

# MAINE STATE LEGISLATURE

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1 L.D. 1912

2 STATE OF MAINE  
3 HOUSE OF REPRESENTATIVES (Filing No. H-616)  
4 110TH LEGISLATURE  
5 SECOND REGULAR SESSION

6 COMMITTEE AMENDMENT "A" to H.P. 1929, L.D. 1912,  
7 Bill, "AN ACT to Prohibit Public Drinking on School Premises  
8 Without Requiring Prior Warning by a Law Enforcement Offi-  
9 cer."

10 Amend the Bill by striking out everything after the  
11 enacting clause and inserting in its place the following:

12 'Sec. 1. 17 MRSA §2003-A, sub-§2-A is enacted to read:

13 2-A. Public drinking on school premises;  
14 crime. Public drinking on school premises is a Class E  
15 crime. A person is guilty of public drinking on school  
16 premises if he drinks liquor on the premises of a public  
17 school knowing that he is not licensed or privileged to do  
18 so, unless he has been given permission to do so by an  
19 authorized person. For purposes of this subsection:

20 A. "Authorized person" means a person designated by  
21 the governing legislative body to give permission to  
22 drink on school premises or, if no provision is made  
23 regarding such permission, the superintendent, acting  
24 with the approval of the school board; and

25 B. "Public school" means a public elementary or  
26 secondary school.

27 Sec. 2. Application. Nothing in this Act is intended  
28 to abrogate or preempt provisions of state or local law gov-  
29 erning the licensing of liquor distribution on school prem-  
30 ises or prohibiting or regulating the possession of alco-  
31 holic beverages on school premises.'

32 STATEMENT OF FACT

33 This amendment clarifies the bill to assure the follow-  
34 ing:

1 COMMITTEE AMENDMENT "A" to H.P. 1929, L.D. 1912

2 1. Local legislative bodies may continue to determine  
3 the policy, licensing and permission issues of drinking on  
4 school premises. Thus, if the local policy is to prohibit  
5 the presence of any intoxicating beverages on school  
6 grounds, this amendment makes clear that the superintendent  
7 would not be authorized by this law to override the policy  
8 of the city council or other legislative body; and

9 2. The only schools covered are those up to grade 12;  
10 the same provision would not apply, for example, to Univer-  
11 sity of Maine campuses.

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Reported by the Minority of the Committee on Legal Affairs.  
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of the House.

2/26/82

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