

### Maine Marijuana Penalties

🌿 decriminalized 🏥 medical 🌿 hemp

		Incarceration	Fine
<b>Possession</b>			
Usable amount with proof of physician's recommendation	none	none	none
"Usable Amount" (under <2.5 oz)	civil violation	none	\$350 - \$600 subsequent violation within 6 months \$550
2.5 oz or more	Presumption of Sale, Rebuttable		
<b>Cultivation</b>			
5 plants or less	class E misdemeanor	6 months	\$1,000
5 - 100 plants	class D misdemeanor	1 year	\$2,000
100 - 500 plants	class C felony	5 years	\$5,000
More than 500 plants	class B felony	10 years	\$20,000
<b>Sale</b>			
1 lb or less	class D misdemeanor	1 year	\$2,000
1 lb - 20 lbs	class C felony	5 years	\$5,000
20 lbs or more	class B felony	10 years	\$20,000
Sale to minor or within 1,000 feet of a school or on a school bus	felony	5 years	\$5,000
<b>Miscellaneous</b> (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession and use	civil violation	none	\$300
Paraphernalia sale	misdemeanor	6 months	\$1,000
Paraphernalia sale to a minor	misdemeanor	1 year	\$2,000
Any conviction may cause professional license suspension or revocation.			
<b>Details</b>			
Possession of less than 2.5 ounces is a civil violation, punishable by a fine of \$200 - \$400. Possession of 2.5 ounces or more is considered evidence of intent to distribute and is punished as such (see below).			
Possession of a usable amount of marijuana is lawful if at the time of the possession the person has an authenticated copy of a medical record demonstrating that the person has a physician's recommendation.			
Cultivation of five plants or less of marijuana is punishable by up to six months in jail and a fine of up to \$1,000. For greater than five plants, the penalties increase to up to one year in jail and a fine of up to \$2,000. For greater than 100 plants the possible punishment is up to five years in prison and a fine of up to \$5,000. For any amount of plants greater than 500, the penalties increase to up to ten years in prison and a fine of up to \$20,000.			

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The penalty for sale of marijuana is up to one year in jail and a fine up to \$2,000. The penalties increase to up to five years in prison and a fine of up to \$5,000 if the sale was made to a minor or if it occurred within 1,000 feet of a school or on a school bus.


Possession of greater than one pound of marijuana is considered trafficking and is punishable by up to one year in jail and a fine of up to \$2,000.

Possession and personal use of paraphernalia is a civil violation punishable by a fine of \$200. The sale of paraphernalia is punishable by up to six months in prison and a fine of up to \$1,000, unless the sale was to a minor, in which case the penalty increases to up to one year in jail and a fine of up to \$2,000.

Upon conviction, the court may suspend or revoke the professional license of the offender.

 **Decriminalization:** The state has decriminalized marijuana to some degree. Typically, decriminalization means no prison time or criminal record for first-time possession of a small amount for personal consumption. The conduct is treated like a minor traffic violation.

 **Medical marijuana:** This state has medical marijuana laws enacted. Modern research suggests that cannabis is a valuable aid in the treatment of a wide range of clinical applications. These include pain relief, nausea, spasticity, glaucoma, and movement disorders. Marijuana is also a powerful appetite stimulant and emerging research suggests that marijuana's medicinal properties may protect the body against some types of malignant tumors, and are neuroprotective. For more information see NORML's Medical Marijuana section. [http://norml.org/index.cfm?Group\\_ID=3376](http://norml.org/index.cfm?Group_ID=3376)

 **Hemp:** This state has an active hemp industry or has authorized research. Hemp is a distinct variety of the plant species *cannabis sativa L.* that contains minimal (less than 1%) amounts of tetrahydrocannabinol (THC), the primary psychoactive ingredient in marijuana. Various parts of the plant can be utilized in the making of textiles, paper, paints, clothing, plastics, cosmetics, foodstuffs, insulation, animal feed, and other products. For more information see NORML's Industrial Use section. [http://norml.org/index.cfm?Group\\_ID=3377](http://norml.org/index.cfm?Group_ID=3377)

Also see Federal Laws [http://norml.org/index.cfm?Group\\_ID=4575](http://norml.org/index.cfm?Group_ID=4575)

### About this Report

NORML's State Guide to Marijuana Penalties outlines most penalties for prohibited marijuana conduct in the 50 states, the District of Columbia, and under federal law. To view the list of prohibited conduct and penalties, click the map icon to the left to find your jurisdiction.

Marijuana laws and penalties change rapidly and are enforced and interpreted differently even in the same legal jurisdiction. Please consult a criminal defense lawyer if you have been busted or if you want to know how a particular conduct might be punished. If you spot an error or have information that should be included in NORML's State Guide to Marijuana Penalties, please inform the NORML Foundation ([foundation@norml.org](mailto:foundation@norml.org)).

Please note:

- The guide does not list penalties for every marijuana offense nor every enhanced sentence such as possessing marijuana near a school, involving a minor, and automatic driver's or professional license

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suspension. Your state may require an enhanced sentence even if the enhancement is not in the guide.

- Unless otherwise specified, please assume that listed penalties apply only to first convictions. Prior convictions often place a defendant in a higher penalty range, and convictions while on probation for a previous offense may result in revocation of probation.
- Except where indicated otherwise, a listed fine is the maximum fine for the conviction and the minimum fine is zero.
- "Possession" usually means "possessing marijuana only for personal use". If the government accuses you of possessing marijuana for other reasons, the accompanying penalties will probably exceed those for possessing marijuana for personal use. Possessing large amounts of marijuana frequently results in more serious charges of "possession with intent to distribute", "trafficking", and/or "sale".
- Many factors contribute to a defendant's sentence. Factors include level of involvement in the prohibited conduct, location, age, presence or absence of minors, use or presence of weapons, conduct for which a person has been acquitted, and many other things.
- If you are in trouble, please know your rights and hire an attorney.

Warning: The information contained in this report is for informational purposes only. Individuals are encouraged to confirm their state's laws before engaging in any particular behavior, or before going to court without a lawyer.

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### Metric units to United States units of measurements:

One ounce (oz.) = 28.35 grams  
One pound (lb.) = 16 ounces = 453.59 grams  
One kilogram (kg.) = 1,000 grams (g) = 2.2 pounds (lbs.)