

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 37, L.D. 44, Bill, “An Act To Increase Potential Criminal Penalties for the Possession of Cocaine and Cocaine Base”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 17-A MRSA §1107-A, sub-§1, ¶B, as amended by PL 2007, c. 476, §43, is further amended to read:

B. A schedule W drug that contains:

- (1) Heroin (diacetylmorphine);
- (2) Cocaine ~~in the form of cocaine base and at the time of the offense the person has one or more prior convictions for any offense under this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction. For the purposes of this paragraph, a person has been convicted of an offense on the date the judgment of conviction was entered by the court~~ the quantity possessed is 7 to 14 grams;
- (2-A) Cocaine in the form of cocaine base and the quantity possessed is 2 to 4 grams;
- (3) Methamphetamine;
- (4) Oxycodone;
- (5) Hydrocodone; or
- (6) Hydromorphone.

Violation of this paragraph is a Class C crime;

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

COMMITTEE AMENDMENT

1 **Correctional Impact Reserve N033**

2 Initiative: Provides funds to the Correctional Impact Reserve program to support the
 3 additional incremental costs of enhancing the penalty for possession of cocaine and
 4 cocaine base.

5	GENERAL FUND	2011-12	2012-13
6	All Other	\$764,154	\$849,059
7			
8	GENERAL FUND TOTAL	<u>\$764,154</u>	<u>\$849,059</u>

9	CORRECTIONS, DEPARTMENT OF		
10	DEPARTMENT TOTALS	2011-12	2012-13
11			
12	GENERAL FUND	\$764,154	\$849,059
13			
14	DEPARTMENT TOTAL - ALL FUNDS	<u>\$764,154</u>	<u>\$849,059</u>

15 **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

16 **Maine Commission on Indigent Legal Services Z112**

17 Initiative: Provides funds for the incremental increase in indigent legal services costs as a
 18 result of enhancing the penalty for possession of cocaine and cocaine base.

19	GENERAL FUND	2011-12	2012-13
20	All Other	\$4,453	\$4,453
21			
22	GENERAL FUND TOTAL	<u>\$4,453</u>	<u>\$4,453</u>

23	INDIGENT LEGAL SERVICES, MAINE		
24	COMMISSION ON		
25	DEPARTMENT TOTALS	2011-12	2012-13
26			
27	GENERAL FUND	\$4,453	\$4,453
28			
29	DEPARTMENT TOTAL - ALL FUNDS	<u>\$4,453</u>	<u>\$4,453</u>

30	SECTION TOTALS	2011-12	2012-13
31			
32	GENERAL FUND	\$768,607	\$853,512
33		<u></u>	<u></u>

