

MAINE STATE LEGISLATURE

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(New Draft of H.P. 311, L.D. 400)
(New Title)
FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 1281

H.P. 904

House of Representatives, April 11, 1985

Reported by Representative Warren from the Committee on Legal Affairs and printed under Joint Rule 2. Original bill sponsored by Representative Telow of Lewiston. Cosponsored by Senator Twitchell of Oxford, Senator Bustin of Kennebec and Representative Perry of Mexico.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FIVE

AN ACT to Amend the Liquor Laws.

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

Sec. 1. 28 MRSA §751-A, as amended by PL 1971, c. 598, §60, is further amended to read:

§751-A. Payment for sales in retail stores

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

1 Sec. 2. 28 MRSA §852, first ¶, as amended by PL
2 1979, c. 541, Pt. A, §187, is further amended to
3 read:

4 No licensee for the sale of liquor to be consumed
5 on licensed premises, except in Class A restaurants,
6 Class A taverns, clubs and hotel dining rooms, ~~shall~~
7 may employ any person under the ~~age of 18 years legal~~
8 drinking age as provided in this Title in the direct
9 handling or selling of liquor on the premises where
10 such the liquor is sold. No licensee for the sale of
11 liquor to be consumed on the licensed premises of
12 Class A restaurants, Class A taverns, clubs and hotel
13 dining rooms ~~shall~~ may employ any person under the
14 age of 17 years in the direct handling or selling of
15 liquor on the premises where ~~such the~~ liquor is sold,
16 unless provided that in any event an employee who is
17 18 years of age of legal drinking age as provided in
18 this Title or older is present in a supervisory ca-
19 pacity.

20 Sec. 3. PL 1983, c. 755, §14 is repealed.

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STATEMENT OF FACT

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The purpose of this new draft is to insure that the sale of liquor for consumption on the premises takes place only when someone of legal drinking age is present in a responsible capacity.

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Section 3 of the new draft repeals the "sunset" provision which applies to licenses to sell beer and wine at outdoor stadiums. Although other facilities may be licensed in the future, the only one which qualifies at this time is the Maine Guides Stadium, The Ball Park in Old Orchard Beach. The Bureau of Liquor Enforcement conducted several inspections of the facility and conferred with local enforcement agencies. They are satisfied that the stadium operators are complying fully with the law and recommend that the provision repealing the outdoor stadium license in September be repealed. This new draft makes Public Law 1983, chapter 755 permanent.

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