

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1069

H. P. 799

House of Representatives, February 22, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Silverman of Calais.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT Raising the Age of Persons Who May Purchase Alcoholic  
Beverages or Sell as Licensees.**

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

**Sec. 1. R. S., T. 28, § 201, amended.** The first 4 sentences of section 201 of Title 28 of the Revised Statutes, as amended by section 55 of chapter 598 of the public laws of 1971, are further amended to read as follows:

No license shall be issued to any natural person unless such person is at least ~~18~~ 20 years of age and is a citizen of the United States and of this State. A part-time or 6 months' license, as authorized by law, may be issued to any natural person who is at least ~~18~~ 20 years of age and is a citizen of the United States. No license shall be issued to a partnership or to an association unless all persons having an interest therein are at least ~~18~~ 20 years of age and are citizens of the United States and of this State. A part-time or 6 months' license, as authorized by law, may be issued to a partnership or association if all persons having an interest therein are at least ~~18~~ 20 years of age and are citizens of the United States.

**Sec. 2. R. S., T. 28, § 251, amended.** The 3rd sentence of section 251 of Title 28 of the Revised Statutes, as amended by section 56 of chapter 598 of the public laws of 1971, is further amended to read as follows:

All applications shall be signed by the owner, if a natural person, who shall be at least ~~18~~ 20 years of age, or in the case of a partnership by the partners thereof, or in the case of a corporation by an executive officer thereof or any person thereto specifically authorized by the corporation, except a bona fide prospective purchaser may apply.

**Sec. 3. R. S., T. 28, § 303, amended.** The 2nd sentence of the 2nd paragraph, as repealed and replaced by section 46 of chapter 590 of the public laws of 1969 and as amended, and the 3rd sentence of the 2nd paragraph, as amended by section 58 of chapter 598 of the public laws of 1971, are further 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 ~~18~~ 20 years. No licensee by himself, clerk, servant or agent shall sell, furnish, give, serve or permit to be served any liquor to be consumed on the premises 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 ~~18~~ 20 years.

**Sec. 4. R. S., T. 28, § 303, amended.** The first sentence of the 3rd paragraph of section 303 of Title 28 of the Revised Statutes, as last repealed and replaced by section 48 of chapter 590 of the public laws of 1969 and as amended, is further amended to read as follows :

Any person under the age of ~~18~~ 20 years who purchases any intoxicating liquor or any person under the age of ~~18~~ 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 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.

#### STATEMENT OF FACT

This bill would raise the age of a person who desires to purchase alcoholic beverages from 18 to 20. It would also require that all licensees must be at least 20 years of age.