

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 130

6
7 H.P. 122

House of Representatives, January 10, 1983

8 Reference to the Committee on Judiciary. Sent up for concurrence and
9 ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Smith of Island Falls.

Cosponsors: Representative Joyce of Portland, Senator Carpenter of
Aroostook and Representative Michaud of E. Millinocket.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Require Mandatory Jail
18 Sentences for Trafficking or
19 Furnishing Drugs.
20

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

23 Sec. 1. 17-A MRSA §1103, sub-§2, as amended by
24 PL 1977, c. 647, §2, is further amended to read:

25 2. Violation of this section is:

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

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

1 C. A Class D crime if the drug is a schedule Y
2 or schedule Z drug.

3 A person found guilty of violating this section shall
4 be sentenced, at a minimum, to a mandatory,
5 nonsuspendible jail term of 10 days.

6 Sec. 2. 17-A MRSA §1104, sub-§3 is enacted to
7 read:

8 3. A person found guilty of violating this
9 section shall be sentenced, at a minimum, to a manda-
10 tory, nonsuspendible jail term of 10 days.

11 Sec. 3. 17-A MRSA §1106, sub-§2, as enacted by
12 PL 1975, c. 499, §1, is amended to read:

13 2. Violation of this section is:

14 A. A Class C crime if the drug is a schedule W
15 drug; or

16 B. A Class D crime if the drug is a schedule X,
17 Y or Z drug.

18 A person found guilty of violating this section shall
19 be sentenced, at a minimum, to a mandatory,
20 nonsuspendible jail term of 10 days.

21 Sec. 4. 17-A MRSA §1110, sub-§3 is enacted to
22 read:

23 3. A person found guilty of violating this
24 section shall be sentenced, at a minimum, to a manda-
25 tory, nonsuspendible jail term of 10 days.

26 Sec. 5. 17-A §1111-A, sub-§8, as enacted by PL
27 1981, c. 266, is amended to read:

28 8. Violation of subsection 5 or 6 is a Class E
29 crime, except that, if the actor trafficks or fur-
30 nishes drug paraphernalia to a child under 16 years
31 of age, it is a Class D crime. A person found guilty
32 of violating this section shall be sentenced, at a
33 minimum, to a mandatory, nonsuspendible jail term of
34 10 days.

