

MAINE STATE LEGISLATURE

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New Draft of: H. P. 682, L. D. 889

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1989

H. P. 1556

House of Representatives, May 31, 1973

Reported by Mr. McKernan from Committee on Judiciary and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Provide Penalties for Sale of Counterfeit Substances which are not Drugs.

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

R. S., T. 22, § 2387, additional. Title 22 of the Revised Statutes is amended by adding a new section 2387 to read as follows:

§ 2387. Counterfeit substances

1. Definition. "Counterfeit substance" means a substance which is represented to be a particular controlled drug or substance under federal or state law, but which is in fact not that drug or substance.

2. Sale. Whoever sells, exchanges, delivers, barters, gives or furnishes a counterfeit substance to any person shall upon conviction thereof be punished by a fine of not more than \$1,000 or by imprisonment for not more than 5 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 not be granted.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.