

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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. Violation of this paragraph is a Class D crime;

B. The person violates paragraph A and the violation involves a minor who is less than 18 years of age. Violation of this paragraph is a Class D crime for which a fine of not less than \$1,000 may be imposed, none of which may be suspended;

C. The person violates paragraph A and at the time of the offense the person has one or more prior convictions under this section within a 6-year period or for engaging in substantially similar conduct to that contained in this section in another jurisdiction within a 6-year period. Section 9-A governs the use of prior convictions when determining a sentence, except that, for purposes of this paragraph, the date of the prior conviction may not precede the commission of the offense by more than 6 years. Violation of this paragraph is a Class D crime for which a fine of not less than \$2,000 may be imposed, none of which may be suspended; or

D. The person violates paragraph A and 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. Violation of this paragraph is a Class C crime.

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

Correctional Impact Reserve N033

Initiative: Provides funds for the projected increase in correctional costs.

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$83,197
GENERAL FUND TOTAL	\$0	\$83,197

CORRECTIONS, DEPARTMENT OF		
DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$83,197
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$83,197

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: Provides funds for increased court-appointed counsel costs.

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$6,600
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GENERAL FUND TOTAL	\$0	\$6,600

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON		
DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$6,600
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$6,600

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Provides funds for increased trial costs.

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$1,600
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GENERAL FUND TOTAL	\$0	\$1,600

JUDICIAL DEPARTMENT		
DEPARTMENT TOTALS	2009-10	2010-11

GENERAL FUND	\$0	\$1,600
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,600
SECTION TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$91,397
SECTION TOTAL - ALL FUNDS	\$0	\$91,397

SUMMARY

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 is also drafted to comply with Maine Criminal Code drafting standards for prior convictions, including violations for conduct that is substantially similar and committed in another jurisdiction. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)