

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 667

S.P. 229

In Senate, February 28, 2017

An Act To Repeal the Legalization of Recreational Marijuana

Reference to the Joint Select Committee on Marijuana Legalization Implementation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator CYRWAY of Kennebec.
Cosponsored by Representative CAMPBELL of Orrington and
Senators: DOW of Lincoln, WHITTEMORE of Somerset, Representatives: CRAIG of Brewer,
PICKETT of Dixfield, PIERCE of Dresden, SIMMONS of Waldoboro, SIROCKI of
Scarborough, STEWART of Presque Isle.

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

2 **Sec. 1. 7 MRSA c. 417**, as amended, is repealed.

3 **Sec. 2. 15 MRSA §3103, sub-§1, ¶B**, as amended by PL 2017, c. 1, §19, is
4 further amended to read:

5 B. Offenses involving illegal drugs or drug paraphernalia as follows:

6 (1) The possession of a useable amount of marijuana, as provided in Title 22,
7 section 2383, subsection ~~4-A~~ 1, unless the juvenile is authorized to possess
8 marijuana for medical use pursuant to Title 22, chapter 558-C;

9 (2) The use or possession of drug paraphernalia as provided in Title 17-A,
10 section 1111-A, subsection 4-B; and

11 (3) Illegal transportation of drugs by a minor as provided in Title 22, section
12 2389, subsection 2;

13 **Sec. 3. 22 MRSA §2383, sub-§1**, as repealed by IB 2015, c. 5, §2, is reenacted to
14 read:

15 **1. Marijuana.** Except as provided in chapter 558-C, a person may not possess
16 marijuana.

17 A. A person who possesses a usable amount of marijuana commits a civil violation
18 for which a fine of not less than \$350 and not more than \$600 must be adjudged for
19 possession of up to 1 1/4 ounces of marijuana and a fine of not less than \$700 and not
20 more than \$1,000 must be adjudged for possession of over 1 1/4 ounces to 2 1/2
21 ounces of marijuana, none of which may be suspended.

22 **Sec. 4. 22 MRSA §2383, sub-§1-A**, as enacted by PL 2017, c. 1, §20, is
23 repealed.

24 **Sec. 5. 36 MRSA §1817**, as enacted by IB 2015, c. 5, §3 and amended by PL
25 2017, c. 1, §21, is repealed.

26 **Sec. 6. Statutory referendum procedure; Submission at statewide**
27 **election; form of question; effective date.** This Act must be submitted to the legal
28 voters of the State at a statewide election held in November 2018. The municipal officers
29 of this State shall notify the inhabitants of their respective cities, towns and plantations to
30 meet, in the manner prescribed by law for holding a statewide election, to vote on the
31 acceptance or rejection of this Act by voting on the following question:

32 "Do you favor repealing the Marijuana Legalization Act, which allows
33 the commercial cultivation, sale, purchase, manufacture, possession and
34 use of marijuana and marijuana products and the personal cultivation,
35 possession and use of marijuana and marijuana products, and the tax that
36 is imposed on the sale of marijuana and marijuana products?"

