

MAINE STATE LEGISLATURE

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D. O. F. R.

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L.D. 820
(Filing No. S-284)

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STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

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

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

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

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

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§751-A. Payment for sales in retail stores

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

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1985, c. 133, §2, is repealed and the following en-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

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

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

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 Ju-
11 ly 1, 1985, except for sections 4 and 5 which shall
12 become effective 90 days following adjournment.'

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1 STATEMENT OF FACT

2 This amendment changes the effective date to as
3 soon as reasonably possible: July 1, 1985. This will
4 eliminate much "border-hopping," and potential for
5 drunk-driving, by 20-year-olds in Massachusetts and
6 New Hampshire who may no longer legally buy liquor in
7 their states as of June 1, 1985, while showing this
8 State's respect for the laws and concerns of New
9 Hampshire and Massachusetts.

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

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

37 Many Maine citizens age 18 and 19 are employed as
38 managers of convenience stores and in supervisory ca-

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1 pacities in restaurants and the like. The effect of
2 the enactment of Public Law 1985, chapter 133, will
3 cost many of them their jobs, as they will no longer
4 be legally of sufficient age to perform their jobs.
5 Many are employed in restaurants, taverns, clubs and
6 the like, often for the summer, who will also no
7 longer be able to fulfill the job because of the new
8 law.

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

14 This amendment recognizes the unfairness of the
15 impact of the new law and reinstates the existing
16 law. It also makes the law pertaining to licensees
17 for on-premises consumption uniform.

18 4371061385



19 (Sen. Baldacci)

20 NAME:

21 COUNTY: Penobscot

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