

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1259

S.P. 422

In Senate, February 16, 1999

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### **An Act to Discourage Consumption of Alcohol by Minors.**

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BENNETT of Oxford.  
Cosponsored by Senator DAGGETT of Kennebec, Representatives: BROOKS of Winterport,  
MADORE of Augusta.

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

Sec. 1. 28-A MRSA §2051, sub-§2, as amended by PL 1997, c. 373, §146, is further amended to read:

2. **Violation.** Any minor who violates this section commits a civil violation for which a forfeiture shall ~~must~~ be adjudged of not less than ~~\$100~~ \$200 nor more than ~~\$300~~ \$400 for the first offense; not less than ~~\$200~~ \$300 nor more than ~~\$500~~ \$600 for the 2nd offense, none of which may be suspended, except as provided in paragraph B; and ~~\$500~~ \$600 for the 3rd and subsequent offenses, none of which may be suspended, except as provided in paragraph B.

A. When a person is adjudged to have committed a first offense under this section, the judge shall inform that person that the forfeitures for the 2nd and subsequent offenses are mandatory and ~~cannot~~ can not be suspended, except as provided in paragraph B. Failure to inform the first offender that subsequent forfeitures are mandatory is not a ground for suspension of any subsequent forfeiture.

B. The judge, as an alternative to or in addition to the civil forfeitures required by this subsection, may assign the minor to perform specified work for the benefit of the State, the municipality or other public entity or charitable institution.

Sec. 2. 28-A MRSA §2053, as amended by PL 1995, c. 65, Pt. A, §§80 and 81 and affected by Pt. A, §153 and Pt. C, §15, is further amended to read:

**§2053. Suspension of minor's operator's license for violations**

1. **Court shall suspend license.** The court shall suspend the operator's license or right to operate, or right to obtain a license, of a minor found in violation of section 2052 as follows:

A. Thirty days for the first offense;

B. Ninety days for the 2nd offense; and

C. One year for any subsequent offense.

The court shall immediately forward the license to the Secretary of State together with the record of adjudication on the form furnished for reporting convictions and adjudications for violations of Title 29-A.

1-A. Suspension of license. The court may suspend the operator's license or right to operate, or right to obtain a license, of a minor found in violation of section 2051 as follows:

A. Thirty days for the first offense;

B. Ninety days for the 2nd offense; and

C. One year for the 3rd or subsequent offense.

3. **Secretary of State shall suspend license.** Immediately upon receipt of the record, the Secretary of State shall suspend the license, or right to operate, or right to obtain a license, of the minor for the required period, without further hearing. The Secretary of State shall also assign demerit points according to Title 29-A, section 2458, subsection 3.

4. **Penalty.** The penalties provided in this section and section 2052 are not in conflict with Title 15, Part 6.

## SUMMARY

This bill amends the laws pertaining to consumption of alcohol by a minor by increasing the forfeiture for violation of the Maine Revised Statutes, Title 28-A, section 2051 from not less than \$100 nor more than \$300 to not less than \$200 nor more than \$400 for the first offense; not less than \$200 nor more than \$500 to not less than \$300 nor more than \$600 for the 2nd offense and from \$500 to \$600 for a 3rd and subsequent offenses. The bill also gives the court authority to suspend a license if a minor violates Title 28-A, section 2051.