

MAINE STATE LEGISLATURE

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6/15/15
R O E S

REPORT A

L.D. 113

Date: 6/15/15

(Filing No. S-268)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

127TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 46, L.D. 113, Bill, "An Act To Reduce the Penalties for Certain Drug Offenses"

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

'An Act Regarding Class C Drug Crimes'

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

Sec. 1. 17-A MRSA §1101, sub-§24 is enacted to read:

24. "Fentanyl powder" means any compound, mixture or preparation, in granular or powder form, containing fentanyl.

Sec. 2. 17-A MRSA §1107-A, sub-§1, ¶B, as amended by PL 2007, c. 476, §43, 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 one or more prior convictions for any offense under this chapter or 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 and the aggregate quantity of pills, capsules, tablets, mixtures or substances is equal to or more than 30 milligrams;

~~(5) Hydrocodone; or~~

~~(6) Hydromorphone.~~

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to S.P. 46, L.D. 113

- 1 (7) Fentanyl powder;
2 (8) Cocaine and the quantity possessed is 7 grams or more; or
3 (9) Cocaine in the form of cocaine base and the quantity possessed is 2 grams or
4 more.
5 Violation of this paragraph is a Class C crime;'

6 **SUMMARY**

7 This amendment is one of 3 reports of the committee. The amendment changes the
8 title of the bill and reduces possession of oxycodone in a quantity of less than 30
9 milligrams or hydrocodone or hydromorphone from a Class C crime to a Class D crime.
10 The amendment defines "fentanyl powder." The amendment classifies as Class C crimes
11 possession of fentanyl powder, cocaine in a quantity of 7 grams or more and cocaine base
12 in a quantity of 2 grams or more.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 06/13/15 *mac*

127th MAINE LEGISLATURE

LD 113

LR 639(02)

An Act To Reduce the Penalties for Certain Drug Offenses

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-268)
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Correctional and Judicial Impact Statements

Establishes Class C crime, increases correctional and judicial costs.

Decreases a Class C crime to a Class D crime, potentially shifting incarceration costs from the State to the county and regional jails.

The net impact on General Fund fine revenue cannot be estimated at this time.