

J.			
∫ st		L.D. 903	
C.S.C.	² DATE: 5.23.05	(Filing No. S-237	
	4		
	6 CRIMINAL JUSTICE ANI	CRIMINAL JUSTICE AND PUBLIC SAFETY	
	8 Reported by: MAJO	RITY	
1	0 Reproduced and distributed under th of the Senate.	e direction of the Secretary	
]	2 STATE OF M	STATE OF MAINE	
נ	4 SENATI	SENATE	
1	122ND LEGISLATURE FIRST SPECIAL SESSION		
1	COMMITTEE AMENDMENT 'A" to S.P. 311, L.D. 903, Bill, "An		
2	Act To Strengthen the Penalties for Sales to Minors or Purchases by Minors of Alcoholic Beverages"		
2	2 Amend the bill by striking ou	Amend the bill by striking out the title and substituting	
2	4 the following:	c the citie and substituting	
2	'An Act To Strengthen the Penalties for Furnishing Alcohol to or Allowing Consumption of Alcohol by Minors'		
2	8 Further mand the bill by stai	Further amend the bill by striking out everything after the	
3	0 enacting clause and before the summa	enacting clause and before the summary and inserting in its place the following:	
	2	'Sec. 1. 28-A MRSA §2081, sub-§1, ¶¶A and B, as amended by PL	
3	4 2003, c. 452, Pt. P, §9 and affect amended to read:	ed by Pt. X, \S^2 , are further	
3	6 A Proqueo or in any way	A. Procure, or in any way aid or assist in procuring,	
3	8 furnish, give, sell or delive The following penalties app	r liquor for or to a minor.	
4	0 paragraph.	-	
4	2 (1) A person who violat Class D crime.	es this paragraph commits a	
4	4 (2) A person who violat	(2) A person who violates this paragraph commits a	
4	6 Class D crime for which t	he <u>a</u> fine may <u>of</u> not be less sed, none of which may not be	
4		ion involves a minor who is	

Page 1-LR2111(2)

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 311, L.D. 903

€3⁵€*

2

4

6

8

28

44

50

(3) A person who violates this paragraph after having been previously convicted of violating this paragraph or paragraph B within a 6-year period commits a Class D crime for which the <u>a</u> fine may <u>of</u> not be less than \$500 and <u>\$1,000 may be imposed</u>, none of which may not be suspended.

(4) A person who violates this paragraph after having
 been previously convicted of violating this paragraph
 or paragraph B 2 or more times within a 6-year period
 commits a Class D crime for which the <u>a</u> fine may <u>of</u> not
 be less than \$1,000-and \$1,500 may be imposed, none of
 which may net be suspended.

16 (5) A person who violates this paragraph commits a Class C crime if the consumption of liquor by the minor
18 in fact causes serious bodily injury to or death of the minor or any other individual. For purposes of this
20 subsection, "serious bodily injury" has the same meaning as set out in Title 17-A, section 2, subsection
22 23;

B. Allow a minor under that person's control or in a place under that person's control to possess or consume liquor.
The following penalties apply to violations of this paragraph.

(1) A person who violates this paragraph commits a30 Class D crime.

32 (2) A person who violates this paragraph commits a Class D crime for which the <u>a</u> fine may <u>of</u> not be less
34 than \$500-and \$1,000 may not <u>be imposed</u>, none of which may be suspended, if the violation involves a minor who
36 is less than 14 <u>18</u> years of age.

38 (3) A person who violates this paragraph after having been previously convicted of violating this paragraph
40 or paragraph A within a 6-year period commits a Class D crime for which the <u>a</u> fine may <u>of</u> not be less than \$500
42 and <u>\$2,000</u> may not <u>be imposed</u>, none of which may be suspended.

(4)--A-person-who-violates-this-paragraph-after-having46been-previously-convicted-of-violating-this-paragraph67-paragraph-A-2-or-more-times-within-a-f-year-period48commits-a-Class-D-crime-for-which-the-fine-may-not-be1ess-than-\$1,000-and-may-not-be-suspended.

Page 2-LR2111(2)

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 311, L.D. 903

(5) A person who violates this paragraph commits a Class C crime if the consumption of liquor by the minor in fact causes serious bodily injury to or death of the minor or any other individual. For purposes of this subsection, "serious bodily injury" has the same meaning as set out in Title 17-A, section 2, subsection 23:'

SUMMARY

This amendment is the majority report of the Joint Standing 14 Committee on Criminal Justice and Public Safety. This amendment replaces the bill and does the following.

16 18

2

4

б

8

10

12

1. It changes the title of the bill.

It increases from less than 14 years of age to less than
 18 years of age the age of a minor for purposes of penalizing the first offense of furnishing liquor to a minor. The penalty is a
 mandatory fine of \$500, none of which may be suspended.

3. It increases from \$500 to \$1,000 the fine for a 2nd offense of furnishing alcohol to a minor within a 6-year period,
 none of which may be suspended.

4. It increases from \$1,000 to \$1,500 the fine for a 3rd or subsequent offense of furnishing alcohol to a minor within a
 6-year period, none of which may be suspended.

32 5. It increases from less than 14 years of age to less than 18 years of age the age of a minor for purposes of penalizing the
34 first offense of allowing a minor to consume liquor. It also increases the fine for this offense from \$500 to \$1,000, none of
36 which may be suspended.

38 6. It increases from \$500 to \$2,000 the fine for a 2nd or subsequent offense of allowing consumption of alcohol by a minor,
 40 none of which may be suspended.

42

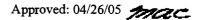
44

46

FISCAL NOTE REQUIRED (See attached)

Page 3-LR2111(2)

COMMITTEE AMENDMENT





122nd MAINE LEGISLATURE

LD 903

2111(02)

An Act To Strengthen the Penalties for Sales to Minors or Purchases by Minors of Alcoholic Beverages

Fiscal Note for Bill as Amended by Committee Amendment 'A" Committee: Criminal Justice and Public Safety Fiscal Note Required: Yes Majority Report

Fiscal Note

Minor cost increase - General Fund Minor revenue increase - General Fund

Correctional and Judicial Impact Statements:

Increases fines for violations of furnishing alcohol to a minor. Increases the age of a minor from less than 14 to less than 18 years of age. The collection of additional fines will increase General Fund revenue by minor amounts.