

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 514

H.P. 359

House of Representatives, February 12, 2009

An Act To Clarify Criminal Responsibility in the Sale of Alcohol and Tobacco to Minors

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative EDGECOMB of Caribou.

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

Sec. 1. 22 MRSA §1555-B, sub-§8, ¶A-1, as enacted by PL 2003, c. 452, Pt. K, §9 and affected by Pt. X, §2, is amended to read:

A-1. An employer of a person who violates subsection 1, 2, 3 or 4 commits a civil violation for which a fine of not less than \$50 and not more than \$1,500, plus court costs, must be adjudged. The fine may not be suspended.

Sec. 2. 28-A MRSA §2078, sub-§2, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

2. Employee or agent equally guilty. Any agent or other person in the employment of or on the premises of another, who violates or in any manner assists in violating any law relating to liquor, is equally guilty with the principal and is subject to the same penalties, except that the employer of a person who sells liquor to a minor is not responsible for the sale and is not subject to penalties for the sale.

SUMMARY

This bill amends the law to specify that only the person who furnishes tobacco or liquor to a minor is criminally responsible for the act.