

MAINE STATE LEGISLATURE

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M
R.S.

L.D. 1789

DATE: 5-17-97

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CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1262, L.D. 1789, Bill, "An Act Regarding Illegal Transportation of Drugs by a Minor"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 22 MRSA §2389 is enacted to read:

§2389. Illegal transportation of drugs by minor

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Drug" means a schedule W, X, Y or Z drug as defined in Title 17-A, section 1102.

B. "Minor" means a person who has not attained 21 years of age.

2. Minor may not transport drugs. A minor may not knowingly transport or knowingly permit to be transported a drug in a motor vehicle under the minor's control unless possession of the drug is expressly authorized by this Title or Title 32.

3. Violation. A minor who violates this section commits a civil violation for which a forfeiture of not more than \$500 may be adjudged. A forfeiture of not less than \$200 must be adjudged for a 2nd offense and a forfeiture of not less than \$400 must be adjudged for a 3rd or subsequent offense, none of which may be suspended.

COMMITTEE AMENDMENT

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SUMMARY

The amendment replaces the bill.

The amendment creates the civil violation of transporting scheduled drugs, including marijuana, by a person who is under 21 years of age. A person who violates this section must be adjudged a forfeiture of no more than \$500 and no less than \$200 for a 2nd offense and no less than \$400 for a 3rd or subsequent offense. The court shall also suspend the operator's license of a person who violates this section.

A person charged under this section may not also be charged with trafficking, furnishing or possession of scheduled drugs pursuant to the Maine Revised Statutes, Title 17-A, chapter 45 or Title 22, section 2383.

The amendment also adds a fiscal note.