sell, furnish, give or  
deliver liquor or imitation liquor to any person under 27 years  
of age unless the licensee or licensee's employee or agent

2 verifies the person's age by means of reliable photographic  
3 identification containing the person's date of birth.

4  
5  
6 **SUMMARY**

7 This bill allows the Commissioner of Public Safety to reach  
8 agreements with law enforcement agencies to authorize them to  
9 enforce administrative sanctions against liquor licensees and the  
10 licensees' agents and employees. It also allows the commissioner  
11 to authorize contract officers to perform the same function. The  
12 contract officers are exempt from the basic law enforcement  
13 training requirements.

14 The bill also prohibits the sale or service of liquor or  
15 imitation liquor to a person less than 27 years of age unless the  
16 person presents reliable photographic identification containing  
17 the person's date of birth.  
18