

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1063

H.P. 756

House of Representatives, March 19, 2013

**An Act To Remove a Conflict in the Law Restricting the Sale or
Purchase of Targeted Methamphetamine Precursors**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WILLETTE of Mapleton.
Cosponsored by Senator BURNS of Washington and
Representatives: AYOTTE of Caswell, CLARK of Easton, MAKER of Calais, PARRY of
Arundel, Senator: SHERMAN of Aroostook.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** Public Law 2011, chapter 584 made changes to the law restricting the sale
4 of targeted methamphetamine precursors; and

5 **Whereas,** the changes did not address restrictions on packaging in the law, causing a
6 conflict in state and federal law; and

7 **Whereas,** this conflict needs to be addressed quickly so that sales of legal
8 methamphetamine precursors can continue; and

9 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. 32 MRSA §13796, sub-§2,** as enacted by PL 2005, c. 430, §8 and
15 affected by §10, is repealed.

16 **Emergency clause.** In view of the emergency cited in the preamble, this
17 legislation takes effect when approved.

18 **SUMMARY**

19 Public Law 2011, chapter 584 made changes to the law restricting the sale of targeted
20 methamphetamine precursors, including setting a limit of 3.6 grams of targeted
21 methamphetamine precursors that could be sold in a 24-hour period to the same person;
22 this limit is the same as in federal law. At the time Public Law 2011, chapter 584 was
23 enacted, the law prohibited the sale of targeted methamphetamine precursors to no more
24 than 3 grams and also restricted the number of packages sold per transaction.

25 This bill repeals the restriction on the number of packages of medication containing
26 pseudoephedrine that may be sold at one time, leaving the 3.6 gram per month maximum
27 in place. The requirement that the targeted methamphetamine precursors be sold in
28 blister packages is also repealed since this is already a federal requirement under the
29 federal Combat Methamphetamine Epidemic Act.