

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 130

H.P. 95

House of Representatives, February 9, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

Ed Pert
EDWIN H. PERT, Clerk

Presented by Representative NORTON of Winthrop.

STATE OF MAINE

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

An Act to Strengthen Penalties for Furnishing Liquor to Minors.



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

3 **Sec. 1. 28-A MRSA §2081, sub-§1, ¶¶A and B,** as amended by PL
5 1987, c. 576, are further amended to read:

7 A. Procure, or in any way aid or assist in procuring,
9 furnish, give or deliver liquor for or to a minor ~~ex-visibly~~
11 ~~intoxicated-person; or~~

13 B. Allow any minor under ~~his~~ that person's control, or in
15 any place under ~~his~~ that person's control, to consume
17 liquor; or

19 **Sec. 2. 28-A MRSA §2081, sub-§1, ¶C** is enacted to read:

21 C. Procure, or in any way aid or assist in procuring,
23 furnish, give or deliver liquor to a visibly intoxicated person.

25 **Sec. 3. 28-A MRSA §2081, sub-§3,** as enacted by PL 1987, c. 45,
27 Pt. A, §4, is repealed and the following enacted in its place:

29 3. Penalty. Any person who violates subsection 1,
31 paragraph A or B, commits a Class D crime. Any person who
33 violates subsection 1, paragraph C, commits a Class E crime.

35
37 **STATEMENT OF FACT**

39 The purpose of this bill is to increase the penalty for
41 furnishing liquor to a minor from a Class E to a Class D crime.
This change would make the maximum penalty one year in jail and a
\$1000 fine. The current maximum penalty is that of a Class E
crime - 6 months in jail and a \$500 fine.

For clarification, sections 1 and 2 separate the crimes of
furnishing liquor to minors and furnishing liquor to a visibly
intoxicated person into distinct paragraphs.

Section 3 makes furnishing liquor to minors a Class D
crime. Furnishing liquor to a visibly intoxicated person remains
a Class E crime.