

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-489)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 562, L.D. 709, Bill,
"AN ACT to Prohibit Drinking in Public Under the Criminal Code."

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, sidewalk, park outdoor or/recreation area to which the general public has access.
3. Drinking in a public place is a Class E crime.'

Statement of Fact

This amendment limits the criminal offense of public drinking to publicly owned highways, streets, lanes, sidewalks, parks or outdoor or/recreation areas to which the general public has access. It also does not repeal the present civil penalties for drinking in unlicensed places. The definition of liquor in this provision is meant to be the same as that in the liquor laws, Title 28, section 2, and includes wine, beer or spirits and other alcoholic beverages.