

MAINE STATE LEGISLATURE

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L.D. 2009

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(Filing No. H-456)

CRIMINAL JUSTICE

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1404, L.D. 2009, Bill, "An Act to Redefine Trafficking and Furnishing of Heroin in Terms of the Amount of the Drug Possessed"

Amend the bill in section 10 in paragraph G in the 3rd line (page 2, line 16 in L.D.) by striking out the following: "4 grams or more or 180" and inserting in its place the following: '6 grams or more or 270'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

This bill may increase the penalty for certain crimes from Class C to Class B crimes. Sentences of more than 9 months for both Class C crimes and Class B crimes must be served in state correctional institutions. Since the average length of stay for a Class B crime is 1 year and 3 months greater than a Class C crime, the incremental increase in the average cost to the State's correctional facilities is \$34,343. Sentences of 9 months or less for both Class C crimes and Class B crimes must be served in county jails. The State provides reimbursement to the counties for housing these offenders.

The Judicial Department may require additional General Fund appropriations to cover increased indigent defense costs related

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 1404, L.D. 2009

2 to those cases when the class of crime is increased. The amounts
can not be estimated at this time. The collection of additional
4 fines may also increase General Fund revenue by minor amounts.'

6 **SUMMARY**

8 This amendment changes from 4 grams to 6 grams and from 180
bags to 270 bags the amount of heroin required for aggravated
10 trafficking or furnishing. The amendment also adds a fiscal note
to the bill.