LC.1344

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Zouse BILL NO. 555 1 INTRODUCED BY 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 1947. BY CHANGING THE DEFINITION OF 5 54-301. R.C.M. "MARIJUANA"." 6 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 8 9 Section 1. Section 54-301, R.C.M. 1947, is amended to 10 read as follows: 11 "54-301. Definitions. As used in this act: (1) "Administer" means the direct application of a 12 13 dangerous drug, whether by injection, inhalation, ingestion, 14 or any other means, to the body of a patient or research 15 subject by: 16 (a) a practitioner (or by his authorized agent), or 17 (b) the patient or research subject at the direction 18 and in the presence of the practitioner. 19 (2) "Agent" means an authorized person who acts on 20 behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or 21 22 contract carrier, public warehouseman, or employee of the carrier or warehouseman. 23 24 (3) "Board" means the board of pharmacists, provided 25 for in section 82A-1602.21.

INTRODUCED

BILL

1 (4) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.

4 (5) "Dangerous drug" means a drug, substance or immediate precursor in Schedules I through V hereinafter set 5 6 forth.

7 (6) "Counterfeit substance" means a dangerous drug which, or the container or labeling of which, without 8 9 authorization, bears the trademark, trade name, or other 10 identifying mark, imprint, number of device, or any likeness 11 thereof, of a manufacturer, distributor, or dispenser other 12 than the person who in fact manufactured, distributed, or 13 dispensed the drug.

14 (7) "Deliver" or "delivery" means the actual, 15 constructive, or attempted transfer from one person to another of a dangerous drug, whether or not there is an 16 17 agency relationship.

18 (8) "Department" means the department of professional and occupational licensing, provided for in Title 82A. 19 chapter 16. 20

21 (9) "Dispense" means to deliver a dangerous drug to an 22 ultimate user or research subject by or pursuant to the 23 lawful order of a practitioner, including the prescribing, 24 administering, packaging, labeling, or compounding necessary 25 to prepare the drug for that delivery.

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(10) "Dispenser" means a practitioner who dispenses.
 (11) "Distribute" means to deliver other than by

3 administering or dispensing a dangerous drug.

4 (12) "Distributor" means a person who distributes.

5 (13) "Drug" means:

6 (a) substances recognized as drugs in the official
7 United States pharmacopoeia, official homeopathic
8 pharmacopoeia of the United States, or official national
9 formulary, or any supplement to any of them;

10 (b) substances intended for use in the diagnosis, 11 cure, mitigation, treatment, or prevention of disease in man 12 or animals;

13 (c) substances (other than food) intended to affect
14 the structure or any function of the body of man or animals;
15 and

16 (d) substances intended for use as a component of any
17 article specified in clause (a), (b), or (c) of this
18 subsection. It does not include devices or their components,
19 parts or accessories.

(14) "Immediate precursor" means a substance which the board of pharmacists has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a dangerous drug, the control of which is necessary to prevent, curtail, or limit manufacture.

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2 (15) "Manufacture" means the production, preparation, 3 propagation, compounding, conversion or processing of a 4 dangerous drug, either directly or indirectly by extraction 5 from substances of natural origin. or independently by means of chemical synthesis, or by a combination of extraction and 6 7 chemical synthesis, and includes any packaging or 8 repackaging of the drug or labeling or relabeling of its 9 container, except that this term does not include the 10 preparation or compounding of a dangerous drug by an 11 individual for his own use or the preparation, compounding,

12 packaging, or labeling of a dangerous drug:

13 (a) by a practitioner as an incident to his
14 administering or dispensing of a dangerous drug in the
15 course of his professional practice, or

16 (b) by a practitioner, or by his authorized agent 17 under his supervision, for the purpose of, or as an incident 18 to, research, teaching, or chemical analysis and not for 19 sale.

