MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1997

CHAPTER 481

H.P. 749 - L.D. 1026

An Act to Reduce the Presumptive Amount for Trafficking in Marijuana from 2 Pounds to One Pound

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

Sec. 1. 17-A MRSA §1101, sub-§17, ¶D, as amended by PL 1977, c. 647, §1, is further amended to read:

D. To possess with the intent to do any act mentioned in paragraph C~~, except that possession of 2 pounds or less of marijuana with such intent shall be deemed furnishing~~.

Sec. 2. 17-A MRSA §1103, sub-§2, ¶B, as amended by PL 1989, c. 850, §3, is further amended to read:

B. A Class C crime if the drug is a schedule X drug, if it is marijuana in a quantity of more than ~~2 pounds~~ one pound or if it is marijuana and the person grows or cultivates 100 or more plants; or

Sec. 3. 17-A MRSA §1103, sub-§3, ¶A, as enacted by PL 1989, c. 924, §8, is amended to read:

A. More than ~~2 pounds~~ one pound of marijuana;

See title page for effective date.

CHAPTER 482

H.P. 480 - L.D. 651

An Act to Expand the Definition of "Aggravated Criminal Mischief" to Make It a Class C Crime to Damage Property by Fire

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

Sec. 1. 17-A MRSA §805, sub-§1, ¶C, as amended by PL 1995, c. 434, §1, is further amended to read:

C. Damages, destroys or tampers with the property of a law enforcement agency, fire department or supplier of gas, electric, steam, water, transportation, sanitation or communication services to the public, having no reasonable ground to believe that the person has a right to do so, and thereby causes a substantial interruption or impairment of service rendered to the public; ~~or~~

Sec. 2. 17-A MRSA §805, sub-§1, ¶D, as enacted by PL 1975, c. 499, §1, is amended to read:

D. Damages, destroys or tampers with property of another and thereby recklessly endangers human life~~.~~; or

Sec. 3. 17-A MRSA §805, sub-§1, ¶E is enacted to read:

E. Damages or destroys property of another by fire, having no reasonable ground to believe that the person has a right to do so, and the property damaged or destroyed is neither a dwelling place as defined in section 2, subsection 10 nor a structure as defined in section 2, subsection 24.

See title page for effective date.

CHAPTER 483

H.P. 953 - L.D. 1316

An Act to Remove Restrictions on Items that May Be Auctioned by Public Broadcasting Stations

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

Sec. 1. 28-A MRSA §708-B is enacted to read:

§708-B. Donations to public broadcasting stations

Notwithstanding any other provisions of law, a person licensed in the State as a brewery, winery or wholesaler may donate a gift certificate to purchase its product to a public broadcasting station for the purpose of an auction. Any donation is subject to the following:

1. Bureau notified. The bureau must be notified in writing of any donation to a public broadcasting station by a brewery, winery or wholesaler. The notification must include a description of the donation, the estimated value of the donation and the date on which the donation was made; and

2. Proof of age required. A public broadcasting station must ensure that the recipient of the donated item is 21 years of age or older.

See title page for effective date.