

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1112

H.P. 821 House of Representatives, April 7, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative MELENDY of Rockland.
Cosponsored by Representatives COTE of Auburn, ALLEN of
Washington, and HOGLUND of Portland.

STATE OF MAINE

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

AN ACT Relating to the Narcotics Laws.

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

Sec. 1. 17-A MRSA §1103, sub-§3, as amended by
PL 1979, c. 127, §128, is further amended 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
or one ounce or more of cocaine.

Sec. 2. 17-A MRSA §1103, sub-§4 is enacted to
read:

4. As used in this section, "cocaine" means co-
caine or any salt, compound, isomer, derivative or

1 preparation which is chemically equivalent or identi-
2 cal to any of these substances and any active or in-
3 active ingredient used as a diluent.

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

6 3. A person shall be presumed to be unlawfully
7 furnishing a scheduled drug if he intentionally or
8 knowingly possesses more than 1 1/2 ounces of mari-
9 juana or 1/2 ounce or more of cocaine.

10 Sec. 4. 17-A MRSA §1106, sub-§4 is enacted to
11 read:

12 4. As used in this section, "cocaine" shall have
13 the same meaning as defined in section 1103, subsec-
14 tion 4.

15 STATEMENT OF FACT

16 The purpose of this bill is to make it a presump-
17 tion that a person who possesses one ounce or more of
18 cocaine is unlawfully trafficking in scheduled drugs
19 and that a person who possesses 1/2 ounce or more of
20 cocaine is unlawfully furnishing scheduled drugs.

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