

# MAINE STATE LEGISLATURE

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L.D. 1116  
(Filing No. H-324)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 804, L.D. 1116, Bill, "An Act to Increase the Penalty for Drug Crimes Committed while in Possession of a Firearm"

Amend the bill in section 2 by striking out all of paragraph C and inserting in its place the following:

'C. A person violates section 1103, 1104 or 1105, and, at the time of the offense, the person uses, carries, possesses or is armed with a firearm.'

**STATEMENT OF FACT**

This amendment provides that a person who is armed with a firearm while committing a specified drug crime commits a crime one class higher than the drug crime itself, thereby increasing the possible penalties. Although the terms "uses," "carries" and "possesses" included in the bill cover a person who is armed with a firearm, "armed with" is a defined term in the Maine Criminal Code. "Carries" is used in the federal law and the federal case law is available to help interpret that term.

Reported by the Committee on Judiciary  
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