

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
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**NON-EMERGENCY LAWS IS**  
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**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2013**

**Sec. 2. Maine Center for Disease Control and Prevention; alternatives for treatment of Lyme disease.** The Department of Health and Human Services, Maine Center for Disease Control and Prevention shall include on the publicly accessible website established pursuant to the Maine Revised Statutes, Title 22, section 1645, subsection 3 the following information regarding Lyme disease diagnosis and treatment:

1. Lyme disease may be difficult to diagnose and treat;
2. Some patients seem not to respond to the usual antibiotics used for treating Lyme disease and seem to have post-treatment Lyme disease syndrome. There are some doctors who believe that longer doses of antibiotics may sometimes be helpful. Some patients believe that they have benefited from extended treatments of antibiotics;
3. Antibiotics can be lifesaving medications but can have serious side effects, such as the development of drug-resistant organisms. A patient who contracts an infection from a drug-resistant organism may never fully recover;
4. A negative result for a Lyme disease test does not necessarily mean that Lyme disease is not present and if symptoms continue, the patient should contact a health care provider and inquire about the appropriateness of retesting or additional treatment; and
5. Information on treatment alternatives for treating Lyme disease is available through Internet websites of organizations, including, but not limited to, MaineLyme, Lyme Disease Association, the Mayo Clinic, the National Institutes of Health and WebMD.

See title page for effective date.

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**CHAPTER 341**  
**H.P. 453 - L.D. 661**

**An Act To Prohibit Sale or Possession of Synthetic Cannabinoids**

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

**Sec. 1. 17-A MRSA §1101, sub-§1-A**, as enacted by PL 2011, c. 428, §1 and affected by §9, is repealed.

**Sec. 2. 17-A MRSA §1101, sub-§1-B**, as enacted by PL 2011, c. 428, §2 and affected by §9, is repealed.

**Sec. 3. 17-A MRSA §1101, sub-§3-A**, as enacted by PL 2011, c. 428, §3 and affected by §9, is repealed.

**Sec. 4. 17-A MRSA §1101, sub-§3-B**, as enacted by PL 2011, c. 428, §4 and affected by §9, is repealed.

**Sec. 5. 17-A MRSA §1102, sub-§4, ¶F**, as enacted by PL 2011, c. 428, §7 and affected by §9, is repealed.

**Sec. 6. 17-A MRSA §1102, sub-§4, ¶G** is enacted to read:

G. Synthetic cannabinoids, including:

(1) Tetrahydrocannabinols that are naturally contained in a plant of the genus cannabis or a cannabis plant, as well as synthetic equivalents of the substances contained in the cannabis plant or in the resinous extractives of cannabis or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity, including the following:

- (a) Delta-1 cis or trans tetrahydrocannabinol and their optical isomers;
- (b) Delta-6 cis or trans tetrahydrocannabinol and their optical isomers; or
- (c) Delta-3,4 cis or trans tetrahydrocannabinol and their optical isomers;

(2) Naphthoylindoles, including any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including the following:

- (a) 1-Pentyl-3-(1-naphthoyl)indole or JWH-018 or AM-678;
- (b) 1-Butyl-3-(1-naphthoyl)indole or JWH-073;
- (c) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole or JWH-081;
- (d) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole or JWH-200;
- (e) 1-Propyl-2-methyl-3-(1-naphthoyl)indole or JWH-015;
- (f) 1-Hexyl-3-(1-naphthoyl)indole or JWH-019;
- (g) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole or JWH-122;
- (h) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole or JWH-210;

- (i) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole or JWH-398; or
- (j) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole or AM-2201;
- (3) Naphthylmethyloindoles, including any compound containing a H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including the following:
- (a) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane or JWH-175; or
- (b) 1-Pentyl-1H-3-yl-(4-methyl-1-naphthyl)methane or JWH-184;
- (4) Naphthoylpyrroles, including any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent and whether or not substituted in the naphthyl ring to any extent, including (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone or JWH-307;
- (5) Naphthylideneindenes or naphthylmethylindenes, including any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent and whether or not substituted in the naphthyl ring to any extent, including E-1-[1-(1-Naphthalenylmethylene)-1H-inden-3-yl]pentane or JWH-176;
- (6) Phenylacetylindoles, including any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent, including the following:
- (a) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole or RCS-8;
- (b) 1-Pentyl-3-(2-methoxyphenylacetyl)indole or JWH-250;
- (c) 1-Pentyl-3-(2-methylphenylacetyl)indole or JWH-251; or
- (d) 1-Pentyl-3-(2-chlorophenylacetyl)indole, or JWH-203;
- (7) Cyclohexylphenols, including any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent, and their isomers with similar chemical structure and pharmacological activity, including the following:
- (a) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol or CP 47,497;
- (b) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol or Cannabicyclohexanol or CP 47,497-C8 homologue; or
- (c) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-phenol or CP 55,490;
- (8) Benzoylindoles, including any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent, including the following:
- (a) 1-Pentyl-3-(4-methoxybenzoyl)indole or RCS-4;
- (b) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole or AM-694; or
- (c) (4-Methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone or WIN-48,098 or Pravadoline; and
- (9) The following other unclassified synthetic cannabinoids:
- (a) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,

