

MAINE STATE LEGISLATURE

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R.D.S.

L.D. 620

DATE: 4/25/05

(Filing No. H-179)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 453, L.D. 620, Bill, "An Act To Clarify the Liquor Enforcement Laws"

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

Sec. 1. 25 MRSA §2801-B, sub-§1, ¶H, as amended by PL 2003, c. 688, Pt. A, §25, is further amended to read:

H. The State Fire Marshal; or

Sec. 2. 25 MRSA §2801-B, sub-§1, ¶J, as enacted by PL 2003, c. 400, §4, is amended to read:

J. A court security officer; or

Sec. 3. 25 MRSA §2801-B, sub-§1, ¶K is enacted to read:

K. A contract officer appointed by the Commissioner of Public Safety pursuant to Title 28-A, section 82-A.

Sec. 4. 28-A MRSA §82-A is enacted to read:

§82-A. Enforcement of licensing

1. Authority. In addition to any authority a law enforcement officer has to enforce the laws, a law enforcement

Notes

officer may, subject to subsections 2 and 4, enforce this Title or the rules adopted pursuant to this Title against violations that may result in an administrative sanction against a licensee or the licensee's agents or employees.

2. Commissioner. The commissioner may by agreement, with the consent and approval of the affected law enforcement agency, designate the law enforcement agency's officers to exercise the enforcement authority identified in subsection 1.

3. Contract officers. The commissioner may appoint contract officers for the purpose of enforcing this Title and the rules adopted pursuant to this Title against specific violations that may result in an administrative sanction against a licensee, or the licensee's agents or employees.

4. Limitation. The commissioner may limit the authority granted by this section to specific sections of this Title and rules adopted pursuant to those sections.'

SUMMARY

This amendment replaces the bill and allows the Commissioner of Public Safety to reach agreements with law enforcement agencies to authorize them to enforce administrative sanctions against liquor licensees and the licensees' agents and employees. It also allows the commissioner to authorize contract officers to perform the same function. The contract officers are exempt from the basic law enforcement training requirements.