MAINE STATE LEGISLATURE

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1	L.D. 1290
3	(Filing No. H- 339)
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7	STATE OF MAINE HOUSE OF REPRESENTATIVES
9	114TH LEGISLATURE FIRST REGULAR SESSION
11	1
13	COMMITTEE AMENDMENT "A" to H.P. 924, L.D. 1290, Bill, "Ar Act to Increase the Punishment for Trafficking in Cocaine"
15	·
17	Amend the bill by striking out all of the title and inserting in its place the following:
19	'An Act to Increase the Punishment for Trafficking in and Possession of Cocaine'
21	in and rossession of cocaine
23	Further amend the bill in section 2 by striking out all of paragraph C (page 1, lines 23 to 27 in L.D.) and inserting in its place the following:
25	'C. A person violates section 1103 or 1106, and, at the
27	time of the offense, the person trafficks in or furnishes cocaine in a quantity of 112 grams or more.
29	
31	Further amend the bill by inserting at the end before the statement of fact the following:
33	Sec. 3. 17-A MRSA §1107, sub-§2, ¶¶B and C, as repealed and replaced by PL 1977, c. 649, §6, are amended to read:
35	•
37	B. A Class D crime if the drug is a schedule W drug other than heroin (diacetylmorphine) or a schedule X drug; ex
39	C. A Class E crime if the drug is a schedule Y drug+; or
41	Sec. 4. 17-A MRSA §1107, sub-§2, ¶D is enacted to read:
43	D. A Class B crime if the drug is cocaine and the quantity possessed is more than 14 grams.
45	

COMMITTEE AMENDMENT "H" to H.P. 924, L.D. 1290

1	Sec. 5. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.
3	1989-90 1990-91
5	
7	JUDICIAL DEPARTMENT
9	Courts - Supreme, Superior, District and Administrative
11	All Other \$8,462 \$11,243
13	Provides additional funds for anticipated lengthy trials
15	for juror fees, juror travel
17	reimbursement and court security costs.'
19	
21	STATEMENT OF FACT
23	This amendment reduces the amount of cocaine necessary for
25	aggravated trafficking from 500 grams, as proposed by the bill, to 112 grams. The lower amount was chosen because it is 4 times
27	the amount of cocaine necessary to allow a presumption of trafficking and 4 times the amount for a Class B possession, as
29	added by section 4 of this amemdment.
31	Section 4 provides for increased punishment for a larger amount of cocaine possessed. A Class B possession of cocaine is based on 14 grams of cocaine, the same amount as the presumptive
33	level for trafficking and proposed by Legislative Document 1046.
35	Section 5 adds an appropriation to the courts.
ed by	the Committee on Indiciary

Reported by the Committee on Judiciary
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