

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 464

H. P. 416

House of Representatives, February 5, 1953

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mrs. Christie of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to Penalty Provisions of the Narcotic Drug Act.

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

R. S., c. 62, § 52, repealed and replaced. Section 52 of chapter 62 of the revised statutes is hereby repealed and the following enacted in place thereof :

‘Sec. 52. Penalties. Whoever violates any provision of sections 34 to 52, inclusive, shall upon conviction be punished by a fine of not more than \$1,000 and by imprisonment for not less than 2 nor more than 5 years. For a 2nd offense, or if, in case of a 1st conviction of violation of any provision of sections 34 to 52, inclusive, the offender shall previously have been convicted of any violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs or marihuana, the offender shall be punished by a fine of not more than \$1,000 and by imprisonment for not less than 5 nor more than 10 years. For a 3rd or subsequent offense, or if the offender shall previously have been convicted 2 or more times in the aggregate of any violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs or marihuana, the offender shall be punished by a fine of not more than \$1,000 and by imprisonment for not less than 10 nor more than 20 years.

Except in the case of conviction for a 1st offense for violation of the provisions of sections 34 to 52, inclusive, the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served.'