



## 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

Legislative Document

No. 995

H.P. 737

House of Representatives, March 23, 1993

An Act to Amend the Laws Concerning the Sale of Alcohol.

(EMERGENCY)

Reference to the Committee on Legal Affairs suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative MARTIN of Van Buren. Cosponsored by Senator PARADIS of Aroostook and Representatives: ANDERSON of Woodland, HALE of Sanford, HATCH of Skowhegan, JALBERT of Lisbon, LORD of Waterboro, MICHAEL of Auburn, SAXL of Bangor, STEVENS of Sabattus.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, existing law prohibits for 5 years the employment by retail liquor licencees of persons convicted of certain crimes; and

8 Whereas, the current law is preventing some people from 10 acquiring gainful employment as retail employees on the basis of incidents that occurred long ago; and

Whereas, it is essential to change the law to allow people, after waiting a more reasonable period, the opportunity to pursue 14 such employment; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 28-A MRSA §703-A, as enacted by PL 1989, c. 526, §§3 and 28, is amended to read: 26

\$703-A. Prohibition of employment of violators as retail employees 28

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1. Employment prohibited. Ne 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, 32 has been convicted of violating section 2078 or section 2081, 34 subsection 1, paragraph A or B.

36 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 38 convicted of violating section 2078 or section 2081, subsection 71, paragraph A or B, within 5 2 years of the date of the 40 1948년 11일 affidavit. A The affidavit must be executed at the time of 42 application. The Bureau of Liquor Enforcement shall develop the affidavit required by this section and make single copies of that affidavit available to retailers. 44

- In view of the emergency cited in the 46 Emergency clause. preamble, this Act takes effect when approved.
  - STATEMENT OF FACT

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Under current law, a retail licensee can not employ a person as a retail employee if the person in the past 5 years has been convicted of violating the laws prohibiting the illegal sale of liquor or allowing the consumption of liquor by certain persons. This bill changes the waiting period for such employment from 5 years to 2 years.

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