

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "E" to COMMITTEE AMENDMENT "A" to H.P.  
1201, L.D. 1430, Bill, "AN ACT Reinstating Public Intoxication  
as a Crime."

Amend the Amendment in the 3rd paragraph by striking out  
all of the 3rd underlined sentence and inserting in its place  
the following:

'If after the best efforts of the police or the emergency  
service patrol, these alternatives are found to be unavailable,  
and because of incapacitation by alcohol the person poses a  
substantial threat of physical harm to himself or others, then  
such a person may be detained in a county jail or local lockup  
until he is no longer incapacitated by alcohol or for a period  
of 12 hours from the time he was taken into protective custody,  
whichever time is less. In no event may any person who is  
unconscious be detained in any facility under this section  
until such person has been examined by a licensed physician.'

Statement of Fact

This amendment insures that incapacitated persons will not  
be detained in a jail or municipal lockup except in an emergency  
situation when there is a substantial danger of physical injury  
to the incapacitated persons or others. It also requires  
medical examination if the incapacitated persons are unconscious  
when brought to a facility.

Filed by Mrs. Kany of Waterville.

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the House.

6/27/77