

MAINE STATE LEGISLATURE

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R. of S
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L.D. 995

(Filing No. H- 256)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 737, L.D. 995, Bill, "An Act to Amend the Laws Concerning the Sale of Alcohol"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

Sec. 1. 28-A MRSA §703-A, as enacted by PL 1989, c. 526, §§3 and 28, is amended to read:

§703-A. Prohibition of employment of violators as retail employees

1. **Employment prohibited.** No A retail licensee may not employ a person as a retail employee if that person, within 5 2 years of the date of that person's application for employment, has been convicted of a first offense of violating section 2078 or section 2081, subsection 1, paragraph A or B. A retail licensee may not employ a person as a retail employee if that person, within 5 years of the date of that person's application for employment, has been convicted of a 2nd offense of violating section 2078 or section 2081, subsection 1, paragraph A or B.

2. **Affidavit required.** Retail licensees shall require a person applying for employment as a retail employee to furnish to the licensee an affidavit stating that the applicant has not been convicted of a first offense of violating section 2078 or section 2081, subsection 1, paragraph A or B, within 5 2 years of the date of the affidavit. Retail licensees shall require a person applying for employment as a retail employee to furnish to the licensee an affidavit stating that the applicant has not been convicted of a 2nd offense of violating section 2078 or section 2081, subsection 1, paragraph A or B, within 5 years of the date

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2 of the affidavit. The affidavit must be executed at the time of
3 application. The Bureau of Liquor Enforcement shall develop the
4 affidavit required by this section and make single copies of that
5 affidavit available to retailers.'

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7 **STATEMENT OF FACT**

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9 This amendment clarifies that a person convicted of a first
10 offense of violating the laws prohibiting the illegal sale of
11 liquor or allowing the consumption of liquor by certain persons
12 must wait 2 years before that person may be employed as a retail
13 employee. A person convicted of a 2nd offense of violating the
14 laws prohibiting the illegal sale of liquor or allowing the
15 consumption of liquor by certain persons must wait 5 years before
16 that person may be employed as a retail employee.

Reported by the Committee on Legal Affairs
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