

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
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3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
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5 Legislative Document

No. 1491

6  
7 S.P. 492

In Senate, April 15, 1983

8 Submitted by the Department of Business Regulation pursuant to Joint  
9 Rule 24.

10 On Motion of Senator Carpenter of Aroostook, referred to the  
Committee on Judiciary. Sent down for concurrence and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Perkins of Hancock.

11 Cosponsors: Representative Carroll of Gray and Representative Richard  
of Madison.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT Relating to Forged or Illegal  
18 Prescriptions.  
19

20 Be it enacted by the People of the State of Maine as  
21 follows:

22 17-A MRSA §1108, sub-§4, as enacted by PL 1979,  
23 c. 512, §33, is amended to read:

24 4. Acquiring drugs by deception is:

25 A. A Class C crime if the drug is a schedule W,  
26 X or Y drug; or

27 B. A Class D crime if the drug is a schedule X,  
28 Y or Z drug.

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STATEMENT OF FACT

Pharmacists in this State have recently seen an increase in the number of forged or illegal prescriptions presented to them to be filled. A variety of mechanisms are used in an attempt to obtain schedule drugs from pharmacists, including use of forged or stolen prescription blanks and schemes which utilize pay phone numbers to receive the pharmacist's confirming call. Since these activities are covered by existing criminal statutes, most importantly the acquiring drugs by deception offenses covered by Title 17-A, section 1108, stronger penalties for these offenses would heighten the deterrence of these crimes. This bill raises the acquiring of schedule X or Y drugs from a Class D crime to a Class C crime, as already provided for schedule W drugs.

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