

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 790

H. P. 595

House of Representatives, February 11, 1971

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Rocheleau of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Relating to Possession of Certain Drugs.

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

Sec. 1. R. S., T. 22, § 2212-B, repealed and replaced. Section 2212-B of Title 22 of the Revised Statutes, as enacted by section 5 of chapter 390 of the public laws of 1967 and as amended by section 3 of chapter 443 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 2212-B. Possession of certain drugs

Whoever, except the laboratory of the Department of Health and Welfare, and research centers and laboratories licensed under section 2368-A is found in possession of certain hallucinatory drugs shall upon conviction thereof be punished by a fine of not more than \$1,000 or by imprisonment for not more than 2 years, or by both. Such hallucinatory drugs shall include any of the following substances, their optical isomers, and their salts:

d-lysergic acid diethylamide (LSD or LSD-25); peyote; mescaline; dimethyltryptamine (DMT); diethyltryptamine (DET); dipropyltryptamine (DPT); psilocin; psilocybin; bufotenine; ibogaine; tetrahydrocannabinol (THC); 4-methyl-2, 5 dimethoxyamphetamine (DOM or STP); phencyclidine (PCP); 3, 4-methylenedioxyamphetamine (MDA); 2, 3-methylenedioxyamphetamine; methoxymethylenedioxyamphetamine (MMDA), including all position isomers; trimethoxyamphetamine (TMA), including all position isomers; N-ethyl piperidyl benzilate (JB-318), including all position isomers; N-methyl piperidyl benzilate (JB-336), including all position isomers.

Sec. 2. R. S., T. 22, § 2368-A, repealed and replaced. Section 2368-A of Title 22 of the Revised Statutes, as enacted by section 8 of chapter 390 of the

public laws of 1967 and as amended by section 6 of chapter 443 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 2368-A. Hallucinatory drugs

No person shall manufacture, compound, mix, cultivate, grow or by any other process produce or prepare hallucinatory agents having the potential for abuse because of their hallucinatory effect, unless for laboratory work or research. Laboratories and research centers using these drugs shall be licensed and regulated by the Bureau of Health. Such hallucinatory drugs shall include any of the following substances, their optical isomers, and their salts:

d-lysergic acid diethylamide (LSD or LSD-25); peyote; mescaline; dimethyltryptamine (DMT); diethyltryptamine (DET); dipropyltryptamine (DPT); psilocin; psilocybin; bufotenine; ibogaine; tetrahydrocannabinol (THC); 4-methyl-2, 5-dimethoxyamphetamine (DOM or STP); phencyclidine (PCP); 3, 4-methylenedioxyamphetamine (MDA); 2, 3-methylenedioxyamphetamine; methoxymethylenedioxyamphetamine (MMDA), including all position isomers; trimethoxyamphetamine (TMA), including all position isomers; N-ethyl piperidyl benzilate (JB-318), including all position isomers; N-methyl piperidyl benzilate (JB-336), including all position isomers.

STATEMENT OF FACT

This bill simply up-dates the list of drugs which may not be possessed, other than the exceptions provided for. Such up-dating is required by the existence of newly synthesized hallucinatory drugs being distributed through illicit drug channels.