

# MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 305, L.D. 791, Bill, "An Act To Prohibit Furnishing a Place for Minors To Use Illegal Drugs"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 17-A MRSA §1119 is enacted to read:

§1119. Furnishing a place for minors to use illegal drugs

1. A person is guilty of furnishing a place for minors to use illegal drugs if:

A. The person knowingly allows a person who is in fact a minor under that person's control or in a place under that person's control to possess or consume illegal drugs.

(1) A person who violates this paragraph commits a Class D crime.

(2) A person who violates this paragraph commits a Class D crime for which a fine of not less than \$1,000 may be imposed, none of which may be suspended, if the violation involves a minor who is less than 18 years of age.

(3) A person who violates this paragraph after having been previously convicted of violating this paragraph within a 6-year period commits a Class D crime for which a fine of not less than \$2,000 may be imposed, none of which may be suspended.

(4) A person who violates this paragraph commits a Class C crime if the consumption of illegal drugs by the minor in fact causes serious bodily injury to or the death of the minor or any other individual.

2. As used in this section, "minor" means a person under 21 years of age.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

COMMITTEE AMENDMENT

R. S. S.

COMMITTEE AMENDMENT "A" to S.P. 305, L.D. 791

1 **Correctional Impact Reserve N033**  
2 Initiative: Provides funds for the projected increase in correctional costs.

3	<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
4	All Other	\$83,197	\$71,017
5			
6	<b>GENERAL FUND TOTAL</b>	<u>\$83,197</u>	<u>\$71,017</u>

7	<b>CORRECTIONS, DEPARTMENT OF</b>		
8	<b>DEPARTMENT TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
9			
10	<b>GENERAL FUND</b>	<b>\$83,197</b>	<b>\$71,017</b>
11			
12	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$83,197</u>	<u>\$71,017</u>

13 **JUDICIAL DEPARTMENT**  
14 **Courts - Supreme, Superior and District 0063**

15 Initiative: Provides funds for increased court-appointed counsel and jury trial costs.

16	<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
17	All Other	\$7,000	\$14,200
18			
19	<b>GENERAL FUND TOTAL</b>	<u>\$7,000</u>	<u>\$14,200</u>

20	<b>JUDICIAL DEPARTMENT</b>		
21	<b>DEPARTMENT TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
22			
23	<b>GENERAL FUND</b>	<b>\$7,000</b>	<b>\$14,200</b>
24			
25	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$7,000</u>	<u>\$14,200</u>

26	<b>SECTION TOTALS</b>	<b>2009-10</b>	<b>2010-11</b>
27			
28	<b>GENERAL FUND</b>	<b>\$90,197</b>	<b>\$85,217</b>
29			
30	<b>SECTION TOTAL - ALL FUNDS</b>	<u>\$90,197</u>	<u>\$85,217</u>
31			

# COMMITTEE AMENDMENT

**SUMMARY**

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This amendment replaces the bill and mirrors the penalties for furnishing a place for a minor to consume alcohol in the Maine Revised Statutes, Title 28-A, section 2081. For purposes of this new crime, a minor is a person under 21 years of age. The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

(See attached)



# 124th MAINE LEGISLATURE

LD 791

LR 807(02)

## An Act To Prohibit Furnishing a Place for Minors To Use Illegal Drugs

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

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

### Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
<b>Net Cost (Savings)</b>				
General Fund	\$90,197	\$85,217	\$111,736	\$85,217
<b>Appropriations/Allocations</b>				
General Fund	\$90,197	\$85,217	\$111,736	\$85,217

### Correctional and Judicial Impact Statements

Establishes new Class C and D crimes; increases correctional and judicial costs

The collection of additional fines may also increase General Fund revenue by minor amounts.

### Fiscal Detail and Notes

Correctional Cost Detail	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Class C Crime	\$49,222	\$37,042	\$63,561	\$37,042	\$63,561
Class D Crime	\$33,975	\$33,975	\$33,975	\$33,975	\$33,975
<b>Total Cost - All Convictions</b>	<b>\$83,197</b>	<b>\$71,017</b>	<b>\$97,536</b>	<b>\$71,017</b>	<b>\$97,536</b>

This bill includes a General Fund appropriation of \$83,197 in fiscal year 2009-10 and \$71,017 in fiscal year 2010-11 for the additional cost to correctional facilities. This estimate assumes 5 Class D convictions per year, one Class C conviction every other year to be served in a county facility and one Class C conviction every other year to be served in a state facility.

This bill also includes a General Fund appropriation of \$7,000 in fiscal year 2009-10 and \$14,200 in fiscal year 2010-11 for the Judicial Branch for court appointed counsel costs.