

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 361

H. P. 272

House of Representatives, January 26, 1971

Referred to Committee on Liquor Control. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Lund of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT Providing for Purchase and Possession of Malt Liquor by Persons
Eighteen Years of Age Not to be Consumed on the Premises.**

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

Sec. 1. R. S., T. 28, § 303, amended. The 2nd sentence of the 2nd paragraph of section 303 of Title 28 of the Revised Statutes, as repealed and replaced by section 46 of chapter 590 of the public laws of 1969, is amended to read as follows:

No licensee, by himself, clerk, servant or agent entitled to sell malt liquor or table wine not to be consumed on the premises shall sell, furnish, give or deliver such malt liquor or table wine to any person visibly intoxicated, to any mentally ill person, to a known habitual drunkard, to any pauper, to persons of known intemperate habits or to any minor under the age of ~~20~~ 18 years.

Sec. 2. R. S., T. 28, § 303, amended. The first sentence of the 3rd paragraph of section 303 of Title 28 of the Revised Statutes, as repealed and replaced by section 48 of chapter 590 of the public laws of 1969, is amended to read as follows:

Any person under the age of 20 years who purchases any intoxicating liquor or any person under the age of 20 years who consumes 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, **except malt**

liquor purchased not to be consumed on the premises, 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 shall be punished by a fine of not more than \$100 for the first offense, not less than \$50 nor more than \$100 for the 2nd offense and \$100 for the 3rd and subsequent offenses. Any person under the age of 18 years who has any malt liquor purchased not to be consumed on the premises in his possession except in the scope of his employment on any street or highway, or in any public place or in any automobile shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$100 for the first offense, not less than \$50 nor more than \$100 for the 2nd offense and \$100 for the 3rd and subsequent offenses.

Sec. 3. R. S., T. 28, § 1001, amended. The first paragraph of section 1001 of Title 28 of the Revised Statutes, as amended by section 73 of chapter 433 of the public laws of 1969, is further amended to read as follows:

No person under the age of 20 years shall knowingly transport or knowingly permit to be transported any intoxicating liquor, except malt liquor purchased not to be consumed on the premises in a motor vehicle under his control except in the scope of his or her employment, or at the request of his or her parent or guardian. No person under the age of 18 years shall knowingly transport or knowingly permit to be transported any malt liquor purchased not to be consumed on the premises in a motor vehicle under his control except in the scope of his or her employment or at the request of his or her parent or guardian.

STATEMENT OF FACT

The purpose of this bill is to permit purchases and possession of malt liquor not to be consumed on the premises by persons 18 years of age.