

MAINE STATE LEGISLATURE

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Rob

L.D. 1241

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Date: 5/24/7

(Filing No. H- 314)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 883, L.D. 1241, Bill, "An Act To Provide Uniform Treatment of Prior Convictions in the Maine Criminal Code"

Amend the bill by striking out all of section 43 and inserting the following:

'Sec. 2. 17-A MRSA §1107-A, sub-§1, ¶B, as amended by PL 2007, c. 55, §2, is further amended to read:

B. A schedule W drug that contains:

- (1) Heroin (diacetylmorphine);
- (2) Cocaine in the form of cocaine base and at the time of the offense the person has ~~been convicted of one or more prior convictions for~~ 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 engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction.~~ 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;
- (3) Methamphetamine;
- (4) Oxycodone;
- (5) Hydrocodone; or
- (6) Hydromorphone.

Violation of this paragraph is a Class C crime;'

COMMITTEE AMENDMENT

R.O.S.

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SUMMARY

This amendment removes and replaces a bill section to reflect a change to the law already made this session.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1241

LR 1482(02)

An Act To Provide Uniform Treatment of Prior Convictions in the Maine Criminal Code

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Correctional and Judicial Impact Statements

Increases the conditions under which certain Class A, B, C and D crimes occur; increases correctional and judicial costs. This legislation amends various Class A, B, C and D crimes and sentencing provisions by allowing prior convictions in other jurisdictions to be considered in sentencing. It also modifies the statutes to clarify that prior convictions include Maine convictions as well as convictions in other jurisdictions.