

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1077

S.P. 376

In Senate, February 9, 1999

**An Act to Prevent Minors from Acquiring Beer-making or Wine- making
Equipment.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator O'GARA of Cumberland.
Cosponsored by Representative TUTTLE of Sanford and
Senators: CASSIDY of Washington, DAGGETT of Kennebec, Representatives: O'BRIEN of
Augusta, USHER of Westbrook.

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

2
4 **Sec. 1. 28-A MRSA §2051, sub-§1, ¶D-2**, as enacted by PL 1987,
c. 342, §119, is amended to read:

6 D-2. Sell, furnish or give a false identification card to a
minor; or

8
10 **Sec. 2. 28-A MRSA §2051, sub-§1, ¶E**, as amended by PL 1993, c.
266, §24, is further amended to read:

12 E. Have any liquor or imitation liquor in the minor's
possession except:

14 (1) In the scope of the minor's employment; or

16 (2) In the minor's own home in the presence of the
18 minor's parent, legal guardian or custodian, as defined
in Title 22, section 4002; or

20 **Sec. 3. 28-A MRSA §2051, sub-§1, ¶F** is enacted to read:

22 F. Have in the minor's possession equipment specifically
24 constructed, manufactured or marketed for the purpose of
26 brewing malt liquor or fermenting or making wine except:

28 (1) In the scope of the minor's employment; or

30 (2) In the minor's own home under the supervision of
32 the minor's parent, legal guardian or custodian, as
34 defined in Title 22, section 4002.

36 **Sec. 4. 28-A MRSA §2086** is enacted to read:

38 §2086. Sale or furnishing of brewing or wine-making
40 equipment prohibited

42 1. Violation. A person who knowingly sells, furnishes,
44 gives away or offers to sell, furnish or give away to a minor
46 equipment that is specifically constructed, manufactured or
48 marketed for the purpose of brewing malt liquor or fermenting or
making wine is guilty of a civil violation.

2. Exception. This section does not apply to a minor's
parent, legal guardian or custodian, as defined in Title 22,
section 4002, who furnishes the equipment to the minor for use in
a supervised manner.

SUMMARY

2
4
6
8
10
12

This bill prohibits the sale or furnishing of equipment that is specifically constructed, manufactured or marketed for the purpose of brewing malt liquor or fermenting or making wine to a person who is under 21 years of age except by a parent, legal guardian or custodian for use in a supervised manner. The bill also prohibits possession of the equipment by a person who is under 21 years of age, unless the person is working in the scope of employment or is in the person's own home under the supervision of a parent, legal guardian or custodian. Both offenses are civil violations.