

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1176

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H.P. 808

House of Representatives, April 1, 2015

**An Act To Prohibit the Sale and Possession of Powdered Alcohol in  
the State**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative DEVIN of Newcastle.  
Cosponsored by Senator CYRWAY of Kennebec and  
Representatives: BEEBE-CENTER of Rockland, DAVITT of Hampden, ESPLING of New  
Gloucester, EVANGELOS of Friendship, McCABE of Skowhegan, POWERS of Naples,  
Senators: BREEN of Cumberland, JOHNSON of Lincoln.

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

2 **Sec. 1. 28-A MRSA §2089** is enacted to read:

3 **§2089. Powdered alcohol**

4 **1. Possession and use prohibited.** A person may not possess or use alcohol in a  
5 powdered or crystalline form.

6 A. A person who violates this subsection commits a civil violation for which a fine  
7 of not less than \$250 and not more than \$500 must be adjudged.

8 B. A person who violates this subsection after having been previously adjudicated as  
9 violating this subsection commits a civil violation for which a fine of not less than  
10 \$500 and not more than \$3,000 must be adjudged.

11 **2. Selling or furnishing prohibited.** A person may not sell, furnish or give away or  
12 offer for sale or offer to furnish or give away alcohol in a powdered or crystalline form.

13 A. A person who violates this subsection commits a civil violation for which a fine  
14 of not less than \$500 and not more than \$1,000 must be adjudged.

15 B. A person who violates this subsection after having been previously adjudicated as  
16 violating this subsection commits a Class E crime for which a fine of not less than  
17 \$1,000 and, notwithstanding Title 17-A, section 1301, not more than \$5,000 must be  
18 imposed. In addition to a fine imposed under this subsection, if the person is a  
19 licensee under chapter 19, 43 or 45, the court may suspend that person's license for up  
20 to one year. A violation under this paragraph is a strict liability crime as defined in  
21 Title 17-A, section 34, subsection 4-A.

22 **SUMMARY**

23 This bill makes the possession, use, sale or furnishing of powdered alcohol a civil  
24 violation and a repeat violation of selling or furnishing powdered alcohol a Class E crime  
25 that, if committed by a person with a license to sell liquor, subjects the person to a  
26 possible suspension of the liquor license for up to one year.