(16) "Marihuana Marijuana" means all parts-of-the plant
cannabis-sativa-livy-whether-growing-or-noty-the-seeds
thereofy-the-resin-extracted-from-any-part-of-the-planty-and
every-compoundy-manufacturey-salty-derivativey-mixturey-or
preparation-of-the-planty-its-seeds-or-resiny--its-does--not
include-the-mature-stalks-of-the-planty-fiber-produced-from

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use BILL NO. 555 1 INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 4 54-301. R.C.M. 1947. BY CHANGING THE DEFINITION OF 5 "MARIJUANA"." 6

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 54-301, R.C.M. 1947, is amended to 10 read as follows:

11 "54-301. Definitions. As used in this act:

(1) "Administer" means the direct application of a
dangerous drug, whether by injection, inhalation, ingestion,
or any other means, to the body of a patient or research
subject by:

16 (a) a practitioner (or by his authorized agent), or

17 (b) the patient or research subject at the direction18 and in the presence of the practitioner.

(2) "Agent" means an authorized person who acts on
behalf of or at the direction of a manufacturer,
distributor, or dispenser. It does not include a common or
contract carrier, public warehouseman, or employee of the
carrier or warehouseman.

24 (3) "Board" means the board of pharmacists, provided25 for in section 82A-1602.21.

(4) "Bureau" means the bureau of narcotics and
 dangerous drugs, United States department of justice, or its
 successor agency.

4 (5) "Dangerous drug" means a drug, substance or
5 immediate precursor in Schedules I through V hereinafter set
6 forth.

7 (6) "Counterfeit substance" means a dangerous drug 8 which, or the container or labeling of which, without 9 authorization, bears the trademark, trade name, or other 10 identifying mark, imprint, number of device, or any likeness 11 thereof, of a manufacturer, distributor, or dispenser other 12 than the person who in fact manufactured, distributed, or 13 dispensed the drug.

14 (7) "Deliver" or "delivery" means the actual,
15 constructive, or attempted transfer from one person to
16 another of a dangerous drug, whether or not there is an
17 agency relationship.

18 (8) "Department" means the department of professional
19 and occupational licensing, provided for in Title 82A,
20 chapter 16.

(9) "Dispense" means to deliver a dangerous drug to an
ultimate user or research subject by or pursuant to the
lawful order of a practitioner, including the prescribing,
administering, packaging, labeling, or compounding necessary
to prepare the drug for that delivery.

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INTRODUCED BILL

 (10) "Dispenser" means a practitioner who dispenses.
 (11) "Distribute" means to deliver other than by administering or dispensing a dangerous drug.

(12) "Distributor" means a person who distributes.

(13) "Drug" means:

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5

6 (a) substances recognized as drugs in the official
7 United States pharmacopoeia, official homeopathic
8 pharmacopoeia of the United States, or official national
9 formulary, or any supplement to any of them;

10 (b) substances intended for use in the diagnosis, 11 cure, mitigation, treatment, or prevention of disease in man 12 or animals;

13 (c) substances (other than food) intended to affect
14 the structure or any function of the body of man or animals;
15 and

16 (d) substances intended for use as a component of any
17 article specified in clause (a), (b), or (c) of this
18 subsection. It does not include devices or their components,
19 parts or accessories.

(14) "Immediate precursor" means a substance which the board of pharmacists has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a dangerous drug, the control of which is necessary to prevent, curtail, or limit manufacture.

2 (15) "Manufacture" means the production, preparation, 3 propagation, compounding, conversion or processing of a dangerous drug, either directly or indirectly by extraction 4 from substances of natural origin, or independently by means 5 6 of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or 7 repackaging of the drug or labeling or relabeling of its 8 9 container, except that this term does not include the 10 preparation or compounding of a dangerous drug by an 11 individual for his own use or the preparation, compounding, 12 packaging, or labeling of a dangerous drug:

13 (a) by a practitioner as an incident to his
14 administering or dispensing of a dangerous drug in the
15 course of his professional practice, or

16 (b) by a practitioner, or by his authorized agent
17 under his supervision, for the purpose of, or as an incident
18 to, research, teaching, or chemical analysis and not for
19 sale.

