

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
105TH LEGISLATURE
FIRST SPECIAL SESSION

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

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'R.S., T. 22, § 2380-A, additional. Title 22 of the Revised Statutes is amended by adding a new section 2380-A, to read as follows:

§ 2380-A. Penalty; criminal enterprise

Any person engaging in a criminal enterprise who violates any provision of sections 2210, 2212-C or 2362 shall be punished by imprisonment for not less than one nor more than 10 years and by a fine of not more than \$1,000 for the first offense, and for a 2nd offense shall be punished by not less than 5 nor more than 20 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 violations of the aforementioned sections by a person engaging in a criminal enterprise shall not be suspended and probation shall not be granted. For purposes of this section, a person is engaging in "a criminal enterprise" if he violates any provision of the aforementioned sections and such violation is undertaken by such person in concert with one or more other persons with respect to whom such person occupies a position of management and from which such person obtains income or resources.'

(Filing No. S-381)

Statement of Fact

This amendment provides penalties for engaging in a criminal enterprise for sale or use of drugs.

Proposed by Senator:



(Clifford)

NAME:

COUNTY: Androscoggin

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3/1/72

(Filing No. S-301)