

MAINE STATE LEGISLATURE

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(New Draft of H.P. 122, L.D. 130)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 929

H.P. 742

House of Representatives, March 1, 1983

Reported by the Minority from the Committee on Judiciary and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT to Require Mandatory Jail
Sentences for Trafficking or
Furnishing Drugs.

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. A person convicted of violating sections 1103; 1104; 1105; 1106; 1110; 1111-A, subsections 5 and 6; or 1116 shall be sentenced to a minimum term of imprisonment of 10 days, which shall not be suspended.

1 STATEMENT OF FACT

2 The intent of this new draft is to place the
3 mandatory minimum prison sentences created by the
4 bill for furnishing or trafficking in drugs in the
5 appropriate place in the Maine Criminal Code. The
6 original bill placed the sentencing requirements in
7 sections of the code creating the substantive crimes.
8 This new draft adds the 10-day minimum sentence for
9 drug traffickers or furnishes to the sentencing
10 provisions of the Maine Criminal Code.

11 The new draft makes one addition to the list of
12 crimes in the original bill for which a mandatory
13 minimum sentence is established. The original bill
14 did not include Title 17-A, section 1105 as a crime
15 for which a minimum sentence would be required on
16 conviction. Title 17-A, section 1105, proscribing
17 aggravated trafficking or furnishing drugs, should be
18 included, and is in this new draft.

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