

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

(Filing No. H-692)

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to S.P. 113,
L.D. 314, Bill, "AN ACT Creating the Maine Criminal Code."

Amend said Amendment on page 18 by striking out all of the
last 2 paragraphs and inserting in place thereof the following:

'Further amend said Bill in section 51 in that part
designated "§2383." by striking out all of the last 2 lines and
inserting in place thereof the following:

Possession of a usable amount of marijuana in public is a civil
violation for which a forfeiture of not more than \$200 may be
adjudged.'

Further amend said Amendment in section 51 in the Comment
by inserting at the end the following paragraph:

'It also provides a specific civil penalty of up to \$200
for possession of any usable amount of marijuana in public.
Section 1106 of the Criminal Code also provides a presumption that
a person is unlawfully furnishing a scheduled drug when he possesses
more than 1 1/2 ounces of marijuana which offense is classified
as a Class D crime.'

Statement of Fact

The purposes of this amendment are to restrict the civil
violation provided by section 51 of the Criminal Code for possession
of a usable amount of marijuana to only those instances where
such possession occurs in public.

Filed by Mr. Davies or Orono.

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