10a-tetrahydrobenzo[c]chromen-1-ol or HU-210;

(b) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol or Dexanabinol or HU-211;

(c) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl-1-naphthalenylmethanone or WIN 55,212-2; or

(d) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone or XLR-11.

See title page for effective date.

**CHAPTER 342**

**H.P. 718 - L.D. 1020**

**An Act Regarding the Swans Island Lobster Fishing Zone**

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

**Whereas,** the trap limit in the Swans Island Lobster Conservation Area is 475 per individual and the rest of Zone B allows 800 traps; and

**Whereas,** it is necessary to raise the maximum number of allowed traps in the Swans Island Lobster Conservation Area in order to increase economic opportunity for license holders fishing in the Swans Island Lobster Conservation Area in order to sustain commercial lobster fishing as a viable economic pursuit for residents of Swans Island and keep the community's population sustainable; and

**Whereas,** the Maine lobster industry faces a critical opportunity for branding and marketing; and

**Whereas,** it is necessary that this Act take effect by June 2013 in order to take advantage of the plentiful summer harvest, in order to provide needed support to persons who fish for lobster and the lobster industry; and

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

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

**Sec. 1. 12 MRSA c. 619, sub-c. 6** is enacted to read:

**SUBCHAPTER 6**

**SWANS ISLAND LOBSTER CONSERVATION AREA**

**§6481. Swans Island Lobster Conservation Area**

**1. Swans Island Lobster Conservation Area.**

The following territorial waters of the State in the vicinity of Swans Island are known as the Swans Island Lobster Conservation Area:

Beginning at the northern tip of Long Point, Marshall Island, Hancock County, Maine; then northerly to the navigational buoy at the western entrance to Toothacker Bay, located at the intersection of Loran lines 9960-W-12492.0 and 9960-X-25800.0; then northeasterly to West Point, Swans Island, Hancock County, Maine; then from Phinney Point on the northeastern shore of Swans Island southeasterly to the intersection of Loran lines 9960-W-12445.6 and 9960-X-25780.9, 68°22.40' W. Longitude, 44°08.79' N. Latitude, Hancock County, Maine; then southwest-erly to the intersection of Loran lines 9960-W-12468.0 and 9960-X-25773.0, 68°23.6' W. Longitude, 44°06.4' N. Latitude; then south-southwesterly to the intersec-tion of Loran lines 9960-W-12482.2 and 9960-X-25766.4, 68°24.01' W. Longitude, 44°04.8' N. Lati-tude; then southerly to the intersection of Loran lines 9960-W-12493.5 and 9960-X-25758.4, 68°23.9' W. Longitude, 44°03.1' N. Latitude, and the intersection with the 3-nautical-mile line of the territorial waters, as shown on United States Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service, Office of Coast Survey Chart #13312; then southwest-erly along the 3-nautical-mile line of the territorial waters approximately 3.5 miles to a point where a line drawn southeasterly 165° True from the center of Black Ledges intersects the 3-nautical-mile line of the territorial waters at Loran lines 9960-W-12524.5 and 9960-X-25765.5, 68°28.6' W. Longitude, 44°01.9' N. Latitude; then northwest-erly 345° True to the center of Black Ledges; then northwesterly to the most southerly point of Marshall Island; thence along the westerly shore of Marshall Island to the point of beginning.

**§6482. Fishing in Swans Island Lobster Conserva-tion Area**

**1. Placing and maintaining traps.**

A person may not place or maintain any trap for lobsters, or otherwise fish for or take lobsters, within the Swans Island Lobster Conservation Area except in accord-ance with this section.

A. An individual registered to obtain Swans Is-land Lobster Conservation Area trap tags under this section may not place or maintain in the Swans Island Lobster Conservation Area more