(16) "Marihuana Marijuana" means all parts-of-the plant cannabis-sativa--lty--whether--growing-or--noty--the--seeds thereofy-the-resin-extracted-from-any-part-of-the-planty-and every--compoundy--manufacturey-salty-derivativey-mixturey-or preparation-of-the-planty-its-seeds-or-resinty--its-does--not include--the-mature-stalks-of-the-planty-fiber-produced-from

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the-stalksy-oil-or-cake-made-from-the-seeds-of--the-planty any-other-compoundy-manufacturey-salty-derivativey-mixturey or-preparation-of--the--mature--stalks--(except--the--resin extracted-therefrom)y-fibery-oily-or-cakey-or-the-sterilized seed-of-the-plant-which-is-incapable-of-germination material from the genus cannabis containing tetrahydrocannabinol (TEC) or seeds of the genus capable of germination.

8 (17) "Narcotic drug" means any of the following, 9 whether produced directly or indirectly by extraction from 10 substances of vegetable origin, or independently by means of 11 chemical synthesis, or by a combination of extraction and 12 chemical synthesis:

13 (a) opium and opiate, and any salt, compound,14 derivative, or preparation of opium or opiate;

(b) any salt, compound, isomer, derivative, or
preparation thereof which is chemically equivalent or
identical with any of the drugs referred to in clause (a),
but not including the isoquinoline alkaloids, of opium;

(c) opium poppy and poppy straw;

19

(d) coca leaves and any salt, compound, derivative, or
preparation of coca leaves, and any salt, compound, isomer,
derivative, or preparation thereof which is chemically
equivalent or identical with any of these drugs, but not
including decocainized coca leaves or extractions of coca
leaves which do not contain cocaine or ecgonine.

1 (18) "Opiate" means anv drug having an 2 addiction-forming or addiction-sustaining liability similar 3 to morphine or being capable of conversion into a drug 4 having addiction-forming or addiction-sustaining liability. 5 It does not include, unless specifically designated as a 6 dangerous drug under section 54-302 of this act. the 7 dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its 8 salts (dextromethorphan). It does include its racemic and 9 levorotatory forms.

10 (19) "Opium poppy" means the plant of the species 11 papaver somniferum 1., except its seeds.

(20) "Person" means individual, corporation, government
or governmental subdivision or agency, business trust,
estate, trust, partnership or association, or any other
legal entity.

16 (21) "Poppy straw" means all parts, except the seeds,17 of the opium poppy, after mowing.

18 (22) "Practitioner" means:

(a) a physician, dentist, veterinarian, scientific investigator, or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a dangerous drug in the course of professional practice or research in this state;

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(b) a pharmacy or other institution licensed,

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registered, or otherwise permitted to distribute, dispense,
 conduct research with respect to or to administer a
 dangerous drug in the course of professional practice or
 research in this state.

5 (23) "Production" includes the manufacture, planting,
6 cultivation, growing, or harvesting of a substance or drug
7 regulated under the provisions of this act.

8 (24) "State," when applied to a part of the United 9 States, includes any state, district, commonwealth, 10 territory, insular possession thereof, and any area subject 11 to the legal authority of the United States of America.

12 (25) "Ultimate user" means a person who lawfully 13 possesses a dangerous drug for his own use or for the use of 14 a member of his household or for administering to an animal 15 owned by him or by a member of his household.

16 (26) The term "prescription" shall be given the meaning 17 it has in section 66-1502 (13), R.C.M. 1947."

