

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1432

H. P. 1204

House of Representatives, April 4, 1977

On motion of Mr. Spencer of Standish, referred to Committee on Judiciary.
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Laffin of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Increase the Penalty for Furnishing Marijuana.

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

Sec. 1. 17-A MRSA § 1106, sub-§ 2, ¶ B, as enacted by PL 1975, c. 499, § 1, is amended to read:

B. A Class D crime if the drug is a schedule X, Y or Z drug, except marijuana.

Sec. 2. 17-A MRSA § 1106, sub-§ 3, as enacted by PL 1975, c. 499, § 1, is repealed.

Sec. 3. 17-A MRSA § 1106-A is enacted to read:

§ 1106-A. Unlawfully furnishing marijuana

1. A person is guilty of unlawfully furnishing marijuana if he intentionally or knowingly furnishes what he knows or believes to be marijuana and which is, in fact, marijuana, unless the conduct which constitutes such furnishing is either:

A. Expressly authorized by Title 22; or

B. Expressly made a civil violation by Title 22.

2. Violation of this section is a Class C crime.

3. A person shall be presumed to be unlawfully furnishing marijuana if he intentionally or knowingly possesses more than 1½ ounces of marijuana.

STATEMENT OF FACT

This bill would provide that unlawfully furnishing marijuana would be a Class C crime rather than a Class D crime.