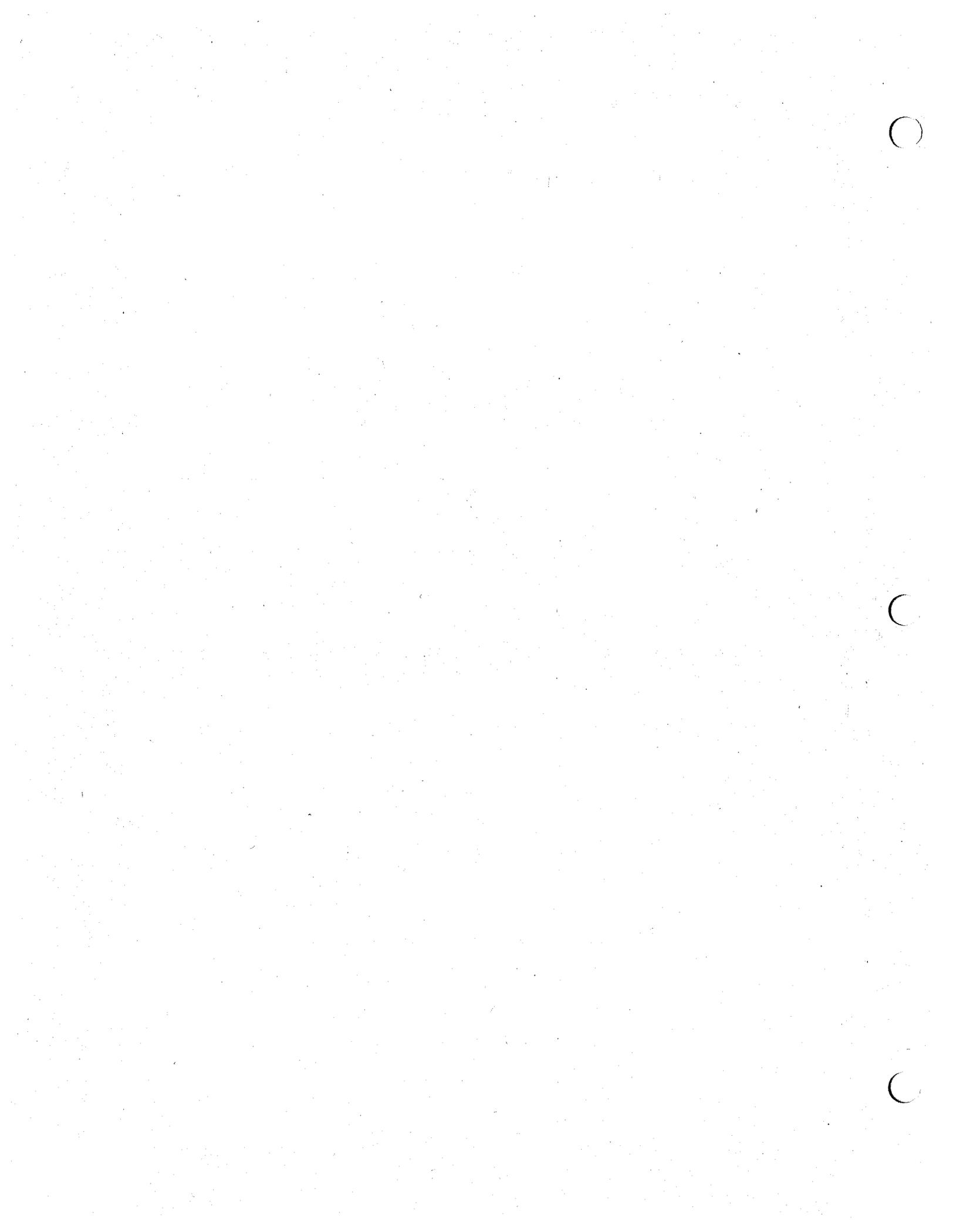


CHAPTER 24

LIQUOR AND DRUG CONTROL



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§1 Sales to Certain Persons Restricted.

Any person under the age of 20 years who purchases any intoxicating liquor or any person under the age of 20 years who consumes any intoxicating liquor or has on his/her person any intoxicating liquor in any on-sale premises, or presents or offers to any licensee, his agent or employee any written or oral evidence of age which is false, fraudulent or not actually his own, for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any intoxicating liquor, or who has intoxicating liquor in his/her employment on any street or highway, or in any public place or in any automobile, shall be punished by a fine of not more than \$100 for the first offense, not less than \$50 nor more than \$100 for the second offense and \$100 for the third and subsequent offenses. If a minor is charged with illegal possession under this section, may not be charged with illegal transportation. No minor shall be charged with more than one offense under this section in any given instance wherein the same set of facts is involved.

§2 Aiding Children in Illegal Possession or Sale.

Any person directly or indirectly, employs or permits any child under the age of 16 years to aid or assist him in the illegal keeping or the illegal sale of liquor shall be punished in addition to the penalties otherwise provided against the illegal keeping for sale of illegal sale of intoxicating liquors, by a fine of not less than \$100 or by imprisonment for not less than 60 days.

§3 Possession of open Liquor.

No person shall have in his possession any open bottle of beer or any container containing intoxicating liquor while in or on any public street or place on Indian Island.

§4 Furnishing Liquor to Certain Persons Prohibited.

Whoever, other than a licensee or his agent within the scope of their employment, knowingly procures or in any way aids or assists in procuring liquor or whoever furnishes, gives or delivers liquor to a minor who may not legally purchase liquor for himself or for any intoxicated person, shall be punished by a fine of not more than \$200 or by imprisonment for not more than six (6) months, or by both. This section shall not apply to liquor served to a minor in a

home in the presence of his parent or guardian.

§5 Illegal Drugs

No illegal drugs or paraphernalia to be permitted on Penobscot Reservation.

§6 Scheduled Drugs Non-member.

Any non-member convicted of sale, possession, or providing of scheduled drugs as described in Tribal Law, Title 17 and 17A, shall be banished from the lands of the Penobscot Nation for life.

§6-A Scheduled Drugs Member.

Any adult member of the Penobscot Nation convicted of sale, or providing scheduled drugs as described in Tribal Law, Title 17 and 17A, as amended, shall appear before the Governor and Council wherein a factual review and determination of such charges will provide for the potential forfeiture of all rights as a member. Such loss may be for ninety (90) days including banishment for that period from Tribal lands for the first offense, six (6) months loss of all rights including banishment from Tribal lands for that period for a second offense, and a term of no less than one (1) year but not to exceed ten (10) years for the third offense. In the event of either permanent disability or loss of life involving another tribal member, the Governor and Council may impose a term not to exceed ten (10) years or for the lifetime of the individual, respectively.

§6-B Banishment.

Loss of rights and banishment shall be carried out by the Tribal Council of the Penobscot Nation.