-End-

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MISSING

SECOND READING

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INTRODUCED 34 De herring SILL NO. 555 1 2 З A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 4 54-301, R.C.M. 1947, BY CHANGING THE DEFINITION OF 5 "MARIJUANA"." 6 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 54-301, R.C.M. 1947, is amended to read as follows: 10 11 *54-301. Definitions. As used in this act: (1) "Administer" means the direct application of a 12 dangerous drug, whether by injection, inhalation, ingestion, 13 14 or any other means, to the body of a patient or research subject by: 15 (a) a practitioner (or by his authorized agent), or 16 17 (b) the patient or research subject at the direction 18 and in the presence of the practitioner. (2) "Agent" means an authorized person who acts on 19 20 behalf of or at the direction of a manufacturer, 21 distributor, or dispenser. It does not include a common or 22 contract carrier, public warehouseman, or employee of the 23 carrier or warehouseman. (3) "Board" means the board of pharmacists, provided 24

24 (3) "Board" means the board of pharmacists, provided25 for in section 82A-1602.21.

THIRD READING

(4) "Bureau" means the bureau of narcotics and
 dangerous drugs, United States department of justice, or its
 successor agency.

4 (5) "Dangerous drug" means a drug, substance or
 5 immediate precursor in Schedules I through V hereinafter set
 6 forth.

7 (6) "Counterfeit substance" means a dangerous drug 8 which, or the container or labeling of which, without 9 authorization, bears the trademark, trade name, or other 10 identifying mark, imprint, number of device, or any likeness 11 thereof, of a manufacturer, distributor, or dispenser other 12 than the person who in fact manufactured, distributed, or 13 dispensed the drug.

14 (7) "Deliver" or "delivery" means the actual, 15 constructive, or attempted transfer from one person to 16 another of a dangerous drug, whether or not there is an 17 agency relationship.

18 (8) "Department" means the department of professional
19 and occupational licensing, provided for in Title 82A,
20 chapter 16.

(9) "Dispense" means to deliver a dangerous drug to an
ultimate user or research subject by or pursuant to the
lawful order of a practitioner, including the prescribing,
administering, packaging, labeling, or compounding necessary
to prepare the drug for that delivery.

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1 (10) "Dispenser" means a practitioner who dispenses. 2 (11) "Distribute" means to deliver other than by administering or dispensing a dangerous drug. 2 (12) "Distributor" means a person who distributes. 4 (13) "Drug" means: 5 (a) substances recognized as drugs in the official 6 official homeopathic 7 United States pharmacopoeia, 8 pharmacopoeia of the United States, or official national 9 formulary, or any supplement to any of them; 10 (b) substances intended for use in the diagnosis. 11 cure, mitigation, treatment, or prevention of disease in man 12 or animals: 13 (c) substances (other than food) intended to affect 14 the structure or any function of the body of man or animals; 15 and 16 (d) substances intended for use as a component of any article specified in clause (a), (b), or (c) of this 17 18 subsection. It does not include devices or their components, 19 parts or accessories. 20 (14) "Immediate precursor" means a substance which the 21 board of pharmacists has found to be and by rule designates 22 as being the principal compound commonly used or produced 23 primarily for use, and which is an immediate chemical 24 intermediary used or likely to be used in the manufacture of 25 a dangerous drug, the control of which is necessary to

1 prevent, curtail, or limit manufacture.

(15) "Manufacture" means the production, preparation, 2 propagation, compounding, conversion or processing of a 3 4 dangerous drug, either directly or indirectly by extraction from substances of natural origin, or independently by means 5 6 of chemical synthesis, or by a combination of extraction and synthesis, and includes any packaging or 7 chemical repackaging of the drug or labeling or relabeling of its 8 container. except that this term does not include the 9 10 preparation or compounding of a dangerous drug by an 11 individual for his own use or the preparation, compounding, packaging, or labeling of a dangerous drug: 12

13 (a) by a practitioner as an incident to his
14 administering or dispensing of a dangerous drug in the
15 course of his professional practice, or

16 (b) by a practitioner, or by his authorized agent 17 under his supervision, for the purpose of, or as an incident 18 to, research, teaching, or chemical analysis and not for 19 sale.

