

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## An Act To Clarify What Constitutes a Schedule W Drug

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

**Sec. 1. 17-A MRSA §1102, sub-§1, ¶I**, as amended by PL 2001, c. 419, §3, is repealed and the following enacted in its place:

I. Unless listed or described in another schedule, any compound, mixture or preparation containing narcotic drugs, including, but not limited to, the following narcotic drugs or their salts, isomers or salts of isomers: heroin (diacetylmorphine), methadone, methadone hydrochloride, levo-alpha-acetyl-methadol, or LAAM, pethidine, morphine, oxycodone, hydrocodone, hydromorphone, fentanyl and opium;

**Sec. 2. 17-A MRSA §1107-A, sub-§1, ¶B**, as amended by PL 2005, c. 442, §1, is further amended to read:

B. A schedule W drug that iscontains:

(1) Heroin (diacetylmorphine);

(2) Cocaine in the form of cocaine base and at the time of the offense the person has been convicted of any offense under this chapter or under any law of the United States, another state or a foreign country relating to scheduled drugs, as defined in this chapter. 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;

(3) Methamphetamine;

(4) Oxycodone;

(5) Hydrocodone; or

(6) Hydromorphone.

Violation of this paragraph is a Class C crime;

## SUMMARY

This bill clarifies current drug law by specifying that a compound, mixture or preparation that contains a narcotic drug is considered a narcotic drug for purposes of classification as a Schedule W drug and determining the class of crime for possession of that drug, either in its pure form or as a compound, mixture or preparation.