

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 406

H.P. 294

House of Representatives, February 23, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative CROWLEY of Stockton Springs.

Cosponsored by Representative HOGLUND of Portland, Representative MURPHY of Berwick and Representative FARNUM of South Berwick.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

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An Act to Criminalize Marijuana.

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

3 Sec. 1. 17-A MRSA §1107-A is enacted to read:

5 §1107-A. Unlawful possession of marijuana

7 1. Whoever possesses, manufactures, cultivates, grows or  
9 has under that person's control in connection with manufacturing,  
11 cultivating or growing marijuana shall be punished for the first  
13 offense by a fine of not more than \$1,000 and by imprisonment for  
not more than 11 months; and for any subsequent offense, by a  
fine of not more than \$2,000 and by imprisonment for not more  
than 2 years.

15 2. Whoever knowingly is present where marijuana is kept or  
17 deposited, or whoever is in the company of a person, knowing that  
19 the person is in possession of marijuana shall be punished by a  
fine of not more than \$1,000 and by imprisonment for not more  
than 11 months.

21 3. Any sheriff, deputy sheriff or a municipal or state  
23 police officer, if the sheriff or officer has probable cause to  
25 believe that a violation of this section has taken place or is  
27 taking place, may arrest without a warrant any person for  
violation of this section whether or not that violation was  
committed in the presence of the sheriff or officer.

29 Sec. 2. 22 MRSA c. 558, first 2 lines, as amended, are repealed  
and the following enacted in their place:

31 CHAPTER 558

33 IMITATION SCHEDULED DRUGS

35 Sec. 3. 22 MRSA §2383, sub-§1, as enacted by PL 1987, c. 747,  
37 §3, is repealed.

39 **STATEMENT OF FACT**

41 This bill repeals the law that decriminalized the possession  
43 of marijuana and reimposes criminal sanctions for its possession.