

MAINE STATE LEGISLATURE

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(New Title)
NEW DRAFT OF: H. P. 71; L. D. 81

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1533

H. P. 1123

House of Representatives, May 11, 1965

Reported by a Majority of the Committee on Judiciary. Printed under Joint Rules No. 10.

JEROME G. PLANTE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to the Inhalation of Certain Vapors and to the Possession of
Certain Drugs.

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

Sec. 1. R. S., T. 17, c. 112, additional. Title 17 of the Revised Statutes is amended by adding a new chapter 112, to read as follows:

'CHAPTER 112

INHALATION OF CERTAIN VAPORS

§ 3475. Inhalation

No person shall, for the purpose of dulling his senses, intentionally inhale the fumes from any liquid, solid or mixed substance having the property of releasing toxic vapors.

§ 3476. Penalty

Whoever violates this chapter shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.'

Sec. 2. R. S., T. 22, § 2210, amended. The first paragraph of section 2210 of Title 22 of the Revised Statutes is amended to read as follows:

'It shall be unlawful for any person, firm or corporation to sell, furnish or give away or offer to sell, furnish or give away, or have in possession, any veronal or barbital, or any other salts, derivatives or compounds of barbituric acid, or amphetamines or derivatives or compounds, thereof, or any registered,

trademarked or copyrighted preparation registered in the United States Patent Office containing the above substance, or any drug designated by the board as a "potent medicinal substance" pursuant to section 2201, except upon the written order or prescription of a physician, surgeon, dentist or veterinary surgeon. These provisions shall not apply to the **possession**, sale, furnishing or giving away, or the offering to sell, furnish or give away such drugs, by drug jobbers, drug wholesalers and drug manufacturers and their agents and employees to registered pharmacists and the pharmacies registered under Title 32, section 2901, nor to physicians, dentists, veterinary surgeons or hospitals, nor to each other, nor to the sale at retail in pharmacies by pharmacists to each other, nor to physicians, surgeons, dentists, veterinary surgeons or hospitals. Nothing in this section shall be construed to affect the right of a physician, surgeon, dentist or veterinary surgeon in good faith and in the legitimate practice of his profession personally to administer, prescribe or deliver any of the foregoing substances to his own patients.'

Sec. 3. R. S., T. 22, § 2215, amended. Section 2215 of Title 22 of the Revised Statutes is amended to read as follows:

‘§ 2215. Violations generally

Whoever violates any provision of sections 2201 to 2210 or is found to be under the influence of any of the substances enumerated in section 2210 in any street, highway or other public place shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than ~~6 months~~ **2 years**, or by both.'