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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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

COMMITTEE AMENDMENT “ ” to S.P. 46, L.D. 113, Bill, “An Act To Reduce the Penalties for Certain Drug Offenses”

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, ¶A**, as enacted by PL 2001, c. 383, §127 and affected by §156, is amended to read:

A. A schedule W drug ~~that~~ and at the time of the offense the person had one or more convictions for violating this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction and the drug is:

- (1) Cocaine and the quantity possessed is more than 14 grams;
- (2) Cocaine in the form of cocaine base and the quantity possessed is more than 4 grams; or
- (3) Methamphetamine and the quantity possessed is more than 14 grams.

Section 9-A governs the use of prior convictions when determining a sentence, except that, for the purposes of this paragraph, the date of a prior conviction may precede the commission of the offense by more than 10 years.

Violation of this paragraph is a Class B crime;

**Sec. 2. 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~~ and at the time of the offense the person had one or more convictions for violating this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction and the drug contains:

- (1) Heroin (diacetylmorphine);

**COMMITTEE AMENDMENT**

