

trolled dangerous substance. Evidence of such circumstances shall include but not be limited to close proximity of any such controlled paraphernalia to any adulterants or equipment commonly used in the illegal manufacture and distribution of controlled dangerous substances, such as but not limited to any of the following: scales, sieves, strainers, measuring spoons, staples and staplers, or ~~procain~~ PROCAINE hydrochloride, mannitol, lactose, quinine, or any controlled dangerous substance.

(e) Any person who violates this section shall, upon conviction, be deemed guilty of a misdemeanor and be sentenced to a term of imprisonment for not more than ~~five (5)~~ FOUR (4) years, a fine of not more than twenty-five thousand dollars (\$25,000), or both; provided, however, that any such person convicted of a violation of this section involving THE USE OR POSSESSION OF marihuana shall be punished by a period of imprisonment not to exceed one (1) year or by a fine not to exceed \$1,000.00, or both.

288.

(a) ~~It~~ EXCEPT AS AUTHORIZED BY THE PROVISIONS OF THIS SUBHEADING, IT shall be unlawful for any person:

(1) who is subject to the requirements of Sections 281 through 284 of this subheading, as amended from time to time, to distribute or dispense a controlled dangerous substance in violation of Section 284;

(2) who is a registrant to manufacture, distribute, or dispense a controlled dangerous substance not authorized by his registration to another registrant or other authorized person;

(3) to omit, remove, alter, or obliterate a symbol required by the Federal Controlled Dangerous Substances Act;

(4) to refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice or information required under this subheading;

(5) to refuse any entry into any premises or inspection authorized by this subheading;

(6) to keep or maintain as a registrant or as any other person authorized under this subheading any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by persons using controlled dangerous substances in violation of this subheading for the purpose of using such substances, or which is used for the keeping or selling of the same in violation of this subheading.

(b) Any person described hereinabove who violates this section is punishable by a civil fine of not more than fifty thousand dollars (\$50,000). Provided, that if the violation is prosecuted by an information or indictment which alleges that the violation was committed knowingly or intentionally, and the trier of fact specifically finds that the violation was committed knowingly or intentionally, such person shall be deemed guilty of a misdemeanor and punished by imprisonment, upon conviction, for not more than two (2) years or a fine of not more than one hundred thousand dollars (\$100,000), or both.