

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108th LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-39)

HOUSE AMENDMENT "A" to S.P. 199, L.D. 577, Bill, "AN ACT Raising the Age of Persons who may Purchase Alcoholic Beverages or Sell as Licensees."

Amend the bill in section 1 by striking out all of the first paragraph after the amending clause and inserting in its place the following:

'11. Minor. "Minor" shall mean a person who has not attained his ~~18th~~ 19th birthday.'

Further amend the bill in section 2 by striking out in the 2nd, 5th, 8th and 11th lines (2nd, 4th, 6th and 9th in LD) after the amending clause the underlined figure "20" and inserting in its place the following: '19'

Further amend the bill by striking out in section 3 ~~—————~~
→ everything after the amending clause and inserting in its place the following:

'1. Exemption. All licensees who are presently under 19 years of age and any other legal entity, including partnerships, corporations and associations of persons currently holding a liquor license at the time that this subsection becomes effective shall be exempted from the provisions raising the age for a liquor license from 18 years to 19 years of age.'

Further amend the bill in section 4 by striking out in the 2nd line after the amending clause (same in LD) the underlined figure "20" and inserting in its place the following: '19'

Further amend the bill in section 5 by striking out in the first paragraph after the amending clause, 7th and 12th lines, (5th and 10th in L.D.) the underlined figure "20" and inserting in its place the following: '19'

Further amend the bill in section 6 by striking out everything after the amending clause and inserting in its place the following:

'Any person under the age of ~~18~~ 19 years who purchases any intoxicating liquor or any person under the age of ~~18~~ 19 years who consumes any intoxicating liquor or has on his or her person any intoxicating liquor in any on-sale premises, or who presents or offers to any licensee, his agent or employee any written or oral evidence of age which is false, fraudulent or not actually his own, for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any intoxicating liquor, or who has any intoxicating liquor in his possession except in the scope of his or her employment on any street or highway, or in any public place or in any automobile, shall be guilty of a misdemeanor and, notwithstanding Title 17-A, section 4, shall be punished by a fine of not more than ~~\$100~~ \$200 for the first offense, not less than ~~\$50~~ \$100 nor more than ~~\$100~~ \$300 for the 2nd offense and ~~\$100~~ \$400 for the 3rd and subsequent offenses.'

Further amend the bill in section 7 in the first paragraph after the amending clause by striking out in the next to the last line the underlined figure "20" and inserting in its place the following: '19' (Same in L.D.)

Further amend the bill in section 8 in the first paragraph after the amending clause by striking out in the 4th and 10th lines (3rd and 8th in LD) the underlined figure "20" and inserting in its place the following: '19'

Further amend the bill in section 9 in the first line after the amending clause by striking out the underlined figure "20" and inserting in its place the following: '19' (Same in L.D.)

Further amend the bill in section 10 in the first line after the amending clause by striking out the underlined figure "20" and inserting in its place the following: '19' (Same in L.D.)

Further amend the bill by inserting after section 10 the following:

'Sec. 10-A. 28 MRSA §1058, as last amended by PL 1969, c. 180,
is further amended to read:

§1058. Furnishing liquor to certain persons prohibited

Whoever, other than a licensee or his agent within the scope of their employment, knowingly procures or in any way aids or assists in procuring liquor or whoever furnishes, gives or delivers liquor to a minor who may not legally purchase liquor for himself or for any intoxicated person, pauper, mentally ill person or person of known intemperate habits, except that this provision shall not apply to liquor served to a minor in a home in the presence of his parent or

guardian, shall be ~~punished by a fine of not more than \$200 or by imprisonment for not more than 11 months, or by both~~ guilty of a Class D crime under Title 17-A and shall be punished in accordance with the provisions of that Title.'

Further amend the bill in section 11 in the 2nd line after (first line in L.D.) the amending clause/ by striking out the underlined figure "20" and inserting in its place the following: '19'

Further amend the bill by inserting before the Statement of Fact the following:

'Sec. 12. Application. Any person who, on the effective date of this Act, is between the age of 18 and 19 years of age shall be deemed to be 19 years of age for all the purposes of this Act.'

Statement of Fact

This amendment would raise the age of a person who desires to purchase alcoholic beverages from 18 to 19. It also requires that all licensees must be at least 19 years of age, increases the penalty for a minor illegally purchasing alcoholic beverages, establishes the crime of furnishing alcoholic beverages to a minor as a Class D crime and provides that all persons between 18 and 19 years of age on the effective date of this bill are deemed to be 19 for all the purposes of the bill.

Filed by Mr. Pearson of Old Town

Reproduced and distributed under the direction of the Clerk of the House
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