

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 988

H.P. 729

House of Representatives, March 22, 1993

An Act to Prohibit Persons from Allowing Youths to Use Illegal Drugs.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SWAZEY of Bucksport.
Cosponsored by Senator ESTY of Cumberland and
Representatives: CATHCART of Orono, COTE of Auburn, FAIRCLOTH of Bangor, JACQUES
of Waterville, KERR of Old Orchard Beach, LEMKE of Westbrook, OTT of York, PINEAU of
Jay, STEVENS of Sabattus, WALKER of Blue Hill.

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, Pt. A, §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
14 paragraph, "school bus" has the same meaning as set forth in
16 Title 29, section 2011, subsection 2; ~~or~~

18 **Sec. 2. 17-A MRSA §1105, sub-§1, ¶F**, as enacted by PL 1989, c.
20 924, §11, is amended to read:

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

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

32 G. In violation of section 1103, 1104 or 1106, the person
34 allows a minor in a place under that person's control to
36 consume scheduled drugs or counterfeit scheduled drugs.

38 **Sec. 4. 17-A MRSA §1105, sub-§2**, as enacted by PL 1975, c.
40 499, §1, is amended to read:

42 2. Aggravated trafficking or furnishing is a crime one
44 class more serious than such trafficking or furnishing would
46 otherwise be, except that violation of subsection one, paragraph
48 G is a Class E crime.

Sec. 5. 17-A MRSA §1116, sub-§2, as enacted by PL 1981, c.
603, §2, is amended to read:

 2. A person ~~shall-be~~ is presumed to be trafficking in or
furnishing imitation scheduled drugs if he that person
intentionally or knowingly possesses 100 or more tablets,
capsules or other dosage units of imitation scheduled drugs.

Sec. 6. 17-A MRSA §1116, sub-§2-A is enacted to read:

2-A. A person is presumed to be trafficking in or
furnishing imitation scheduled drugs if that person allows a
minor to use imitation scheduled drugs in a place under that
person's control.