20 (16) "Marihuana <u>Marijuana</u>" means all parts-of-the plant 21 cannabis-sativa--lr7--whether--growing--or--not7--the--seeds 22 thereof7-the-resin-extracted-from-any-part-of-the-plant7-and 23 every--compound7--manufacture7-salt7-derivative7-mixture7-or 24 preparation-of-the-plant7-its-seeds-or-resin7--It--does--not 25 include--the-mature-stalks-of-the-plant7-fiber-produced-from

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the-staiksy-oil-or-cake-made-from-the-seeds--of--the--planty any--other-compoundy-manufacturey-saity-derivativey-mixturey or-preparation--of--the--mature--staiks--{except--the--resin extracted-therefrom}y-fibery-oily-or-cakey-or-the-sterilised seed-of-the-plant-which-is-incapable-of-germination material from the genus cannabis containing tetrahydrocannabinol (THC) or seeds of the genus capable of germination.

8 (17) "Narcotic drug" means any of the following, 9 whether produced directly or indirectly by extraction from 10 substances of vegetable origin, or independently by means of 11 chemical synthesis, or by a combination of extraction and 12 chemical synthesis:

13 (a) opium and opiace, and any salt, compound,
14 derivative, or preparation of opium or opiate;

(b) any salt, compound, isomer, derivative, or
preparation thereof which is chemically equivalent or
identical with any of the drugs referred to in clause (a),
but not including the isoquinoline alkaloids, of opium;

(c) opium poppy and poppy straw;

19

(d) coca leaves and any salt, compound, derivative, or
preparation of coca leaves, and any salt, compound, isomer,
derivative, or preparation thereof which is chemically
equivalent or identical with any of these drugs, but not
including decocainized coca leaves or extractions of coca
leaves which do not contain cocaine or ecgonine.

1 (18) "Opiate" any drug means having an 2 addiction-forming or addiction-sustaining liability similar 3 to morphine or being capable of conversion into a drug 4 having addiction-forming or addiction-sustaining liability. 5 It does not include, unless specifically designated as a dangerous drug under section 54-302 of this act. the 6 7 dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and 8 9 levorotatory forms.

10 (19) "Opium poppy" means the plant of the species
11 papaver somniferum 1., except its seeds.

12 (20) "Person" means individual, corporation, government 13 or governmental subdivision or agency, business trust, 14 estate, trust, partnership or association, or any other 15 legal entity.

16 (21) "Poppy straw" means all parts, except the seeds,
17 of the opium poppy, after mowing.

18 (22) "Practitioner" means:

19 (a) a physician, dentist, veterinarian, scientific 20 investigator, or other person licensed, registered or 21 otherwise permitted to distribute, dispense. conduct 22 research with respect to or to administer a dangerous drug 23 in the course of professional practice or research in this 24 state;

25 (b) a pharmacy or other institution licensed, -6- HB5555

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registered, or otherwise permitted to distribute, dispense,
 conduct research with respect to or to administer a
 dangerous drug in the course of professional practice or
 research in this state.

5 (23) "Production" includes the manufacture, planting,
6 cultivation, growing, or harvesting of a substance or drug
7 regulated under the provisions of this act.

8 (24) "State," when applied to a part of the United 9 States, includes any state, district, commonwealth, 10 territory, insular possession thereof, and any area subject 11 to the legal authority of the United States of America.

12 (25) "Ultimate user" means a person who lawfully
13 possesses a dangerous drug for his own use or for the use of
14 a member of his household or for administering to an animal
15 owned by him or by a member of his household.

16 (26) The term "prescription" shall be given the meaning
17 it has in section 66-1502 (13), R.C.M. 1947."

