

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 812

S. P. 278

In Senate, February 17, 1971

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Johnson of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to the Sale of Marijuana.

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

Sec. 1. R. S., T. 22, § 2382, sub-§ 1, amended. The first sentence of subsection 1 of section 2382 of Title 22 of the Revised Statutes, as enacted by section 7 of chapter 443 of the public laws of 1969, is amended to read as follows:

“Cannabis,” sometimes called marijuana or marihuana, includes all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin; but shall not include the mature stocks of such plant, fiber produced from such stocks; oil or cake made from the seeds of such plant, or any other compound, manufacture, salt, derivative, mixture or preparation of such mature stock, resin extracted therefrom, fiber, oil or cake, or the sterilized seed of such plant which is ~~capable~~ incapable of germination.

Sec. 2. R. S., T. 22, § 2384, repealed and replaced. Section 2384 of Title 22 of the Revised Statutes, as enacted by section 7 of chapter 443 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 2384. Sale

Whoever sells, exchanges, delivers, barters, gives or furnishes Cannabis or Peyote to any person shall be punished for the first offense by imprisonment for not less than one nor more than 5 years; and for any subsequent offense by imprisonment for not less than 3 nor more than 10 years.

STATEMENT OF FACT

The purpose of this bill is to correct an inconsistency in the definition of Cannabis and to revise the crime of sale of marijuana.