

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
105TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT " A" to H. P. 1582, L. D. 2040, Bill, "AN ACT
Relating to Penalty for Sale of Certain Drugs."

Amend said Bill by striking out all of section 3 and inserting
in place thereof the following:

'Sec. 3. R. S., T. 22, §2212-C, amended. Section 2212-C of
Title 22 of the Revised Statutes, as enacted by section 3 of chapter
487 of the public laws of 1971, is amended to read as follows:

§2212-C. Selling of certain hallucinogenic drugs

Whoever, except the laboratory of the Department of Health
and Welfare, ~~sells~~, exchanges, delivers, barter, gives or furnishes
any of the substances listed in section 2212-B shall upon conviction
thereof be punished by a fine of not more than \$3,000 or by imprisonment
for not more than 10 years, or by both for the first offense; and for
a 2nd or subsequent offense, by imprisonment for not less than 2
years nor more than 10 years for which the imposition or execution of
such sentence shall not be suspended and probation shall not be
granted.

Sec. 4. R. S., T. 22, §2212-E, additional. Title 22 of
the Revised Statutes is amended by adding a new section 2212-E to
read as follows:

§2212-E. Selling of certain hallucinogenic drugs

Whoever, except the laboratory of the Department of Health and
Welfare, sells any of the substances listed in section 2212-B shall
upon conviction thereof be punished by not less than one nor more

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than 5 years imprisonment and by a fine of not more than \$1,000 for the first offense; and for a 2nd offense by not less than 5 nor more than 10 years imprisonment and by a fine of not more than \$5,000; and for a 3rd or subsequent offense by not less than 10 nor more than 40 years imprisonment and by a fine of not more than \$10,000. The imposition or execution of sentences for conviction of violation of this section shall not be suspended and probation shall not be granted.'

Further amend said Bill by renumbering sections 4 to 6 to be sections 5 to 7.

Statement of Fact

The purpose of this amendment is to make the penalty for sale of hallucinogenic mandatory imprisonment.

Filed by Mr. Jalbert of Lewiston.

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