

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1632

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S.P. 565

In Senate, March 3, 1999

**An Act to Increase Penalties for Certain Drug-related Crimes Committed  
In or Near Low-income Housing.**

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Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.

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

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**Sec. 1. 17-A MRSA §1105, sub-§1, ¶E,** as amended by PL 1995, c. 65, Pt. A, §58 and affected by §153 and Pt. C, §15, is further amended to read:

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E. A person violates section 1103, and, at the time of the offense, the person is on a school bus or on or within 1,000 feet of the real property comprising a private or public elementary or secondary school. For purposes of this paragraph, "school bus" has the same meaning as set forth in Title 29-A, section 2301, subsection 5; ~~er~~

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

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

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

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G. A person violates section 1103 and, at the time of the offense, the person is on or within 1,000 feet of the real property of low-income housing as defined by the United States Housing Act of 1937, 42 United States Code, Section 1437a (b)(1)(1994).

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**SUMMARY**

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This bill amends the Maine Criminal Code to provide that conduct that ordinarily would subject the actor to penalties for unlawful trafficking in scheduled drugs subjects that actor to the higher penalties for aggravated trafficking or furnishing scheduled drugs if conducted on or within 1,000 feet of the real property of low-income housing.

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