

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 inserting after the enacting clause and before section 1 the following:

‘**Sec. 1. 15 MRSA §3314, sub-§6**, as amended by PL 2003, c. 657, §1, is further amended to read:

6. Forfeiture of firearms. As part of every disposition in every proceeding under this code, every firearm that constitutes the basis for an adjudication for a juvenile crime that, if committed by an adult, would constitute a violation of section 393; Title 17-A, section 1105-A, subsection 1, paragraph C-1; Title 17-A, section 1105-B, subsection 1, paragraph C; Title 17-A, section 1105-C, subsection 1, paragraph C-1; ~~or~~ Title 17-A, section 1105-D, subsection 1, paragraph B-1; or Title 17-A, section 1118-A, subsection 1, paragraph B and every firearm used by the juvenile or any accomplice during the course of conduct for which the juvenile has been adjudicated to have committed a juvenile crime that would have been forfeited pursuant to Title 17-A, section 1158-A if the criminal conduct had been committed by an adult must be forfeited to the State and the juvenile court shall so order unless another person satisfies the court prior to the dispositional hearing and by a preponderance of the evidence that the other person had a right to possess the firearm, to the exclusion of the juvenile, at the time of the conduct that constitutes the juvenile crime. Rules adopted by the Attorney General that govern the disposition of firearms forfeited pursuant to Title 17-A, section 1158-A govern forfeitures under this subsection.’

Amend the bill by inserting after section 2 the following:

‘**Sec. 3. 17-A MRSA §1158-A, sub-§1, ¶A**, as amended by PL 2009, c. 336, §13, is further amended to read:

A. That firearm constitutes the basis for conviction under:

- (1) Title 15, section 393;
- (2) Section 1105-A, subsection 1, paragraph C-1;
- (3) Section 1105-B, subsection 1, paragraph C;
- (4) Section 1105-C, subsection 1, paragraph C-1; ~~or~~
- (5) Section 1105-D, subsection 1, paragraph B-1; or
,
- (6) Section 1118-A, subsection 1, paragraph B;

Amend the bill in section 3 in subsection 5-A in the 2nd line (page 2, line 35 in L.D.) by striking out the following: ", 1118"

Amend the bill in section 3 in subsection 5-A in paragraph B in subparagraph (1) in division (c) in the 3rd line (page 3, line 13 in L.D.) by striking out the following: "or 1105-D" and inserting the following: '~~or~~, 1105-D or 1118-A'

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

SUMMARY

This amendment is the majority report of the committee. This amendment removes from the bill the provision that specifies a minimum sentence of imprisonment of 4 years for a Class A violation or 2 years for a Class B violation of the law prohibiting illegal importation of scheduled drugs. The amendment adds aggravated illegal importation of a scheduled drug to the crimes that may result, under certain circumstances, in the forfeiture of firearms. The amendment retains the provisions of the bill that establish a new crime of aggravated illegal importation of a scheduled drug and specify for that crime a minimum sentence of imprisonment of 4 years for a Class A violation and 2 years for a Class B violation.