

# MAINE STATE LEGISLATURE

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S  
D. OF R

1

L.D. 820

2

(Filing No. S- 264 )

3

STATE OF MAINE

4

SENATE

5

112TH LEGISLATURE

6

FIRST REGULAR SESSION

7 SENATE AMENDMENT "B " to COMMITTEE AMENDMENT "A"  
8 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 an~~ An employee who  
24 is of legal drinking age as provided in this Title or  
25 older ~~is~~ must be present in the retail store in a su-  
26 pervisory capacity when the store is open.

27 Sec. 5. 28 MRSA §852, first ¶, as amended by PL  
28 1985, c. 133, §2, is further amended to read:

29 No licensee for the sale of liquor to be consumed  
30 or licensed premises, ~~except in Class A restaurants,~~  
31 ~~Class A taverns, clubs and hotel dining rooms,~~ may  
32 employ any person under the legal drinking age as  
33 ~~provided in this Title~~ minor in the direct handling  
34 or selling of liquor on the premises where the liquor  
35 is sold. ~~No licensee for the sale of liquor to be~~

SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to S.P. 332,  
L.D. 820

1 consumed on the licensed premises of Class A restau-  
2 rants, Class A taverns, clubs and hotel dining rooms  
3 may employ any person under the age of 17 years in  
4 the direct handling or selling of liquor on the  
5 premises where the liquor is sold, provided that in  
6 any event, unless an employee who is of legal drink-  
7 ing age as provided in this Title or older is present  
8 in a supervisory capacity.'

9 Further amend the amendment by inserting before  
10 the first paragraph before the emergency clause the  
11 following:

12 'Further amend the bill by renumbering the sec-  
13 tions to read consecutively.'

14 Further amend the amendment by striking out all  
15 of the emergency clause and inserting in its place  
16 the following:

17 'Emergency clause. In view of the emergency  
18 cited in the preamble, this Act shall take effect Ju-  
19 ly 1, 1985, except for sections 4 and 5 which shall  
20 become effective 90 days following adjournment.'

21 STATEMENT OF FACT

22 This amendment clarifies that persons who are not  
23 yet old enough to drink may not sell or receive pay-  
24 ment for liquor in retail stores. An employee who is  
25 of at least legal drinking age must be present in the  
26 retail store in a supervisory capacity at all times.

27 This amendment also prohibits all on-premise con-  
28 sumption licensees from hiring minors in the direct  
29 handling and selling of liquor on the licensed  
30 premises, except when an employee of at least legal  
31 drinking age is present in a supervisory capacity.

D. OF R.

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 332,  
L.D. 820

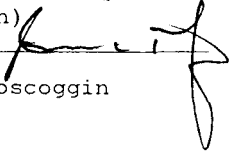
1           This amendment is necessary because a large pro-  
2           portion of liquor sales to minors are made by employ-  
3           ees who are minors. It is inconsistent to allow a  
4           person who may not drink the alcohol to sell it.  
5           This will eliminate the opportunity for peer pressure  
6           to force a violation of the law and contribute to  
7           underage intoxication.

8           This amendment changes the effective date to as  
9           soon as reasonably possible: July 1, 1985. This  
10          will eliminate much "border-hopping," and potential  
11          for drunk-driving, by 20-year-olds in Massachusetts  
12          and New Hampshire who may no longer legally buy li-  
13          quor in their states as of June 1, 1985, while show-  
14          ing this State's respect for the laws and concerns of  
15          New Hampshire and Massachusetts.

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(Sen. Trafton)  
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(6/11/85) (Filing No. S-264)