

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1685

7 H.P. 1188

House of Representatives, December 19, 1985

8 Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 26.

9 Received by the Clerk of the House on December 19, 1985. Referred to
10 the Committee on Judiciary and 1,600 and ordered printed pursuant to Joint
Rule 14.

EDWIN H. PERT, Clerk

11 Presented by Representative Allen of Washington.

Cosponsored by Senator Chalmers of Knox.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT Concerning Substance Abuse Education.
18

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

21 25 MRSA c. 259 is enacted to read:

22 CHAPTER 259

23 SUBSTANCE ABUSE TRAINING MATERIALS

24 §2201. Definitions

25 As used in this chapter, unless the context oth-
26 erwise indicates, the following terms have the fol-
27 lowing meanings.

28 1. Law enforcement officer. "Law enforcement of-
29 ficer" means a law enforcement officer who estab-
30 lishes, to the satisfaction of the Commissioner of
31 Public Safety, that he is engaged in substance abuse
32 training or education.

1 2. Registered substance abuse counselor. "Regis-
2 tered substance abuse counselor" means a registered
3 substance abuse counselor who establishes, to the
4 satisfaction of the commissioner, that he is engaged
5 in substance abuse training or education.

6 3. Substance abuse training materials. "Sub-
7 stance abuse training materials" means any scheduled
8 drug, drug paraphernalia or hypodermic apparatus as
9 defined in Title 17-A, chapter 45.

10 §2202. Substance abuse training materials; permit

11 Notwithstanding Title 17-A, chapter 45, the Com-
12 missioner of Public Safety may, upon application, is-
13 sue a permit to any registered substance abuse coun-
14 selor or law enforcement officer, subject to this
15 chapter, allowing the applicant to possess substance
16 abuse training materials to be used by the applicant
17 in the course of providing substance abuse training
18 and education.

19 §2203. Rules

20 The commissioner shall promulgate rules, in ac-
21 cordance with the Maine Administrative Procedure Act,
22 Title 5, chapter 375, to carry out this chapter.
23 These rules shall, at a minimum, provide for:

24 1. Permit criteria. Criteria for the issuance,
25 denial, renewal, reissuance or revocation of permits
26 under this chapter;

27 2. Permit duration. The length of time for which
28 a permit is valid under this chapter;

29 3. Periodic evaluations. Periodic evaluations
30 and examinations of persons holding permits under
31 this chapter and the substance abuse training materi-
32 als held by those persons;

33 4. Types and amounts of materials. The types and
34 amounts of substance abuse training materials for
35 which a permit may be issued under this chapter; and

36 5. Background investigation. Procedures for in-
37 vestigation of an applicant's background and history

1 prior to the issuance of any permit under this chap-
2 ter.

3 STATEMENT OF FACT

4 The purpose of this bill is to permit certain law
5 enforcement officers and registered substance abuse
6 counselors involved in substance abuse training and
7 education to possess certain scheduled drugs and drug
8 paraphernalia for the use in that training or educa-
9 tion.

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