

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1283

H. P. 1042

House of Representatives, March 24, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Laffin of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Exempt Store Owners from Criminal Liability where a Minor Purchases Alcoholic Beverages using a False Identification Card.

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

28 MRSA § 303, as last amended by PL 1975, c. 100, is further amended by inserting after the 2nd paragraph the following new paragraph to read:

It is a defense to any prosecution against a license for selling, furnishing, giving, delivering, serving or permitting to be served any liquor to a person under the age of 20 years that the person presented to the licensee, his agent or employee an adult identification card which the licensee, his agent or employee reasonably believed to be valid.

STATEMENT OF FACT

This bill would provide that licensees prosecuted for selling or furnishing liquor to a person under 20 years of age would have a defense to the prosecution if the minor used or presented an adult identification card which the licensee, his agent or employee, reasonably believed to be valid.

Presently, there are no means by which licensees can determine if an adult identification card presented to them is valid. If they serve or furnish liquor to that person and he is in fact a minor, they may face criminal charges. This bill would remove the criminal penalties for that situation when the licensee is acting reasonably in honoring an adult identification card.