

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 172

H. P. 146

House of Representatives, January 8, 1981

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McSweeney of Old Orchard Beach.

Cosponsors: Mr. Kerry of York, Mr. Stevenson of Unity and Mr. T. Murphy of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Authorize Municipal Ordinances Preventing Drinking in Public.

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

30 MRSA § 2151, sub-§ 2, ¶ J is enacted to read:

J. Preventing individuals from drinking liquor in public or drinking liquor in or on public places, except places licensed for on-premises sale of liquor. A municipality enacting an ordinance under this paragraph shall provide definitions of the terms “in public” and “public places” and shall provide a specific penalty, in the nature of a fine, for any violation of the ordinance.

STATEMENT OF FACT

This bill clearly authorizes municipalities to enact public drinking ordinances and allows them to define “public” and “public place” differently from the Maine Revised Statutes, Title 17, section 2003. The existence of the Maine Revised Statutes, Title 17, section 2003, has created some confusion about municipal authority in this area.