-End-

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March 18, 1975

SENATE COMMITTEE ON JUDICIARY

AMENDMENTS TO HOUSE BILL NO. 555

That House Bill No. 555, third reading, be amended as follows:

1. Amend page 4, section 1, line 20. Following: "Marijuana" Insert: "(marihuana)" .

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HB 0555/03

1	HOUSE BILL NO. 555
2	INTRODUCED BY SCULLY (BY REQUEST)
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5	54-301, R.C.M. 1947, BY CHANGING THE DEFINITION OF
6	"MARIJUANA"."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9	Section 1. Section 54-301, R.C.M. 1947, is amended to
10	read as follows:
11	<pre>"54-301. Definitions. As used in this act:</pre>
12	(1) "Administer" means the direct application of a
13	dangerous drug, whether by injection, inhalation, ingestion,
14	or any other means, to the body of a patient or research
15	subject by:
16	(a) a practitioner (or by his authorized agent), or
17	(b) the patient or research subject at the direction
18	and in the presence of the practitioner.
19	(2) "Agent" means an authorized person who acts on
20	behalf of or at the direction of a manufacturer,
21	distributor, or dispenser. It does not include a common or
22	contract carrier, public warehouseman, or employee of the
23	carrier or warehouseman.
24	(3) "Board" means the board of pharmacists, provided
25	for in section 82A-1602.21.

(4) "Bureau" means the bureau of narcotics and
 dangerous drugs, United States department of justice, or its
 successor agency.

4 (5) "Dangerous drug" means a drug, substance or 5 immediate precursor in Schedules I through V hereinafter set 6 forth.

7 (6) "Counterfeit substance" means a dangerous drug 8 which, or the container or labeling of which, without 9 authorization, bears the trademark, trade name, or other 10 identifying mark, imprint, number of device, or any likeness 11 thereof, of a manufacturer, distributor, or dispenser other 12 than the person who in fact manufactured, distributed, or 13 dispensed the drug. 14 (7) "Deliver" or "delivery" means actual, the

15 constructive, or attempted transfer from one person to 16 another of a dangerous drug, whether or not there is an 17 agency relationship.

18 (8) "Department" means the department of professional
19 and occupational licensing, provided for in Title 82A,
20 chapter 16.

(9) "Dispense" means to deliver a dangerous drug to an
ultimate user or research subject by or pursuant to the
lawful order of a practitioner, including the prescribing,
administering, packaging, labeling, or compounding necessary
to prepare the drug for that delivery.

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REFERENCE BILL

1 (10) "Dispenser" means a practitioner who dispenses. 2 (11) "Distribute" means to deliver other than by 3 administering or dispensing a dangerous drug. 4 (12) "Distributor" means a person who distributes. 5 (13) "Drug" means: 6 (a) substances recognized as drugs in the official 7 United States pharmacopoeia, official homeopathic 8 pharmacopoeia of the United States, or official national 9 formulary, or any supplement to any of them: 10 (b) substances intended for use in the diagnosis. 11 cure, mitigation, treatment, or prevention of disease in man 12 or animals: 13 (c) substances (other than food) intended to affect 14 the structure or any function of the body of man or animals; 15 and 16 (d) substances intended for use as a component of any 17 article specified in clause (a), (b), or (c) of this 18 subsection. It does not include devices or their components, 19 parts or accessories. 20 (14) "Immediate precursor" means a substance which the 21 board of pharmacists has found to be and by rule designates 22 as being the principal compound commonly used or produced 23 primarily for use, and which is an immediate chemical 24 intermediary used or likely to be used in the manufacture of 25 a dangerous drug, the control of which is necessary to -3-HB 555

prevent, curtail, or limit manufacture.

