



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 750

H.P. 557

House of Representatives, March 1, 2011

### An Act To Decriminalize Possession of 6 or Fewer Marijuana Plants

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative CHIPMAN of Portland.  
Cosponsored by Representatives: CEBRA of Naples, HARLOW of Portland, HARVELL of Farmington, RUSSELL of Portland.

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

2 **Sec. 1. 17-A MRSA §1107-A, sub-§1, ¶F**, as amended by PL 2009, c. 67, §2, is  
3 further amended to read:

4 F. A schedule Z drug. Violation of this paragraph is a Class E crime unless the drug  
5 is marijuana, in which case a violation of this paragraph is:

6 (1) For possession of over 2 1/2 ounces to 8 ounces of marijuana, a Class E  
7 crime;

8 (2) For possession of over 8 ounces to 16 ounces of marijuana, a Class D crime;

9 (3) For possession of over one pound to 20 pounds of marijuana, a Class C  
10 crime; and

11 (4) For possession of over 20 pounds of marijuana, a Class B crime.

12 Notwithstanding this paragraph, possession of 6 or fewer marijuana plants is not a  
13 violation of this paragraph.

14 **Sec. 2. 22 MRSA §2383, sub-§1, ¶A**, as repealed and replaced by PL 2009, c.  
15 652, Pt. B, §6, is amended to read:

16 A. A person who possesses a usable amount of marijuana commits a civil violation  
17 for which a fine of not less than \$350 and not more than \$600 must be adjudged for  
18 possession of up to 1 1/4 ounces of marijuana and a fine of not less than \$700 and not  
19 more than \$1,000 must be adjudged for possession of over 1 1/4 ounces to 2 1/2  
20 ounces of marijuana, none of which may be suspended. Notwithstanding this  
21 paragraph, a person who possesses 6 or fewer marijuana plants commits a civil  
22 violation for which a fine of not more than \$250 must be adjudged.

23 **SUMMARY**

24 This bill provides that possession of 6 or fewer marijuana plants is a civil violation  
25 for which a fine of not more than \$250 must be adjudged.