

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1509

H.P. 964

House of Representatives, April 5, 2023

An Act to Amend Certain Provisions of Maine's Drug Laws

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative CAMPBELL of Orrington. (BY REQUEST)
Cosponsored by Senator: LYFORD of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §1101, sub-§17**, as amended by PL 2021, c. 396, §1, is further
3 amended to read:

4 **17. "Traffick":**

5 A. To make, create, manufacture;

6 B. To grow or cultivate, except for marijuana;

7 C. To sell, barter, trade, exchange or otherwise furnish for consideration; ~~or~~

8 D. To possess with the intent to do any act mentioned in paragraph C-;

9 G. To possess 2 grams or more of heroin or 90 or more individual bags, folds,
10 packages, envelopes or containers of any kind containing heroin; or

11 H. To possess 2 grams or more of fentanyl powder or 90 or more individual bags,
12 folds, packages, envelopes or containers of any kind containing fentanyl powder.

13 **Sec. 2. 17-A MRSA §1101, sub-§18**, as amended by PL 2021, c. 396, §2, is further
14 amended to read:

15 **18. "Furnish":**

16 A. To furnish, give, dispense, administer, prescribe, deliver or otherwise transfer to
17 another; ~~or~~

18 B. To possess with the intent to do any act mentioned in paragraph A-;

19 E. To possess more than 200 milligrams but less than 2 grams of heroin or at least 45
20 but fewer than 90 individual bags, folds, packages, envelopes or containers of any kind
21 containing heroin; or

22 F. To possess more than 200 milligrams but less than 2 grams of fentanyl powder or
23 at least 45 but fewer than 90 individual bags, folds, packages, envelopes or containers
24 of any kind containing fentanyl powder.

25 **Sec. 3. 17-A MRSA §1103, sub-§3, ¶B**, as amended by PL 2021, c. 396, §3, is
26 further amended to read:

27 B. Fourteen grams or more of cocaine or 4 grams or more of cocaine in the form of
28 cocaine base;

29 **Sec. 4. 17-A MRSA §1103, sub-§3, ¶C-1**, as enacted by PL 2021, c. 396, §3, is
30 repealed.

31 **Sec. 5. 17-A MRSA §1103, sub-§3, ¶C-2**, as enacted by PL 2021, c. 396, §3, is
32 repealed.

33 **Sec. 6. 17-A MRSA §1105-A, sub-§1, ¶D**, as amended by PL 2021, c. 396, §4, is
34 further amended to read:

35 D. At the time of the offense, the person trafficks in cocaine in a quantity of 112 grams
36 or more or cocaine in the form of cocaine base in a quantity of 32 grams or more.
37 Violation of this paragraph is a Class A crime;

