

# MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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THE KNOWLTON AND McLEARY COMPANY  
FARMINGTON, MAINE  
1973

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature

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§ 726. Report

The board shall make a detailed progress report biennially to the Legislature, together with such recommendations as it deems necessary to carry out the purposes of this chapter.

§ 727. Application

In the event that any provision of this chapter is in conflict with the provision of a federal grant or educational leave program, the terms of the federal grant or educational leave program shall prevail.

Effective October 3, 1973

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## CHAPTER 501

### AN ACT to Provide Penalties for Sale of Counterfeit Substances which are not Drugs.

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

R. S., T. 22, § 2387, additional. Title 22 of the Revised Statutes is amended by adding a new section 2387 to read as follows:

§ 2387. Counterfeit substances

1. Definition. "Counterfeit substance" means a substance which is represented to be a particular controlled drug or substance under federal or state law, but which is in fact not that drug or substance.

2. Sale. Whoever sells, exchanges, delivers, barter, gives or furnishes a counterfeit substance to any person shall upon conviction thereof be punished by a fine of not more than \$1,000 or by imprisonment for not more than 5 years, or by both, for the first offense; and for a 2nd or subsequent offense, by imprisonment for not less than 2 years nor more than 10 years, for which the imposition or execution of such sentence shall not be suspended and probation not be granted.

Effective October 3, 1973

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## CHAPTER 502

### AN ACT Relating to Criminal Penalties for Knowingly Being in the Presence of Cannabis.

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

R. S., T. 22, § 2383, sub-§ 2, amended. Subsection 2 of section 2383 of Title 22 of the Revised Statutes, as enacted by section 7 of chapter 443 of the public laws of 1969, and as amended, is further amended to read as follows:

2. Present. Whoever, knowingly, is present where Cannabis Mescaline or Peyote is kept or deposited, or whoever is in the company of a person, knowing that said person is in possession of Cannabis Mescaline or Peyote, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

Effective October 3, 1973