

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1754

H.P. 1198

House of Representatives, May 1, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

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

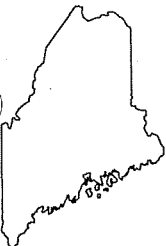
EDWIN H. PERT, Clerk

Presented by Representative LEMKE of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Increase the Penalties for Trafficking in or Furnishing
Scheduled Drugs.**



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

2
4 Sec. 1. 17-A MRSA §1105, sub-§1, ¶E, as amended by PL 1989, c. 924, §10, is further amended to read:

6 E. A person violates section 1103, and, at the time of the
8 offense, the person is on a school bus or on or within 1,000
10 feet of the real property comprising a private or public
12 elementary or secondary school. For purposes of this
paragraph, "school bus" has the same meaning as set forth in
Title 29, section 2011, subsection 2; ~~ex~~

14 Sec. 2. 17-A MRSA §1105, sub-§1, ¶F, as enacted by PL 1989, c. 924, §11, is amended to read:

16 F. A person violates section 1103, and, at the time of the
18 offense, the person enlists or solicits the aid of or
20 conspires with a child who is, in fact, under 18 years of
age, to traffick in or furnish any scheduled drug; or

22 Sec. 3. 17-A MRSA §1105, sub-§1, ¶G is enacted to read:

24 G. A person violates section 1103 or section 1106 and, at
26 the time of the offense, the person is on or within 1,000
28 feet of the real property comprising public housing. For
30 purposes of this paragraph, "public housing" means housing,
32 except for single-family detached residences, that is
34 constructed, in whole or in part, with state or federal
36 funds.

32 STATEMENT OF FACT

34 This bill provides that a person who unlawfully trafficks in
36 or who unlawfully furnishes scheduled drugs on or within 1,000
38 feet of public housing is guilty of aggravated trafficking or
furnishing scheduled drugs. Aggravated trafficking or furnishing
40 scheduled drugs is a crime one class more serious than
trafficking or furnishing would be otherwise.