

# MAINE STATE LEGISLATURE

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m  
R. 88

1  
2 Date: 1/9/8

L.D. 1241  
(Filing No. H-649)

3 **CRIMINAL JUSTICE AND PUBLIC SAFETY**  
4  
5 **STATE OF MAINE**  
6 **HOUSE OF REPRESENTATIVES**  
7 **123RD LEGISLATURE**  
8 **SECOND REGULAR SESSION**

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

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

12 'Sec. 43. 17-A MRSA §1107-A, sub-§1, ¶B, as amended by PL 2007, c. 55, §2,  
13 is further amended to read:

14 B. A schedule W drug that contains:

- 15 (1) Heroin (diacetylmorphine);  
16 (2) Cocaine in the form of cocaine base and at the time of the offense the person  
17 has ~~been convicted of one or more prior convictions for any offense under this~~  
18 ~~chapter or under any law of the United States, another state or a foreign country~~  
19 ~~relating to scheduled drugs, as defined in this chapter for engaging in~~  
20 substantially similar conduct to that of the Maine offenses under this chapter in  
21 another jurisdiction. For the purposes of this paragraph, a person has been  
22 convicted of an offense on the date the judgment of conviction was entered by the  
23 court;  
24 (3) Methamphetamine;  
25 (4) Oxycodone;  
26 (5) Hydrocodone; or  
27 (6) Hydromorphone.

28 Violation of this paragraph is a Class C crime;

29 **SUMMARY**

30 This amendment removes and replaces a bill section to reflect a change to the law  
31 made in the First Regular Session of the 123rd Legislature.

**ROS**

COMMITTEE AMENDMENT "**B**" to H.P. 883, L.D. 1241

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**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 123rd MAINE LEGISLATURE

LD 1241

LR 1482(04)

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

**Fiscal Note for Bill as Amended by Committee Amendment "B"**

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

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## **Fiscal Note**

No net fiscal impact

### **Correctional and Judicial Impact Statements**

This legislation amends certain sentencing provisions by allowing prior convictions in other jurisdictions to be considered. It also modifies the statutes to clarify that prior convictions uniformly include Maine convictions as well as convictions in other jurisdictions. The net effect on the number of cases and convictions is expected to be insignificant.