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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “B” to H.P. 713, L.D. 967, “An Act To Make Possession of Scheduled Drugs for Personal Use a Civil Penalty”

Amend the amendment by striking out the substitute title and replacing it with the following:

'An Act To Provide Graduated Civil Penalties for First and 2nd Offenses of Possession of Scheduled Drugs'

Amend the amendment in section 3 in subsection 1-A in paragraph B in the first line (page 3, line 4 in amendment) by striking out the following: "and treatment"

Amend the amendment in section 3 in subsection 1-A in paragraph B in the last line (page 3, line 5 in amendment) by inserting after the following: "disorder" the following: 'to determine whether treatment for behavioral health or substance use disorder is advised by the treatment professional'

Amend the amendment by striking out all of section 4 and inserting the following:

'Sec. 4. 17-A MRSA §1107-A, sub-§1-B is enacted to read:

1-B. A 2nd violation of subsection 1 is a civil violation for which the court shall impose a sentence of:

A. A fine of up to \$200; and

B. Referral to a credentialed treatment professional for behavioral health and substance use disorder to determine whether treatment for behavioral health or substance use disorder is advised by the treatment professional.'

Amend the amendment in section 5 in subsection 1-C in paragraph B in the first 2 lines (page 3, lines 14 and 15 in amendment) by striking out the following: "assessment and treatment by"

Amend the amendment in section 5 in subsection 1-C in paragraph B in the last line (page 3, line 16 in amendment) by inserting after the following: "disorder" the following: 'to determine whether treatment for behavioral health or substance use disorder is advised by the treatment professional'

SENATE AMENDMENT

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

3 **SUMMARY**

4 This amendment incorporates the substance of Senate Amendment "A" to Committee
5 Amendment "B" except that, instead of requiring a referral for an assessment and
6 prohibiting the imposition of a fine for a 2nd violation, this amendment requires the court
7 to impose both the referral and a \$200 fine.

8 **SPONSORED BY:** _____

9 (Senator LAWRENCE, M.)

10 **COUNTY: York**