

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

## An Act To Ban Salvia Divinorum

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

**Sec. 1. 17-A MRSA §1101, sub-§10-A** is enacted to read:

**10-A.** “Salvia divinorum” means the herb frequently referred to as “Ska Maria Pastora” and “Diviner’s Sage,” which is a perennial herb in the mint family that resembles sage.

**Sec. 2. 17-A MRSA §1102, sub-§4, ¶D,** as amended by PL 2005, c. 430, §2 and affected by §10, is further amended to read:

D. Butyl nitrite or isobutyl nitrite; and

**Sec. 3. 17-A MRSA §1102, sub-§4, ¶E,** as enacted by PL 2005, c. 430, §3 and affected by §10, is amended to read:

E. A methamphetamine precursor drug; and

**Sec. 4. 17-A MRSA §1102, sub-§4, ¶F** is enacted to read:

F. Salvia divinorum.

**Sec. 5. 17-A MRSA §1103, sub-§3, ¶A,** as amended by PL 1997, c. 481, §3, is further amended to read:

A. More than one pound of marijuana or salvia divinorum;

## SUMMARY

This bill adds salvia divinorum to the list of Schedule Z drugs, which currently includes marijuana. Under this bill, possession of salvia divinorum is a Class E crime. Trafficking or furnishing of salvia divinorum is a Class D crime. Trafficking may be proven by possession of more than a pound of salvia divinorum.