

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 481

H.P. 374

House of Representatives, February 10, 2011

**An Act To Make the Cashier or Clerk Who Sells Alcoholic  
Beverages or Tobacco to an Underage Person Responsible for  
Paying the Fine**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative AYOTTE of Caswell.  
Cosponsored by Senator SHERMAN of Aroostook and  
Representatives: CLARK of Easton, CURTIS of Madison, DAVIS of Sangerville,  
EDGECOMB of Caribou, LONG of Sherman.

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

2 **Sec. 1. 22 MRSA §1555-B, sub-§2**, as enacted by PL 1997, c. 305, §5, is  
3 amended to read:

4 **2. Sales to minors prohibited.** A person may not sell, furnish, give away or offer to  
5 sell, furnish or give away a tobacco product to any person under 18 years of age.  
6 Tobacco products may not be sold at retail to any person under 27 years of age unless the  
7 seller first verifies that person's age by means of reliable photographic identification  
8 containing the person's date of birth. An employer of a person who violates this  
9 subsection is not in violation of this subsection if the person violates this subsection  
10 without the knowledge of the person's employer.

11 **Sec. 2. 22 MRSA §1555-B, sub-§8, ¶A-1**, as enacted by PL 2003, c. 452, Pt. K,  
12 §9 and affected by Pt. X, §2, is repealed.

13 **Sec. 3. 28-A MRSA §705, sub-§6** is enacted to read:

14 **6. Persons responsible.** If an employee of a licensee violates subsection 2 or 3  
15 without the knowledge of the licensee, the licensee is not liable for the violation.

16 **SUMMARY**

17 This bill amends the laws concerning sales of tobacco and alcohol to minors by  
18 removing the liability of an employer who did not have knowledge of an employee's  
19 violation.