

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 4

S. P. 4

Office of the Clerk of the House

Filed November 18, 1974 under Joint Rule 6 by Senator Hichens of York.
To be printed and delivered to the Senate of the 107th Legislature.

E. LOUISE LINCOLN, Clerk

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

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

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

Sec. 1. ~~28~~ **MRSA**, § 201, first 4 sentences, as amended by PL 1971, c. 598, § 55, are further amended to read:

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. ~~28~~ **MRSA**, § 251, 3rd sentence, as amended by PL 1971, c. 598, § 56, is further amended to read:

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. ~~28~~ **MRSA**, § 303, 2nd sentence of 2nd ¶, as repealed and replaced by PL 1969, c. 590, § 46 and as amended by PL 1971, c. 598, § 57, is further amended to read:

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.

Sec. 4. 28 MRSA, § 303, 3rd sentence of 2nd ¶, as last amended by PL 1971, c. 598, § 58, is further amended to read:

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. 5. 28 MRSA, § 303, first sentence of 3rd ¶, as repealed and replaced by PL 1969, c. 590, § 48 and as amended by PL 1971, c. 598, § 59, is further amended to read:

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.