

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 471**

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H. P. 382

House of Representatives, February 16, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Raymond of Lewiston.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Remove from the Law the Prohibition on Giving or Furnishing  
Liquor to Paupers.**

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

28 MRSA § 1058, as last amended by PL 1969, c. 180, is further amended to read:

**§ 1058. Furnishing liquor to certain persons prohibited**

Whoever, other than a licensee or his agent within the scope of their employment, knowingly procures or in any way aids or assists in procuring liquor or whoever furnishes, gives or delivers liquor to a minor who may not legally purchase liquor for himself or for any intoxicated person, ~~pauper~~ mentally ill person or person of known intemperate habits, except that this provision shall not apply to liquor served to a minor in a home in the presence of his parent or guardian, shall be punished by a fine of not more than \$200 or by imprisonment for not more than 11 months, or by both.

STATEMENT OF FACT

The purpose of this bill is to remove the word "pauper" from the statute which prohibits furnishing liquor to certain persons or types of persons. There is no compelling reason for prohibiting the giving or furnishing of liquor to paupers and a statute containing such a prohibition may very well be a violation of the equal protection clause of the United States Constitution.