

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 181

S. P. 62

In Senate, January 15, 1975

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Clifford of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Eliminate the 5-Year Residency Requirement for Persons Seeking a License to Operate an Employment Agency.

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

30 MRSA, § 2651, 8th sentence, is amended to read:

Each application shall be accompanied by the affidavits of 2 persons who have known the applicant, or the chief officers thereof if a corporation, for 2 years at least, stating that the applicant is or said officers are of good moral character and a resident or residents of the State ~~and has or have been such for at least 5 years prior to the date of such application.~~

STATEMENT OF FACT

The purpose of this bill is to eliminate the 5-year residency requirement for persons seeking a license to operate an employment agency. The Supreme Court has held that license legislation that discriminates against nonresidents of the State, or nonresidents of a political subdivision of the State, either by refusing to grant licenses to such nonresidents or by granting them on different terms, such as by charging nonresidents a higher fee or adding other burdens, where not required under the police power of the State for the protection of the local citizens, is void as violating the Federal Constitution.