

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
121ST LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 698, L.D. 941, Bill, "An Act To Strengthen the Criminal Laws by Expanding the Definition of Trafficking and Furnishing Prescription Narcotic Drugs To Include Illegal Possession of a Large Number of Pills"

Amend the bill by striking out the title and substituting the following:

'An Act To Strengthen the Criminal Laws Governing the Illegal Possession of Prescription Narcotic Drugs'

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

'Sec. 1. 17-A MRSA §1107-A, sub-§1, ¶B, as enacted by PL 2001, c. 383, §127 and affected by §156, is amended to read:

B. A schedule W drug that is:

(1) Heroin (diacetylmorphine);

(2) Cocaine in the form of cocaine base and at the time of the offense the person has been convicted of any offense under this chapter or under any law of the United States, another state or a foreign country relating to scheduled drugs, as defined in this chapter. For the purposes of this paragraph, a person has been convicted of an offense on the date the judgment of conviction was entered by the court; or

(3) Methamphetamine; or

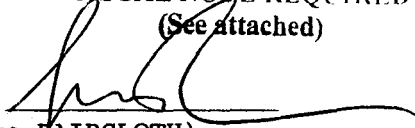
2 (4) An aggregate of not less than 400 milligrams of  
3 oxycodone or not less than 50 milligrams of  
4 hydromorphone in the form of any quantity of pills,  
5 capsules, tablets, units, compounds, mixtures or  
6 substances.

7 Violation of this paragraph is a Class C crime;'

8  
10 **SUMMARY**

12 The bill expands the definition of "trafficking" to include  
13 the possession of 90 or more pills or other units of narcotic  
14 prescription drugs other than heroin and amends the definition of  
15 "furnishing" to include the possession of at least 45 but fewer  
16 than 90 such pills or units. This amendment instead establishes  
17 as a Class C crime the unlawful possession of pills or units that  
18 in the aggregate contain not less than 400 milligrams of  
19 oxycodone or not less than 50 milligrams of hydromorphone or  
20 units.

21 **FISCAL NOTE REQUIRED**  
22 **(See attached)**

23  
24 SPONSORED BY:   
25 (Representative FAIRCLOTH)

26 TOWN: Bangor  
28

**121st Maine Legislature  
Office of Fiscal and Program Review**

**LD 941**

**An Act To Strengthen the Criminal Laws Governing the Illegal  
Possession of Prescription Narcotic Drugs**

**LR 1760(05)**

**Fiscal Note for House Amendment " "**

**Sponsor: Rep. Faircloth**

**Fiscal Note Required: Yes**



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**Fiscal Note**

Current biennium cost increase - General Fund  
Current biennium revenue increase - General Fund

**Correctional and Judicial Impact Statements**

Establishes new Class C crimes; increases correctional and judicial costs