

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Date: 6/17/21

(Filing No. S-352)

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**  
**SENATE**  
**130TH LEGISLATURE**  
**FIRST SPECIAL SESSION**

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "B" to H.P. 713,  
L.D. 967, "An Act To Make Possession of Scheduled Drugs for Personal Use a Civil  
Penalty"

Amend the amendment in section 3 in subsection 1-A in paragraph B in the first line  
(page 3, line 4 in amendment) by striking out the following: "and treatment"

Amend the amendment in section 3 in subsection 1-A in paragraph B in the last line  
(page 3, line 5 in amendment) by inserting after the following: "disorder" the following: 'to  
determine whether treatment for behavioral health or substance use disorder is advised by  
the treatment professional'

Amend the amendment by striking out all of section 4 and inserting the following:

**'Sec. 4. 17-A MRSA §1107-A, sub-§1-B is enacted to read:**

**1-B. A 2nd violation of subsection 1 is a civil violation for which the court shall impose  
a sentence of:**

**A. A fine of up to \$200; and**

**B. Referral as an alternative in place of the fine to be assessed by a credentialed  
treatment professional for behavioral health and substance use disorder to determine  
whether treatment for behavioral health or substance use disorder is advised by the  
treatment professional.'**

Amend the amendment in section 5 in subsection 1-C in paragraph B in the first 2 lines  
(page 3, lines 14 and 15 in amendment) by striking out the following: "assessment and  
treatment by"

Amend the amendment in section 5 in subsection 1-C in paragraph B in the last line  
(page 3, line 16 in amendment) by inserting after the following: "disorder" the following:  
'to determine whether treatment for behavioral health or substance use disorder is advised  
by the treatment professional'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or  
section number to read consecutively.

ROS

**SUMMARY**

This amendment incorporates the substance of Senate Amendment "A" to Committee Amendment "B" except that, instead of requiring a referral for an assessment and prohibiting the imposition of a fine for a 2nd violation, this amendment requires the court to impose both the referral and a \$200 fine.

**SPONSORED BY:** 

(Senator LAWRENCE, M.)

**COUNTY:** York



# 130th MAINE LEGISLATURE

LD 967

LR 933(06)

## An Act To Make Possession of Scheduled Drugs for Personal Use a Civil Penalty

Fiscal Note for Senate Amendment "B" to Committee Amendment "B" (S-352)  
 Sponsor: Sen. Lawrence of York  
 Fiscal Note Required: Yes

---

### Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	(\$13,108)	(\$13,108)	(\$13,108)	(\$13,108)
<b>Revenue</b>				
General Fund	\$13,108	\$13,108	\$13,108	\$13,108

### Fiscal Detail and Notes

This amendment requires a fine of \$200 and a referral to treatment for a second violation instead of only a referral to treatment. Using certain assumptions related to the number of offenders and the frequency of violations likely to occur, it is estimated this will increase revenues collected by \$13,108 per year.