

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2231

H.P. 1614

House of Representatives, January 25, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

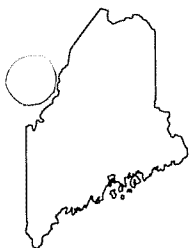
Presented by Representative BOUTILIER of Lewiston.

Cosponsored by Senator MATTHEWS of Kennebec, Representative PRIEST of Brunswick and Representative JALBERT of Lisbon.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Strengthen the Drug Laws.



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

17-A MRSA §§1117 to 1119 are enacted to read:

§1117. Revocation of driver's license; fine

In addition to any disposition authorized by this chapter, every person convicted of possession of more than one ounce of marijuana, any amount of cocaine or any amount of any other scheduled drugs or imitation scheduled drugs must be fined \$50 and forfeits the right to operate a motor vehicle over the public ways of this State for a period of one year. In addition to any disposition authorized by this chapter, every person convicted of trafficking in more than one ounce of marijuana, any amount of cocaine or any amount of any other scheduled drugs or imitation scheduled drugs must be fined \$100 and forfeits the right to operate a motor vehicle over the public ways of this State for a period of one year. If a person does not possess a valid driver's license at the time of the imposition of sentence, the suspension of driving privileges authorized in this section does not begin until the defendant has obtained a valid driver's license. The court before which any person is convicted or adjudicated of any violation defined in this section shall cause a report of the conviction or adjudication to be filed with the Secretary of State.

§1118. Professional licensees' possession of drugs; probation; fine

In addition to any disposition authorized by this chapter, any person who is licensed, registered or certified under any bureau, board or commission within the Department of Professional and Financial Regulation as set out in Title 10, section 8001, or affiliated with the department as set out in section 8001-A, and is convicted of possession of more than one ounce of marijuana, any amount of cocaine or any scheduled drugs or imitation drugs must be sentenced to probation for one year and must be fined \$100.

The court before which any person is convicted or adjudicated of any violation defined in this section shall cause a report of the conviction or adjudication to be filed with the Department of Professional and Financial Regulation.

§1119. Revocation of professional license; trafficking in drugs; fine

In addition to any disposition authorized by this chapter, any person who is licensed, registered or certified under any bureau, board or commission within the Department of Professional and Financial Regulation as set out in Title 10, section 8001, or affiliated with the department as set out in section 8001-A, and

2 is convicted of unlawful trafficking under section 1103,
3 subsection 2, paragraph A or B, must be sentenced to one of the
4 following:

5 1. Probation for one year and a \$100 fine if a first
6 conviction; or

7 2. Revocation of the person's professional license and a
8 \$500 fine if a 2nd conviction.

9 The court before which any person is convicted or
10 adjudicated of any violation defined in this section shall cause
11 a report of the conviction or adjudication to be filed with the
12 Department of Professional and Financial Regulation.

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17 **STATEMENT OF FACT**

18
19 This bill requires that persons who are convicted of
20 possession of or trafficking in more than one ounce of marijuana,
21 any amount of cocaine or scheduled drugs or imitation scheduled
22 drugs be fined and have their driver's licenses revoked.

23
24 This bill also requires that persons who are licensed by the
25 Department of Professional and Financial Regulation and are
26 convicted of possession of or trafficking in certain drugs be
27 fined, and be placed on probation or lose their professional
28 licenses for one year.