

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 111

H.P. 98

House of Representatives, January 11, 1999

**An Act to Amend the Laws Regarding Penalties for the Purchase of
Cigarettes by a Minor.**

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative AHEARNE of Madawaska.
Cosponsored by Senator PENDLETON of Cumberland and
Representatives: CLARK of Millinocket, MUSE of South Portland, O'NEAL of Limestone,
SANBORN of Alton, WHEELER of Bridgewater, WHEELER of Eliot, Senator: PARADIS of
Aroostook.

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

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3 **Sec. 1. 22 MRSA §1555-B, sub-§8, ¶B,** as amended by PL 1997, c.
4 393, Pt. D, §1, is further amended to read:

6 B. A person who violates subsection 5 commits a civil
7 violation for which the following forfeitures may be
8 adjudged.

10 (1) For a first offense, a forfeiture of not less than
11 \$100 and not more than \$300 may be imposed. The judge,
12 as an alternative to or in addition to the forfeiture
13 permitted by this subparagraph, may assign the violator
14 to perform specified work for the benefit of the State,
15 the municipality or other public entity or a charitable
16 institution.

18 (2) For a 2nd offense, a forfeiture of not less than
19 \$200 and not more than \$500 may be imposed. The judge,
20 as an alternative to or in addition to the forfeiture
21 permitted by this subparagraph, may assign the violator
22 to perform specified work for the benefit of the State,
23 the municipality or other public entity or a charitable
24 institution.

26 (3) For all subsequent offenses, a forfeiture of \$500
27 must be imposed and that forfeiture may not be
28 suspended. The judge, in addition to the forfeiture
29 permitted by this subparagraph, may assign the violator
30 to perform specified work for the benefit of the State,
31 the municipality or other public entity or a charitable
32 institution.

34 If the violator fails to pay a forfeiture imposed under this
35 paragraph, the court shall send a notice to the violator at
36 the address in the complaint notifying the violator that
37 failure to pay the forfeiture will result in the suspension
38 of the violator's operator's license issued pursuant to
39 Title 29-A, chapter 11, for a period of 30 days. The court
40 shall send a copy of this notice to the Secretary of State.
41 If the Secretary of State does not receive notification from
42 the court within 60 days of the date of the notice that the
43 fine has been paid, the Secretary of State shall suspend the
44 violator's operator's license for 30 days. If the Secretary
45 of State does not receive notification from the court during
46 the 30-day suspension period that the forfeiture has been
47 paid, the Secretary of State shall suspend the violator's
48 license for an additional 60 days.

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SUMMARY

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4 This bill requires the suspension of a minor's motor vehicle
operator's license for up to 90 days if the minor fails to pay a
forfeiture imposed for the illegal possession of tobacco.