

MAINE STATE LEGISLATURE

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L.D. 2024
(Filing No. S-455)

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STATE OF MAINE
SENATE
113TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT " A " to S.P. 761, L.D. 2024,
Bill, "AN ACT to Prohibit the Sale of the Substance
Amyl Nitrite, Commonly Referred to as "Rush" or
"Lockerroom," to Minors."

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Amend the bill by striking out all of the title
and inserting in its place the following:

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'AN ACT to Prohibit the Sale of the Substances Butyl
Nitrite and Isobutyl Nitrite, Commonly Referred to as
"Rush" or "Lockerroom."

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Further amend the bill by striking out everything
after the title and inserting in its place the
following:

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'Emergency preamble. Whereas, Acts of the
Legislature do not become effective until 90 days
after adjournment unless enacted as emergencies; and

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Whereas, the use of butyl nitrite and isobutyl
nitrite as aphrodisiacs, stimulants and psychedelic
agents is a serious problem in Maine and causes
unhealthful side effects, including nosebleeds and
headaches, and is also psychologically addictive; and

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Whereas, in the judgment of the Legislature, these
facts create an emergency within the meaning of the
Constitution of Maine and require the following
legislation as immediately necessary for the

COMMITTEE AMENDMENT " A" to S.P. 761, L.D. 2024

1 preservation of the public peace, health and safety;
2 now, therefore,

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

5 Sec. 1. 17-A MRSA §1102, sub-§4, ¶C, as enacted
6 by PL 1975, c. 499, §1, is amended to read:

7 C. All nonprescription drugs other than those
8 included in schedules W, X or Y as the Board of
9 Pharmacy shall duly designate;

10 Sec. 2. 17-A MRSA §1102, sub-§4, ¶D is enacted
11 to read:

12 D. Butyl nitrite or isobutyl nitrite.

13 Sec. 3. 22 MRSA §2383, as repealed and replaced
14 by PL 1975, c. 499, §51, is repealed and the following
15 enacted in its place:

16 §2383. Possession

17 1. Marijuana. Possession of a usable amount of
18 marijuana is a civil violation for which a forfeiture
19 of not more than \$200 may be adjudged.

20 2. Butyl nitrite and isobutyl nitrite. Possession
21 of a usable amount of butyl nitrite or isobutyl
22 nitrite is a civil violation for which a forfeiture of
23 not more than \$200 may be adjudged.

24 Sec. 4. Emergency clause. In view of the
25 emergency cited in the preamble, this Act shall take
26 effect 30 days after approval.'

27 STATEMENT OF FACT

28 This amendment:

29 1. Includes butyl nitrite and isobutyl nitrite in
30 the Maine Revised Statutes, Title 17-A, as a Schedule
31 Z drug, making it a Class D crime to furnish or
32 traffick in these substances. Reference to amyl
33 nitrite is deleted from the bill. It is regulated as
34 a prescription drug and the Food and Drug

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1 Administration is not aware of any diversion of this
2 drug from legitimate medical use. The nonprescription
3 substance, butyl nitrite, marketed as a room
4 deodorizer, is abused as an inhalant;

5 2. Repeals and replaces Title 22, section 2383,
6 to include possession of butyl nitrite or isobutyl
7 nitrite as a civil violation;

8 3. Changes the title of the bill deleting
9 reference to minors. Crimes and civil violations do
10 not distinguish between adults and minors as victims;
11 and

12 4. Adds an emergency preamble and an emergency
13 clause which becomes effective 30 days after approval.

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