MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 351

H.P. 287

House of Representatives, January 23, 1997

An Act to Decrease Infectious Disease Transmission.

Reference to the Committee on Judiciary suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Portland. Cosponsored by Senator PARADIS of Aroostook and

Representatives: BROOKS of Winterport, BRUNO of Raymond, BUNKER of Kossuth

Township, LOVETT of Scarborough, POVICH of Ellsworth, QUINT of Portland,

THOMPSON of Naples, Senator: BENOIT of Franklin.

4	Sec. 1. 17-A MRSA §1110, as amended by PL 1989, c. 384, \S 5, is further amended to read:
6	§1110. Trafficking in or furnishing hypodermic apparatuses
8	1. A person is guilty of trafficking in or furnishing hypodermic apparatuses if he the person intentionally or
10	knowingly trafficks in or furnishes a hypodermic apparatus, unless the conduct which that constitutes such trafficking or
12	furnishing is either:
14	A. Expressly authorized by Title 22 or Title 32; er
16	B. Expressly made a civil violation by Title 22+; or
18	C. Authorized by the Bureau of Health, pursuant to a certified public health needle exchange program.
20	2. Trafficking in hypodermic apparatuses is a Class C
22	crime. Furnishing hypodermic apparatuses is a Class D crime.
24	Sec. 2. 17-A MRSA §1111, as amended by PL 1989, c. 384, $\S6$, is further amended to read:
2628	§1111. Possession of hypodermic apparatuses
30	1. A person is guilty of possession of hypodermic apparatuses if he the person intentionally or knowingly furnishes or possesses a 11 or more hypodermic apparatuse apparatuses,
32	unless the conduct which that constitutes such possession is either:
3.4	A. Expressly authorized by Title 22 or Title 32; or
36	B. Expressly made a civil violation by Title 22.
40	2. Pessessiem <u>Illegal possession</u> of hypodermic apparatuses is a Class D crime.
42	SUMMARY
44	This bill removes criminal penalties for the furnishing or
46	possession of 10 or fewer hypodermic apparatuses and for the furnishing of any number of hypodermic apparatuses as a component
48	of a Bureau of Health-certified needle exchange program. The

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

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Hepatitis C and other infectious diseases that occurs through the shared use of hypodermic syringes.