

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
HUMAN RESOURCES

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1992**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

Senate Amendment "A" (S-669) proposes language identical to that proposed in section 10 of L.D. 2408, "An Act to Implement the Recommendations of the Advisory Committee on Medical Education," as amended, in order to make the 2 bills consistent. (see Education Committee Summaries for discussion of LD 2408) It makes other technical changes to the original bill to make it consistent with L.D. 2408, as amended. The amendment also replaces the fiscal note with a new one that reflects the combined fiscal impact of both bills.

**LD 2420 An Act to Legalize Marijuana for Medicinal Purposes**

UNSIGNED

**SPONSOR(S)**

POWERS  
LARRIVEE  
CONLEY  
ALIBERTI

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-1281  
H-1312 MANNING

**SUMMARY**

This bill reestablishes the Marijuana Therapeutic Research Program administered by the Commissioner of Human Services, which was automatically repealed through a sunset clause on December 31, 1987. Participation is limited to cancer chemotherapy and glaucoma patients who are not responding to conventional treatment or who are suffering severe side effects.

Committee Amendment "A" (H-1281) removes the role of the Board of Registration in Medicine and establishes the Participation Review Board to review physicians for participation in the program. The amendment reduces the participation fee from \$50 to \$25. These changes make the proposed Marijuana Therapeutic Research Program laws identical to those enacted in 1983, except for the composition of the board and nonsubstantive grammatical differences. The amendment also authorizes the possession of small amounts of marijuana for personal use by persons who suffer side effects of chemotherapy or radiation therapy or who have been diagnosed by a physician as having glaucoma. Juvenile patients must have parental approval. The amendment also authorizes other persons to possess small amounts of marijuana for the sole purpose of providing it to such patients without charge. The amendment also provides an affirmative defense against criminal marijuana charges for persons who suffer side effects of chemotherapy or radiation therapy or who have been diagnosed by a physician as having glaucoma and who possess marijuana, possess marijuana paraphernalia or grow marijuana for their own use. An affirmative defense against charges of furnishing marijuana, possessing paraphernalia and growing marijuana is provided to those who obtain or grow marijuana or obtain paraphernalia for the sole purpose of providing it without charge to such a patient. The amendment also prohibits forfeiture to the State of any property that would otherwise be subject to forfeiture if not for the affirmative defenses available and the authorization of possession of a usable amount of marijuana.

House Amendment "A" (H-1312) removes provisions in Committee Amendment "A" that allow persons other than the patient to grow or possess marijuana. The amendment also defines side effects of chemotherapy or radiation therapy as "significant nausea or vomiting." The amendment also repeals the provisions related to glaucoma patients on October 1, 1993.