

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2006

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Legislative Document

No. 1952

S.P. 749

In Senate, January 10, 2006

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**An Act To Prevent the Use of Performance-enhancing Substances  
by Maine Student Athletes**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BRENNAN of Cumberland.  
Cosponsored by Representative CUMMINGS of Portland and  
Senator: President EDMONDS of Cumberland, Representatives: DAVIS of Falmouth,  
HARLOW of Portland, MAZUREK of Rockland.

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

4 **Sec. 1. 20-A MRSA c. 223, sub-c. 7-B** is enacted to read:

6 **SUBCHAPTER 7-B**

8 **PERFORMANCE-ENHANCING SUBSTANCES**

10 **§6621. Performance-enhancing substance list**

12 1. List. The Department of Health and Human Services shall  
develop by January 1, 2007 a list of performance-enhancing  
substances. The list must include the following:

14 A. All substances that are:

16 (1) A dietary supplement, as defined by 21 United  
States Code, Section 321, Subsection (ff); and

18 (2) Listed on a banned substance list maintained by  
the National Collegiate Athletic Association or the  
World Anti-Doping Agency or their successor  
organizations;

24 B. Ephedrine;

26 C. Synephrine, also known as bitter orange; and

28 D. Dehydroepiandrosterone.

30 2. Amended. The performance-enhancing substance list must  
be amended each time a new substance is added to either of the  
lists referred to in subsection 1, paragraph A, subparagraph  
(2). For a substance to be prohibited under section 6624 in a  
particular school year, the substance must be added to the  
performance-enhancing substance list no later than July 1st  
preceding that school year.

38 3. Notification. The Department of Health and Human  
Services shall notify the department when the  
performance-enhancing substance list is complete and of any  
amendments to the list. The department shall notify a school  
administrative unit that has students in grades 9 to 12 who  
participate in sports of the availability of the list. The  
Department of Health and Human Services shall post the list on  
its publicly accessible website.

46 **§6622. Training**

2 The department shall provide training for sport coaches,  
athletic directors and physical education teachers in the dangers  
of performance-enhancing substances.

4 **§6623. Marketing**

6  
8 A teacher, athletic director, sports coach or other school  
official or employee may not sell, distribute or promote a  
performance-enhancing substance on the performance-enhancing  
substance list under section 6621. A school may not accept a  
sponsorship from a manufacturer of a performance-enhancing  
substance on the performance-enhancing substance list.

14 **§6624. Prohibited**

16 A student participating in interscholastic sports may not  
use a performance-enhancing substance on the  
performance-enhancing list under section 6621. A student  
participating in interscholastic sports shall sign a form  
provided by the department stating that the student will not use  
a performance-enhancing substance.

24 **SUMMARY**

26 This bill requires the Department of Health and Human  
28 Services to establish a performance-enhancing substance list, to  
publish the list on its publicly accessible website and to notify  
30 the Department of Education of the list. The bill also requires  
sport coaches, athletic directors and physical education teachers  
32 to be trained in the dangers of the use of performance-enhancing  
substances. The bill prohibits the use of performance-enhancing  
34 substances by students participating in interscholastic sports  
and requires a student to sign a form indicating that the student  
will abstain from using a performance-enhancing substance.