

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1080

H. P. 914

House of Representatives, March 2, 1981

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative MacBride of Presque Isle.

Cosponsor: Representative Aloupis of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Increase the Penalties for Drug Trafficking.

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

17-A MRSA § 1252, sub-§ 5-A is enacted to read:

5-A. Notwithstanding any other provision of this code, if the State pleads and proves that a crime was committed under section 1103, 1104, 1105 or 1106, the minimum sentence of imprisonment, which shall not be suspended, shall be as follows: When the sentencing class for such crime is Class A, the minimum term of imprisonment shall be 4 years; when the sentencing class for such crime is Class B, the minimum term of imprisonment shall be 2 years; when the sentencing class for such crime is Class C, the minimum term of imprisonment shall be one year; and when the sentencing class for such crime is Class D, the minimum term of imprisonment shall be 2 months.

STATEMENT OF FACT

The intent of this bill is to increase the penalties for trafficking in or furnishing drugs, thereby creating a greater deterrence to engaging in these criminal acts. The bill provides that a person convicted of unlawful trafficking in scheduled drugs under Title 17-A, section 1103, of trafficking in or furnishing counterfeit drugs under Title 17-A, section 1104, of aggravated trafficking or furnishing

scheduled drugs under Title 17-A, section 1105, or of unlawfully furnishing scheduled drugs under Title 17-A, section 1106, will receive a mandatory minimum sentence of imprisonment.