

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-458)
110TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "B" to S.P. 66, L.D. 93, Bill, "AN ACT
to Revise the Public Drinking Law."

Amend the bill by inserting before the enacting clause the
the following:

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

Whereas, the problem of public drinking threatens the well-
being of citizens and visitors of the State primarily during the
summer months; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within 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 in section 2 by inserting after
the amending clause the following:

'§2003-A. Definitions'

Further amend the bill in section 2,
←----- in subsection 1, by striking out all of paragraph C and
inserting in its place the following:

'C. "Open container" means not having a cap, stopper or other cover in place.

D. "Public place" means any area that is used or held out for use by the public, whether or not owned or operated by public or private interests.'

Further amend the bill in section 2,
←———— in subsection 2, in the 4th line (3rd line in L.D.)
by striking out the underlined word "agent" and inserting in its
place the underlined word 'person'

Further amend the bill by inserting at the end before the
statement of fact the following:

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

Statement of Fact

This amendment changes the legislation to an emergency
measure so that, if passed, the law will be in effect during
the summer months this year when the problems in this area occur.
Without emergency treatment, the bill will have little effect
for an additional year.

The amendment also assures that transportation of unsealed
but closed containers will not constitute a violation.

Finally, the amendment brings the language of Title 17, section 2003-A, subsection 2, into line with the definitions. The amendment also substitutes the word "person" for "agent."

Filed by Mr. Murphy of Kennebunk.
Reproduced and distributed under the direction of the Clerk
of the House.

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