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2 (15) "Manufacture" means the production, preparation, 3 propagation, compounding, conversion or processing of a 4 dangerous drug, either directly or indirectly by extraction 5 from substances of natural origin, or independently by means 6 of chemical synthesis, or by a combination of extraction and 7 chemical synthesis, and includes any packaging or 8 repackaging of the drug or labeling or relabeling of its 9 container, except that this term does not include the 10 preparation or compounding of a dangerous drug by an individual for his own use or the preparation, compounding, 11 12 packaging, or labeling of a dangerous drug: 13 (a) by a practitioner as an incident to his 14 administering or dispensing of a dangerous drug in the 15 course of his professional practice, or 16 (b) by a practitioner, or by his authorized agent 17 under his supervision, for the purpose of, or as an incident 18 to, research, teaching, or chemical analysis and not for 19 sale. 20 (16) "Marihuana Marijuana (MARIHUANA)" means all parts of-the plant cannabis-sativa-ivy-whether-growing-or-noty-the 21 22 seeds--thereof+--the--resin--extracted--from-any-part-of-the planty-and-every-compoundy--manufacturey--salty--derivativey 23 mixture_-or-preparation-of-the-planty-its-seeds-or-resint-It 24 does--not--include--the--mature--stalks--of-the-planty-fiber 25 -4-HB 555

1 produced-from-the-stalks--oil-er-sake-made-from-the-seeds-of 2 the--planty---any---other---compoundy---manufacturey---salty 3 derivative,--mixture,--or--preparation--of-the-mature-stalks {except-the-resin-extracted-therefrom},-fiber,-oily-or-cake; 4 or-the-sterilized-seed-of-the-plant-which--is--incapable--of 5 germination material from the genus cannabis containing 6 tetrahydrocannabinol (THC) or seeds of the genus capable of 7 germination. 8

(17) "Narcotic drug" means any of the following, 9 10 whether produced directly or indirectly by extraction from 11 substances of vegetable origin, or independently by means of 12 chemical synthesis, or by a combination of extraction and 13 chemical synthesis:

14 (a) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate; 15

(b) any salt, compound, isomer, derivative, or 16 preparation thereof which is chemically equivalent or 17 identical with any of the drugs referred to in clause (a), 18 19 but not including the isoquinoline alkaloids, of opium;

20 (c) opium poppy and poppy straw;

21 (d) coca leaves and any salt, compound, derivative, or 22 preparation of coca leaves, and any salt, compound, isomer, 23 derivative, or preparation thereof which is chemically equivalent or identical with any of these drugs, but not 24 25 including decocainized coca leaves or extractions of coca -5-

leaves which do not contain cocaine or ecgonine. 1

2 (18) "Opiate" means anv drug having an addiction-forming or addiction-sustaining liability similar 3 4 to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. 5 6 It does not include, unless specifically designated as a 7 dangerous drug under section 54-302 of this act. the 8 dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its 9 salts (dextromethorphan). It does include its racemic and 10 levorotatory forms. 11 (19) "Opium poppy" means the plant of the species 12 papaver somniferum 1., except its seeds. 13 (20) "Person" means individual, corporation, government 14 or governmental subdivision or agency, business trust, 15 estate, trust, partnership or association, or any other

16 legal entity.

17 (21) "Poppy straw" means all parts, except the seeds. 18 of the opium poppy, after mowing.

19 (22) "Practitioner" means:

20 (a) a physician, dentist, veterinarian, scientific 21 investigator, or other person licensed, registered or 22 otherwise permitted to distribute, dispense, conduct 23 research with respect to or to administer a dangerous drug 24 in the course of professional practice or research in this 25 state;

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HB 555 (b) a pharmacy or other institution licensed,
 registered, or otherwise permitted to distribute, dispense,
 conduct research with respect to or to administer a
 dangerous drug in the course of professional practice or
 research in this state.

6 (23) "Production" includes the manufacture, planting,
7 cultivation, growing, or harvesting of a substance or drug
8 regulated under the provisions of this act.

9 (24) "State," when applied to a part of the United
10 States, includes any state, district, commonwealth,
11 territory, insular possession thereof, and any area subject
12 to the legal authority of the United States of America.

13 (25) "Ultimate user" means a person who lawfully
14 possesses a dangerous drug for his own use or for the use of
15 a member of his household or for administering to an animal
16 owned by him or by a member of his household.

17 (26) The term "prescription" shall be given the meaning
18 it has in section 66-1502 (13), R.C.M. 1947."

-End-

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