

MAINE STATE LEGISLATURE

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M
P. O. S.

L.D. 2012

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CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1407, L.D. 2012, Bill, "An Act to More Accurately Describe the Criminal Conduct Committed When a Person Grows or Cultivates Marijuana"

Amend the bill in section 1 in subsection 17 in paragraph B (page 1, line 10 in L.D.) by striking out all of paragraph B and inserting in its place the following:

'B. To grow or cultivate, except for marijuana:'

Further amend the bill in section 5 in that part designated "**S1117.**" in subsection 2 in paragraph B in the last line (page 3, line 21 in L.D.) by striking out the following: "or"

Further amend the bill in section 5 in that part designated "**S1117.**" in subsection 2 in paragraph C in the first line (page 3, line 23 in L.D.) by inserting after the following: "cultivates" the following: 'more than 5 and'

Further amend the bill in section 5 in that part designated "**S1117.**" in subsection 2 in paragraph C in the last line (page 3, line 24 in L.D.) by striking out the following: ";" and inserting in its place the following: '; or'

Further amend the bill in section 5 in that part designated "**S1117.**" in subsection 2 by inserting after paragraph C the following:

'D. A Class E crime if the person grows or cultivates 5 or fewer marijuana plants.'

Further amend the bill by inserting at the end before the

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summary the following:

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FISCAL NOTE

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Any net impact on the Judicial Department and the correctional system as a result of the definition of the criminal conduct committed when a person grows or cultivates marijuana will be insignificant.'

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SUMMARY

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This amendment clarifies that only the cultivation of marijuana is excepted from the crime of trafficking. The amendment also specifies that a person who grows or cultivates 5 or fewer plants is guilty of a Class E crime. The amendment also adds a fiscal note to the bill.

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