

MAINE STATE LEGISLATURE

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L.D. 2080

(Filing No. H-1048)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A " to H.P. 1999, L.D. 2080, Bill,
"AN ACT to Make Trafficking in Five Pounds or More of Marijuana
a Class C Crime under the Maine Criminal Code."

Amend the Bill by striking out all of the title and
inserting in its place the following:

'AN ACT Relating to Trafficking and Importing of Marijuana.'

Further amend the Bill by striking out everything after
the enacting clause and inserting in its place the following:

'Sec. 1. 17-A MRSA §1101, sub-§17, ¶D, as enacted by
PL 1975, c. 499, §1, is 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, ¶¶A and B, as enacted
by PL 1975, c. 499, §1, are amended to read:

A. A Class B crime if the drug is a schedule W drug
if
or/it is marijuana in a quantity of 1,000 pounds or more;

B. A Class C crime if the drug is a schedule X drug
if
or/it is marijuana in a quantity of more than 2 pounds; or

Sec. 3. 17-A MRSA §1103, sub-§3 is enacted to read:

3. A person shall be presumed to be unlawfully trafficking in scheduled drugs if he intentionally or knowingly possesses more than 2 pounds of marijuana.'

Statement of Fact

The purpose of this amendment is to lower the amount of marijuana that is necessary to raise a presumption of trafficking from 5 pounds to 2 pounds. The amendment also establishes a higher penalty for trafficking in marijuana in a quantity of 1,000 pounds or more.

Reported by the Committee on Judiciary.

Reproduced and distributed under the direction of the Clerk of the House.
2/16/78

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