

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 239

H. P. 196

House of Representatives, February 3, 1977

Referred to Committee on Judiciary. Sent up for concurrence and 1,800 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Green of Auburn.

Cosponsor: Mr. Hughes of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT Relating to the Penalty for Liquor Violations for Persons under
18 Years of Age.**

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

28 MRSA § 303, 3rd ¶, first sentence, as last amended by PL 1975, c. 100, is further amended to read:

Any person under the age of 18 years who purchases any intoxicating liquor or any person under the age of 18 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 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~~ civil offense and shall be subject to a forfeiture of not less than \$25 nor more than \$100 for the first offense and not less than \$50 nor more than \$200 for any subsequent offense.

STATEMENT OF FACT

The purpose of this bill is to remove the liquor offenses from a misdemeanor class to a civil offense category for persons under the age of 18 years.

Presently, these offenses require juvenile proceedings to be initiated. It is the intent here to enable a written summons to be issued for initiating the criminal process.