

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-257)

SENATE AMENDMENT "A " to S. P. 2, L.D. 2, Bill, "AN ACT to Make Drinking in an Unlicensed Public Place a Class E Crime."

Amend the Bill by striking out all of the title and inserting in its place the following:

'AN ACT Concerning Drinking in Public Places.'

Further amend the Bill by inserting before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, drinking in public, especially on public highways, streets and roads, has become^{an} increasing problem in Maine during recent years; and

Whereas, this problem is particularly prevelant during the summer months with the^{large} number of tourists in Maine; and

Whereas, unless legislation is enacted as an emergency to deal with drinking in such places as highways, streets and roads, Maine faces the possibility of increased numbers of traffic accidents and other incidents resulting from public drinking; and

Whereas, in the judgment of the Legislature, these facts create an emergency withint the meaning of the Constitution of Maine and require the following legislation as immediately

necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'17-A MRSA §517 is enacted to read:

§517. Drinking in a public place

1. Any person taking a drink of liquor or offering a drink of liquor to another in a public place is guilty of the crime of drinking in a public place.

2. For the purpose of this section, "public place" shall mean any publicly-owned highway, street, lane or sidewalk.

3. Drinking in a public place is a Class E crime.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

Statement of Fact

This amendment would make drinking on any publicly-owned highway, street, lane or road a Class E crime. It does not repeal the present civil penalties for drinking in unlicensed places.

(Farley)

NAME:

COUNTY: York

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May 30, 1979

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