

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108th LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-252)

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S. P. 249,
L.D. 758, Bill, "AN ACT Concerning the Penalty for Sale of Alcoholic
Beverages to Minors."

Amend the amendment in that part designated "§554." by
striking out all of subsection 2 and inserting in its place the fol-
lowing:

'2. A person is guilty of endangering the welfare of a minor, as
defined in Title 28, section 2, if he knowingly sells or offers to
sell to such person any intoxicating liquor.'

Further amend the amendment in that part designated "§554."
by striking out all of subsection 3 and inserting in its place
the following:

'3. It is an affirmative defense to prosecution under this
section that:

A. The defendant was a person acting pursuant to authority
expressly or impliedly granted in Title 12.'

Further amend the amendment by inserting at the end before the
Statement of Fact the following:

'Further amend the Bill in that part designated "§1058."
in subsection 1 by striking out all of paragraph a and by renumbering
paragraphs B to D to be paragraphs A to C.

Further amend the Bill in that part designated "§1058."
by striking out all of subsection 2 and by renumbering subsections
3 and 4 to be subsections 2 and 3.'

Further amend the Bill by inserting at the end before the
Statement of Fact the following:

'Sec. 4. 28 MRSA §1058-A is enacted to read:
§1058-A. Furnishing alcoholic beverages to minors

No person shall knowingly procure, furnish, give or deliver any alcoholic beverage to a minor who may not legally purchase liquor for himself, except that it shall not be a violation of this section to serve an alcoholic beverage to a minor in a private residence in the presence of the minor's parent or guardian.

A violation of this section shall be a civil violation for which a forfeiture not to exceed \$250 may be adjudged.'

Statement of Fact

This amendment would eliminate the criminal offense of furnishing or giving away intoxicating liquor. That offense will be covered by Title 28, section 1058-A.

Filed by Mr. Hughes of Auburn.

Reproduced and distributed under the direction of the Clerk of the House.
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