

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by inserting after the enacting clause and before section 1 the following:

‘**Sec. 1. 17-A MRSA §1106, sub-§3, ¶A**, as enacted by PL 1989, c. 924, §12, is amended to read:

A. More than ~~1 1/4~~ 1/2 ounces of marijuana;’

Amend the bill in section 1 in paragraph F in subparagraph (1) in the first line (page 1, line 6 in L.D.) by striking out the following: "4" and inserting the following: '2 1/2'

Amend the bill by striking out all of section 2 and inserting the following:

‘**Sec. 2. 22 MRSA §2383, sub-§1**, as amended by PL 2005, c. 386, Pt. DD, §3, is further amended to read:

**1. Marijuana.** Except as provided in section 2383-B, subsection 5, a person may not possess marijuana.

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

~~B. A person who possesses a usable amount of marijuana after having previously violated this subsection within a 6-year period commits a civil violation for which a fine of \$550 must be adjudged, none of which may be suspended.’~~

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment makes it a civil violation to possess up to 2 1/2 ounces of marijuana. The fines for possession of up to 1 1/4 ounces do not change, and fines for possession of up to 2 1/2 ounces must be not less than \$700 and not more than \$1,000. The amendment repeals penalties for prior civil violations, since the new fines are up to the same amount. The amendment also changes the permissible inference that a person is unlawfully furnishing marijuana by raising the amount from more than 1 1/4 ounces to more than 2 1/2 ounces to be consistent with the new criminal offense of possession of more than 2 1/2 ounces of marijuana.

**FISCAL NOTE REQUIRED**  
(See attached)