

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1043**

H. P. 874

House of Representatives, February 26, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Conary of Oakland.

Cosponsors: Representative Jacques of Waterville, Representative McSweeney of Old Orchard Beach.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Provide a Mandatory Fine for Illegal Possession of or Attempt to Purchase Intoxicating Liquor.**

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

28 MRSA § 303, 3rd ¶, as last amended by PL 1977, c. 23, § 6, is further amended to read:

Any person under the age of 20 years who purchases any intoxicating liquor or any person under the age of 20 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~~ less than \$100 for the first offense, not less than ~~\$50 nor more than \$100~~ \$200 for the 2nd offense and \$100 for the 3rd and subsequent offenses. **Any fine imposed under this section shall not be suspended.** If a minor is charged with illegal possession under this section, he may not be charged with illegal transportation. No minor shall be

charged with more than one offense under this section in any given instance wherein the same set of facts is involved.

#### STATEMENT OF FACT

The purpose of this bill is to provide a mandatory minimum fine for illegal possession of or attempt to purchase intoxicating liquor. The minimum fine for a first offense would be \$100 and for a 2nd and subsequent offense would be \$200.