

MAINE STATE LEGISLATURE

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5.
D.OFR.

1

L.D. 820

2

(Filing No. S-261)

3

STATE OF MAINE

4

SENATE

5

112TH LEGISLATURE

6

FIRST REGULAR SESSION

7

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT
8 "A" to S.P. 332, L.D. 820, Bill, "AN ACT to Establish
9 Age 21 Years as the Legal Age to Purchase or Consume
10 Alcoholic Beverages and to Deter Drinking and Driving
11 by Minors."

12 Amend the amendment by inserting before the 2nd
13 paragraph before the emergency clause the following:

14 'Further amend the bill by inserting after sec-
15 tion 3 the following:

16 'Sec. 4. 28 MRSA §751-A, as amended by PL 1985,
17 c. 133, §1, is further amended to read:

18 §751-A. Payment for sales in retail stores

19 For the purpose of receiving payment at the
20 check-out counters for the sale of malt liquor or ta-
21 ble wine in retail stores, the age of the employee
22 receiving the payment shall not be under 17 years of
23 age, provided that in any event unless an employee
24 who is of legal drinking age as provided in this
25 Title 18 years of age or older is present in the re-
26 tail store in a supervisory capacity.

27 Sec. 5. 28 MRSA §852, first ¶, as amended by PL
28 1985, c. 133, §2, is repealed and the following en-
29 acted in its place:

30 No licensee for the sale of liquor to be consumed
31 on licensed premises may employ any person under the
32 age of 17 years in the direct handling or selling of
33 liquor on the premises where the liquor is sold, un-
34 less an employee who is 18 years of age or older is
35 present in a supervisory capacity.'

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to S.P. 332, L.D.
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1 Further amend the amendment by inserting before
2 the first paragraph before the emergency clause the
3 following:

4 'Further amend the bill by renumbering the sec-
5 tions to read consecutively.'

6 Further amend the amendment by striking out all
7 of the emergency clause and inserting in its place
8 the following:

9 '**Emergency clause.** In view of the emergency
10 cited in the preamble, this Act shall take effect Au-
11 gust 1, 1985, except for sections 4 and 5 which shall
12 become effective 90 days following adjournment.'

D. OF R.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 332, L.D.
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1

STATEMENT OF FACT

2 The purpose of this amendment is to put an effec-
3 tive date of August 1, 1985, on the bill and to add
4 the following sections which will be effective 90
5 days after the legislature adjourns.

6 Earlier this session the Legislature passed and
7 the Governor signed into law a bill which designed to
8 conform Maine's laws regarding the age of persons le-
9 gally able to handle the sale and serving of malt li-
10 quor and table wine with the legal drinking age.
11 That is now Public Law 1985, chapter 133. Prior to
12 its enactment, a person age 18 or 19 could be em-
13 ployed in a supervisory capacity in a store selling
14 malt liquor and table wine and in on-premises con-
15 sumption licensees, such as restaurants, clubs and
16 hotel dining rooms.

17 The enactment of Public Law 1985, chapter 133,
18 makes it illegal for a person age 18 or 19 to receive
19 payment at the check-out counter of licensees selling
20 malt liquor and table wine, unless there is also
21 present on the premises a person who is of legal
22 drinking age serving in a supervisory capacity. This
23 same result occurs in regard to licensees for
24 on-premises consumption; only here the effect is even
25 more stringent. Unless the licensee is a Class A
26 restaurant, Class A tavern, club or hotel dining
27 room, no person under the legal drinking age may be
28 employed at all in the direct handling or selling of
29 liquor, no matter how old the supervising person may
30 be. In Class A restaurants, Class A taverns, clubs
31 and hotel dining rooms, the same effect is felt as in
32 the retail stores.

33 Many Maine citizens age 18 and 19 are employed as
34 managers of convenience stores and in supervisory ca-
35 pacities in restaurants and the like. The effect of
36 the enactment of Public Law 1985, chapter 133, will
37 cost many of them their jobs, as they will no longer
38 be legally of sufficient age to perform their jobs.

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1 Many are employed in restaurants, taverns, clubs and
2 the like, often for the summer, who will also no
3 longer be able to fulfill the job because of the new
4 law.

5 The passage of this bill raising the drinking age
6 to 21 will add even another year of ineligibility for
7 that employment. Many of these people have families
8 to support and are facing the possibility of loss of
9 employment for no other reason than this new law.

10 This amendment recognizes the unfairness of the
11 impact of the new law and reinstates the existing
12 law. It also makes the law pertaining to licensees
13 for on-premises consumption uniform.

14

4263061085



15 (Sen. Violette)

16 NAME:

17 COUNTY: Aroostook

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