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Date: (Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 415, L.D. 1046, “An Act to Decriminalize Public Drinking”

Amend the bill by striking out the title and substituting the following:

'An Act to Remove Penalties for Public Drinking'

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 17 MRSA §2005, sub-§1, ¶C, as enacted by PL 1997, c. 756, §1, is amended to read:

C. "Public place" ~~has the same meaning as provided in section 2003-A, subsection 1, paragraph D.~~ means:

- (1) A place owned or operated by a governmental entity to which the public at large or a substantial group has access, including but not limited to:
 - (a) Public ways as defined in Title 17-A, section 505, subsection 2;
 - (b) Schools and government-owned custodial facilities;
 - (c) The lobbies, hallways, lavatories, toilets and basement portions of apartment houses, hotels, public buildings and transportation terminals; and
 - (d) Public beaches; and
- (2) Private ways and parking areas physically adjacent to public ways and designed primarily for vehicular traffic.'

Amend the bill in section 4 in subsection 3 in the 7th and 8th lines (page 1, lines 25 and 26 in L.D.) by striking out the following: "~~Title 17, section 2003-A 2090, subsection 1, paragraph D~~" and inserting the following: "~~Title 17, section 2003-A~~ Title 17, section 2005, subsection 1, paragraph C"

Amend the bill by striking out all of section 5 and inserting the following:

'Sec. 5. 28-A MRSA §11, sub-§2, as amended by PL 2021, c. 658, §48, is repealed.'

COMMITTEE AMENDMENT

1 Amend the bill by striking out all of section 6.

2 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
3 number to read consecutively.

4 **SUMMARY**

5 This amendment is the minority report of the committee. The amendment removes the
6 provision that makes public drinking a civil violation. The amendment includes additional
7 related technical changes to a number of sections of law and changes the title.

8 **FISCAL NOTE REQUIRED**

9 **(See attached)**