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Date: (Filing No. S- )

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
SENATE  
127TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 451, L.D. 1246, Bill, “An Act To Strengthen Laws Regarding the Manufacture and Sale of Methamphetamine and Other Drugs”

Amend the bill by striking out the title and substituting the following:

**'An Act To Strengthen Laws Regarding the Manufacture and Sale of Methamphetamine and To Amend the Drug Laws'**

Amend the bill in section 1 in subsection 17 in paragraph F in the first line (page 1, line 11 in L.D.) by inserting after the following: "fentanyl" the following: 'powder'

Amend the bill in section 1 in subsection 17 in paragraph F in the last line (page 1, line 12 in L.D.) by inserting after the following: "fentanyl" the following: 'powder'

Amend the bill in section 2 in subsection 18 in paragraph D in the first line (page 1, line 22 in L.D.) by inserting after the following: "fentanyl" the following: 'powder'

Amend the bill in section 2 in subsection 18 in paragraph D in the last line (page 1, line 24 in L.D.) by inserting after the following: "fentanyl" the following: 'powder'

Amend the bill by inserting after section 2 the following:

**'Sec. 3. 17-A MRSA §1101, sub-§24** is enacted to read:

**24. "Fentanyl powder" means any compound, mixture or preparation, in granular or powder form, containing fentanyl.'**

Amend the bill in section 4 in §1105-E in the first line (page 1, line 31 in L.D.) by striking out the following: "clandestine"

Amend the bill in section 4 in §1105-E in subsection 1 in the first line (page 1, line 33 in L.D.) by striking out the following: "clandestine"

Amend the bill in section 4 in §1105-E in subsection 1 in paragraph D in the 2nd line (page 2, line 17 in L.D.) by striking out the following: "clandestine"

**COMMITTEE AMENDMENT**

1 Amend the bill in section 4 in §1105-E in subsection 1 in paragraph E in the first line  
2 (page 2, line 19 in L.D.) by striking out the following: "clandestine"

3 Amend the bill in section 5 in paragraph B by striking out all of subparagraphs (4) to  
4 (6) (page 2, lines 36 to 39 in L.D.) and inserting the following:

5 '(4) Oxycodone and the aggregate quantity of pills, capsules, tablets, mixtures or  
6 substances possessed is equal to or more than 30 milligrams;

7 ~~(5) Hydrocodone; or~~

8 ~~(6) Hydromorphone.'~~

9 Amend the bill in section 5 in paragraph B in subparagraph (7) in the first line (page  
10 2, line 39 in L.D.) by inserting after the following: "Fentanyl" the following: 'powder'

11 Amend the bill in section 6 in §1124 in the first line (page 3, line 5 in L.D.) by  
12 striking out the following: "clandestine"

13 Amend the bill in section 6 in §1124 in subsection 2 in the first line (page 3, line 24  
14 in L.D.) by striking out the following: "clandestine"

15 Amend the bill in section 6 in §1124 in subsection 3 in the 2nd line (page 3, line 33 in  
16 L.D.) by striking out the following: "clandestine"

17 Amend the bill in section 7 in paragraph C-2 in the 3rd line (page 4, line 9 in L.D.) by  
18 striking out the following: "clandestine"

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

## 21 SUMMARY

22 This amendment is the minority report of the committee. The amendment changes  
23 the title of the bill. The amendment defines "fentanyl powder" and clarifies that the  
24 fentanyl for which the bill establishes the penalties is fentanyl powder. The amendment  
25 deletes from the bill the word clandestine in regard to the methamphetamine laboratories  
26 that are criminalized in the bill. The amendment reduces possession of oxycodone in the  
27 form of pills, capsules, tablets, mixtures or substance in the aggregate less than 30  
28 milligrams and possession of hydrocodone or hydromorphone from a Class C crime to a  
29 Class D crime.