



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 994

H.P. 629

House of Representatives, March 7, 2023

**An Act to Include Possession of Compounds, Mixtures or
Substances Containing a Detectable Amount of Certain Scheduled
Drugs to Prove the Offense of Unlawful Trafficking of Scheduled
Drugs**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative QUINT of Hodgdon.
Cosponsored by Senator KEIM of Oxford and
Representatives: ARDELL of Monticello, COLLINGS of Portland, GREENWOOD of Wales,
PERKINS of Dover-Foxcroft, PERRY of Bangor, Senators: BALDACCI of Penobscot,
FARRIN of Somerset, HARRINGTON of York.

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

2 **Sec. 1. 17-A MRSA §1103, sub-§3**, as amended by PL 2021, c. 396, §3, is further
3 amended to read:

4 **3.** Proof that the person intentionally or knowingly possesses any scheduled drug that
5 is in fact of a quantity, state or concentration as provided in this subsection, gives rise to a
6 permissible inference under the Maine Rules of Evidence, Rule 303 that the person is
7 unlawfully trafficking in scheduled drugs:

8 A. More than one pound of marijuana;

9 B. Fourteen grams or more of any compound, mixture or substance containing a
10 detectable quantity of cocaine or cocaine base;

11 C-1. Four grams or more of any compound, mixture or substance containing a
12 detectable quantity of heroin;

13 C-2. Four grams or more of any compound, mixture or substance containing a
14 detectable quantity of fentanyl powder;

15 D. Lysergic acid diethylamide in any of the following quantities, states or
16 concentrations:

17 (1) Any compound, mixture, substance or solution in a liquid state that contains a
18 detectable quantity of lysergic acid diethylamide;

19 (2) Fifty or more squares, stamps, tablets or units of any compound, mixture or
20 substance containing a detectable quantity of lysergic acid diethylamide; or

21 (3) Any quantity of any compound, mixture or substance that, in the aggregate,
22 contains 2,500 micrograms or more of lysergic acid diethylamide;

23 E. Fourteen grams or more of any compound, mixture or substance containing a
24 detectable quantity of methamphetamine;

25 F. Ninety or more pills, capsules, tablets, vials, ampules, syringes or units containing
26 any narcotic drug other than heroin;

27 G. Any quantity of pills, capsules, tablets, units, compounds, mixtures or substances
28 that, in the aggregate, contains 800 milligrams or more of oxycodone or 100 milligrams
29 or more of hydromorphone; or

30 H. Fourteen grams or more of or 30 or more pills, capsules, tablets or units containing
31 any compound, mixture or substance containing a detectable quantity of 3, 4 -
32 methylenedioxymethamphetamine, MDMA, or any other drug listed in section 1102,
33 subsection 1, paragraph O or P.

34 **SUMMARY**

35 This bill adds possession of compounds, mixtures or substances containing a detectable
36 amount of certain scheduled drugs as proof that a person is unlawfully trafficking in
37 scheduled drugs.